



DISTRICT COUNCIL
NORTH OXFORDSHIRE

TREE PRESERVATION ORDER

**Town and Country Planning Act 1990
Town and Country Planning (Tree Preservation) (England) Regulations 2012
The Cherwell District Council Tree Preservation Order (No.1) 2017
Chestnut tree at Cow Lane, Steeple Aston.**

The Cherwell District Council, in exercise of the powers conferred on them by sections 198 of the Town and Country Planning Act 1990 hereby make the following Order

Citation

1. This Order may be cited as The Cherwell District Council Tree Preservation Order (No.1) 2017.

Interpretation

2. (1) In this Order "the authority" means the Cherwell District Council

(2) In this Order any reference to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990 and any reference to a numbered regulation is a reference to the regulation so numbered in the Town and Country Planning (Tree Preservation)(England) Regulations 2012.

Effect

3. (1) Subject to article 4, this Order takes effect provisionally on the date on which it is made.

(2) Without prejudice to subsections (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners), and, subject to exceptions in regulation 14, no person shall -

(a) cut down, top, lop, uproot, wilfully damage or wilfully destroy; or

(b) cause or permit the cutting down, topping, lopping, wilful damage or wilful destruction of,

any tree specified in the Schedule to this Order except with the written consent of the authority in accordance with regulations 16 and 17, or of the Secretary of State in accordance with regulation 23, and, where such consent is given subject to conditions, in accordance with those conditions.

Application to trees to be planted pursuant to a condition

4. In relation to any tree identified in the first column of the Schedule by the letter "C", being a tree to be planted pursuant to a condition imposed under paragraph (a) of section 197 (planning permission to include appropriate provision for preservation and planting of trees), this Order takes effect as from the time when the tree is planted.

Dated this 09 January 2017

The Common Seal of the
Cherwell District Council
was affixed to this order in the presence of -

Authorised Signatory



[CONFIRMATION OF ORDER

[This Order was confirmed by the Cherwell District Council without modification on the
20th day of March 2017]
OR

~~[This Order was confirmed by the Cherwell District Council, subject to the modifications
indicated by [], on the day of]~~


.....
Authorised by the Council to sign in that behalf]

[DECISION NOT TO CONFIRM ORDER

[A decision not to confirm this Order was taken by the Cherwell District Council on the
day of]

.....
Authorised by the Council to sign in that behalf]

[VARIATION OF ORDER

[This Order was varied by the Cherwell District Council on the day of
by a variation order under reference number [] a
copy of which is attached.
Signed on behalf of Cherwell District Council

.....
Authorised by the Council to sign in that behalf]

[REVOCATION OF ORDER

[This Order was revoked by the Cherwell District Council on the day of
]
Signed on behalf of Cherwell District Council

.....
Authorised by the Council to sign in that behalf]

SCHEDULE

SPECIFICATION OF TREES

Trees specified individually (encircled in black on the map)

Reference on map	Description	Amenity Assessment (TEMPO)
T1	Chestnut	Findings and Scores:- Tree Condition: Good – Highly suitable (Score 5) Remaining Longevity: 20-40> suitable (Score 2) Relative public visibility: Medium or Large limited view (Score 3) Other factors: Trees with none of the above features (Score 1) Expediency assessment: Known threat to tree (Score 5) Total Score: 16 (see decision Guide 3)

Groups of trees (within a broken black line on the map)

Reference on map	Description (including number of trees of each species in the group)	Amenity Assessment (TEMPO)
NONE		

Woodlands (within a continuous black line on the map)

Reference on map	Description	Amenity Assessment (TEMPO)
NONE		

Trees Specified by Reference to an Area (within a dotted black line on the map)

