RE/7

Town and Country Planning Acts 1971 - 1974

Insert title of Order. THE DISTRICT OF TYNEDALE
(Oaklands Manor [south west] Riding Mill)

TREE PRESERVATION ORDER, 1984.

Insert name of local planning authority. TYNEDALE DISTRICT COUNCIL in this order called " the authority " in pursuance of the powers conferred in that behalf by Section 60 [and 61*] of the Town and Country Planning Act 1971 (as amended by Section 10 (1) of the Town and Country Amenities Act 1974), and subject to the provisions of the Forestry Act 1967, hereby make the following Order:—

1. In this Order:—
" the Act " means the Town and Country Planning Act 1971;
" owner " means the owner in fee simple, either in possession or who has granted a lease or tenancy of which the unexpired portion is less than three years; lessee (including a sub-lessee) or tenant in possession, the unexpired portion of whose lease or tenancy is three years or more and a mortgagee in possession; and
" the Secretary of State " means the [Secretary of State for the Environment] [Secretary of State for Wales].

2.—Subject to the provisions of this Order and to the exemptions specified in the Second Schedule hereto, no person shall, except with the consent of the authority and in accordance with the conditions, if any, imposed on such consent, cut down, top, lop, uproot, wilfully damage or wilfully destroy or cause or permit the cutting down, topping, lopping, uprooting, wilful damage or wilful destruction of any tree specified in the First Schedule hereto or comprised in a group of trees or in a woodland therein specified, the position of which trees, groups of trees and woodlands is defined in the manner indicated in the said First Schedule on the map annexed hereto‡ which map shall, for the purpose of such definition as aforesaid, prevail where any ambiguity arises between it and the specification in the said First Schedule.

3.—An application for consent made to the authority† under Article 2 of this Order shall be in writing stating the reasons for making the application, and shall by reference if necessary to a plan specify the trees to which the application relates, and the operations for the carrying out of which consent is required.

4.—(1) Where an application for consent is made to the authority under this Order, the authority may grant such consent either unconditionally, or subject to such conditions (including conditions requiring the replacement of any tree by one or more trees on the site or in the immediate vicinity thereof), as the authority may think fit, or may refuse consent.

Provided that where the application relates to any woodland specified in the First Schedule to this Order the authority shall grant consent so far as accords with the principles of good forestry, except where, in the opinion of the authority, it is necessary in the interests of amenity to maintain the special character of the woodland or the woodland character of the area, and shall not impose conditions on such consent requiring replacement or replanting.

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* Include only where Order contains a direction under section 61 of the Act.

‡ Map to be to a scale of not less than 25 inches to one mile (1:2500), except in the case of large-woodlands when the scale shall be 6 inches to one mile (1:10000 or 1:10560).

† NOTE.—If it is desired to *fell* any of the trees included in this Order whether included as trees, groups of trees or woodlands and the trees are trees for the felling of which a licence is required under the Forestry Act, 1967, application should be made *not* to the authority for consent under this Order but to the Conservator of Forests for a licence under that Act (section 15 (5)).

FIRST SCHEDULE

TREES SPECIFIED INDIVIDUALLY*

(encircled in black on the map)

No. on Map.	*Description.*	*Situation.*
		The following tree is measured in an easterly direction for a distance of 35.5 metres along the southern boundary of the front garden of Oaklands Manor commencing from the south-western corner of th said garden:
T1	Nootka Cypress	35.5 metres along the said boundary and offset 8.5 metres to the north.

TREES SPECIFIED BY REFERENCES TO AN AREA*

(within a dotted black line on the map)

No. on Map.	*Description.*	*Situation*
NONE		

GROUPS OF TREES*

(within a broken black line on the map)

No. on Map	*Description.*	*Situation*
G1	The Group consisting of 7 Holly, 4 Irish Yew, 1 Oak, 1 Spanish Silver Fir and 1 Sycamore.	Situated in the extreme south-western corner of the front garden of Oaklands Manor extendin 20.8 metres along the western boundary and 31.5 metres along the southern boundary.

* The word "NONE" must be entered where necessary.

WOODLANDS*

(within a continuous black line on the map)

No. on Map.	*Description.*	*Situation*
NONE		

* The word " NONE " must be entered where necessary.

SECOND SCHEDULE

This Order shall not apply so as to require the consent of the authority to

(1) the cutting down of any tree on land which is subject to a forestry dedication covenant where

(*a*) any positive covenants on the part of the owner of the land contained in the same deed as the forestry dedication covenant and at the time of the cutting down binding on the then owner of the land are fulfilled;

(*b*) the cutting down is in accordance with a plan of operations approved by the Forestry Commission under such deed.