Reference on map	Description	Amenity Assessment (TEMPO)
NONE		

CHERWELL DISTRICT COUNCIL

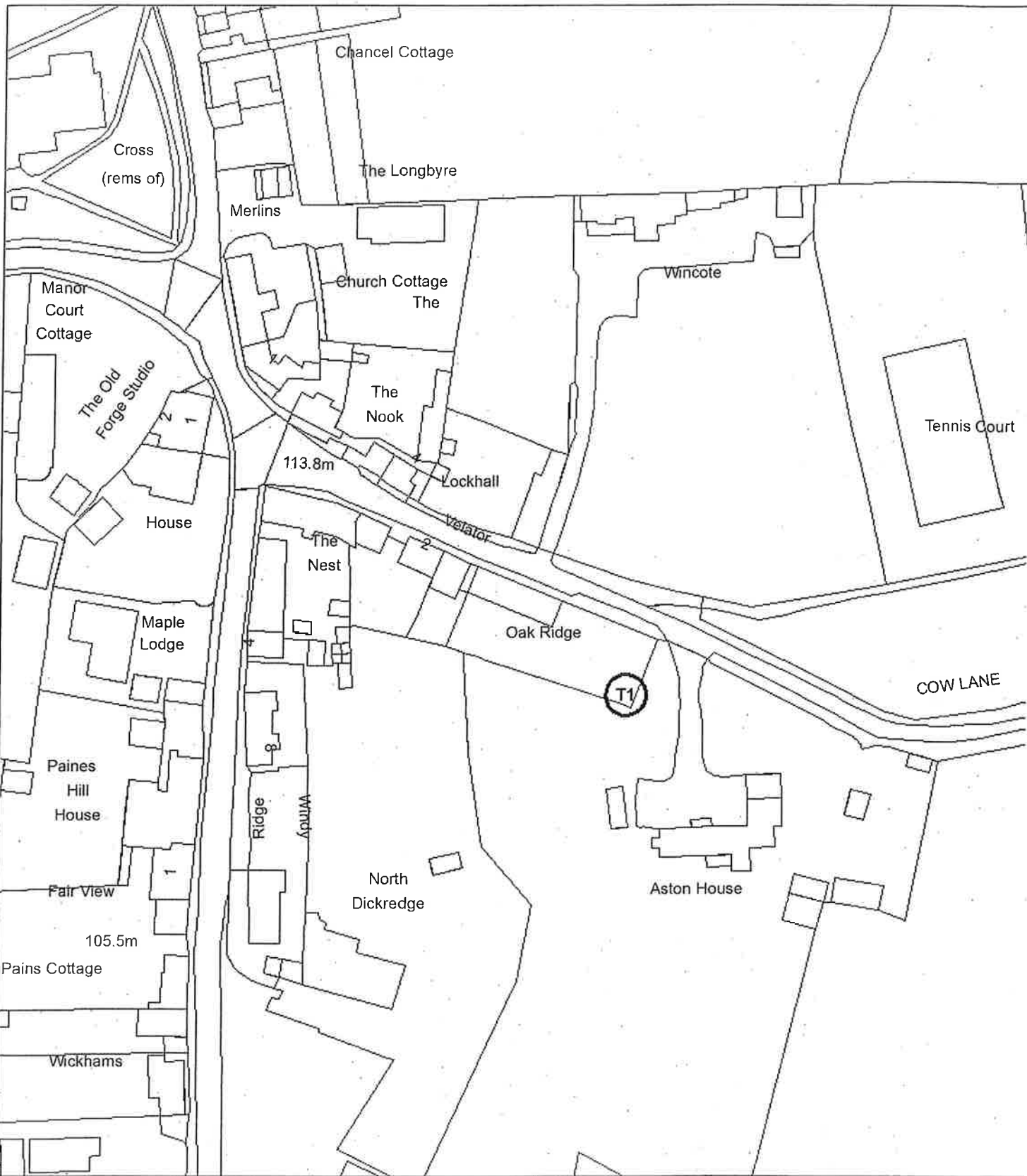
TREE PRESERVATION ORDER (NO.01/2017)