(2) the cutting down of any tree which is in accordance with a plan of operations approved by the Forestry Commission under the approved woodlands scheme or other grant scheme under section 4 of the Forestry Act 1967 except a scheme which applies to a forestry dedication covenant;

(3) the cutting down, uprooting, topping or lopping of a tree.

(*a*) in pursuance of the power conferred on the Post Office by virtue of section 5 of the Telegraph (Construction) Act 1908 and section 21 of the Post Office Act 1969, or by or at the request of the Post Office where the land on which the tree is situated is operational land as defined by the Post Office Operational Land Regulations* and either works on such land cannot otherwise be carried out or the cutting down, topping or lopping is for the purpose of securing safety in the operation of the undertaking;

(*b*) by or at the request of

(i) a statutory undertaker where the land on which the tree is situated is operational land as defined by the Act and either works on such land cannot otherwise be carried out or the cutting down, topping or lopping is for the purpose of securing safety in the operation of the undertaking;

(ii) an electricity board within the meaning of the Electricity Act 1947, where such tree obstructs the construction by the board of any main transmission line or other electric line within the meaning respectively of the Electricity (Supply) Act 1919 and the Electric Lighting Act 1882 or interferes or would interfere with the maintenance or working of any such line;

(iii) a water authority established under the Water Act 1973, a drainage board constituted or treated as having been constituted under the Land Drainage Act 1976, or the Greater London Council, where the tree interferes or would interfere with the exercise of any of the functions of such water authority, drainage board, or Council in relation to the maintenance, improvement or construction of water courses or of drainage works; or

(iv) the Secretary of State for Defence, the Secretary of State for Trade, the Civil Aviation Authority or the British Airports Authority where in the opinion of such Secretary of State or Authority the tree obstructs the approach of aircraft to, or their departure from, any aerodrome or hinders the safe and efficient use of aviation or defence technical installations;

(*c*) where immediately required for the purpose of carrying out development authorised by the planning permission granted on an application made under Part III of the Act, or deemed to have been so granted for any of the purposes of that Part;

(*d*) which is a fruit tree cultivated for fruit production growing or standing on land comprised in an orchard or garden;

[Where the trees are within the Thames catchment area]

[(*e*) in pursuance of the powers of the Thames Water Authority under section 105 of the Thames Conservancy Act 1932.]

* S.I. 1973/310.

Dated 6th June 1984 .

Tynedale District Council

TOWN AND COUNTRY PLANNING ACTS, 1971-74

TREE PRESERVATION ORDER

relating to

Oaklands Manor (south west)
Riding Mill (1984)

Cat. No. T.C.P. 38
Shaw & Sons Ltd., Shaway House, Lower Sydenham, SE26 5AE
S1396 (N) L

HJAP/JA

CGB/JW LA/G/23E

County Planning Officer,
County Hall,
Morpeth.
NL61 2EF

10 August 1984

Dear Mr. Lodge,

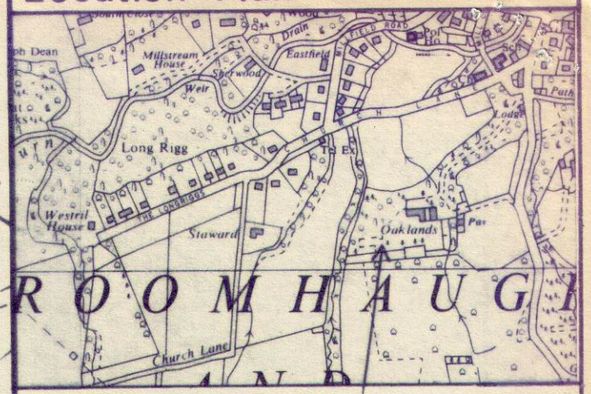
District of Tynedale (Oaklands Manor [south-west] Riding Mill)
Tree Preservation Order 1984

Further to your letter of 25 June 1984 I am writing to inform you that the District Planning Committee made a Tree Preservation Order at their April meeting, and notices were served on the relevant owners. The Committee again considered the matter at their July meeting and there being no objections received to the above Order decided to confirm this Tree Preservation Order and I enclose a copy for your information.

Yours sincerely,

Chief Planning Officer

Location Plan Scale 1:10560



Location of Site

Housing

Park

Meadow

W1

W1 and W3 of the (Oaklands, Riding Mill) T.P.O. 1964

W3

W1

Oaklands Manor

Manor Close

T1

G1

W1

H.J.A. Phillipson B.A. M.R.T.P.I.
Chief Planning Officer
Tynedale District Council
Prospect House
Hexham
Northumberland

THE DISTRICT OF TYNEDALE

OAKLANDS MANOR (South West) RIDING MILL

TREE PRESERVATION ORDER 1984

Scale 1:500

Drawing No 6