Statement of Reasons

1. **Amenity:** The tree/s specified within the first schedule of the Order have been included for its/ their high amenity value. This value was determined through qualified assessment guided by use of the TEMPO methodology (Tree Evaluation Method for Preservation Orders)
2. **Condition & Health:** A provisional inspection from ground level by a qualified officer indicated that generally the tree/s appears to be structurally and physiologically sound and should provide considerable amenity for many years to come.
3. **Conclusion:** It is the opinion of the Local Planning Authority that the tree/s specified in the Order be afforded the protection of a Tree Preservation Order and should be preserved under a direction of Town & Country Planning (Regs) 2012 taking effect immediately.
4. **Additional Information:**
5. **Tree Evaluation Method for Preservation Orders (TEMPO).**

Findings & Scores:

The tree in question is the subject of a section 211 felling notice for unsubstantiated reasons



**Tree Preservation Order No 01/2017
Oakridge Cow lane Steeple Aston**

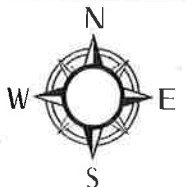
[Handwritten signature]

02/1/2016



The scale shown is approximate and should not be used for accurate

Scale	1:1000
Date	1/6/2017



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DISTRICT COUNCIL
NORTH OXFORDSHIRE

IMPORTANT – THIS COMMUNICATION MAY AFFECT YOUR PROPERTY

**Town and Country Planning Act 1990
Town and Country Planning (Tree Preservation) (England) Regulations 2012**

CHERWELL DISTRICT COUNCIL TREE PRESERVATION ORDER (NO. 1)2017

Re: Chestnut tree at Cow Lane, Steeple Aston.

THIS IS A FORMAL NOTICE to let you know that the Cherwell District Council have on 09 January 2017, made the above-mentioned Tree Preservation Order, (a copy of which, together with the accompanying map, is attached). In simple terms the Order prohibits you from cutting down, topping or lopping any of the trees specified in the First Schedule and shown on the map, without the Council's consent, but you must read the Order itself for the detailed provisions.

The Order took effect, on a provisional basis, on the date stated above. It will continue in force on this basis for a further six months or until the Order is confirmed by the Council, whichever first occurs.

The grounds for making the said Order are as set out in the attached statement.


A certified copy of the Order and the map included therein may be inspected without charge at the Cherwell District Council offices, Bodicote House, Bodicote, Banbury between the hours of 9.00 am and 4.00 pm Mondays to Fridays inclusive.

The Council will consider whether the Order should be confirmed, that is to say, whether it should take effect formally. Before this decision is made, the people affected by the Order have a right to make objections or other representations about any of the trees, groups of trees or woodlands covered by the Order.

Should you wish to raise any objections or make any representations with respect to the Order they should be made in writing by 6 February 2017 and must comply with Regulation 6 of the Town and Country Planning (Tree Preservation) (England) Regulations 2012 (reproduced overleaf), and should be returned to the Head of Law and Governance at the under-mentioned address.

All valid objections or representations are considered carefully by the Council's Planning Committee before deciding whether to confirm the Order. The Council will write to you again when a decision has been taken on whether to confirm the Order.

Dated: 09 January 2017

(Signed) 
Authorised Signatory
Law and Governance
Cherwell District Council
Bodicote House
Bodicote
BANBURY Oxfordshire OX15 4AA

COPY OF REGULATION 64 OF THE TOWN AND COUNTRY PLANNING (Tree Preservation) (England) REGULATIONS 2012

6.— Objections and representations

(1) Subject to paragraph (2), objections and representations—

(a) shall be made in writing and—

(i) delivered to the authority not later than the date specified by them under regulation 5(2)(c); or

(ii) sent to the authority in a properly addressed and pre-paid letter posted at such time that, in the ordinary course of post, it would be delivered to them not later than that date;

(b) shall specify the particular trees, groups of trees or woodlands (as the case may be) in respect of which such objections and representations are made; and

(c) in the case of an objection, shall state the reasons for the objection.

(2) The authority may treat as duly made objections and representations which do not comply with the requirements of paragraph (1) if, in the particular case, they are satisfied that compliance with those requirements could not reasonably have been expected.