

TOWN AND COUNTRY PLANNING ACT 1990

EAST HAMPSHIRE (Land north of, Boyneswood Lane, Medstead, Alton)

TREE PRESERVATION ORDER (EH983) 2015

East Hampshire District Council, in exercise of the powers conferred on them by section 198 of the Town and Country Planning Act 1990 hereby make the following Order -

**Citation**

1.This Order may be cited as East Hampshire (Land north of, Boyneswood Lane, Medstead, Alton) Tree Preservation Order (EH983) 2015.

**Interpretation**

2.(1) In this Order "the authority" means East Hampshire 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 subsection (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners) and, subject to the 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 03 November 2015

The COMMON SEAL of

EAST HAMPSHIRE DISTRICT COUNCIL

was affixed to this Order in the

presence of:-

*N. Lead*

*f* Solicitor to the Council



218790

## SCHEDULE 1

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

Reference on Map	Description	Situation
G1	9 Beech	Adjacent to the western boundary of the site as shown on the attached plan
G2	5 Beech 2 Oak	Adjacent to the western boundary of the site as shown on the attached plan
G3	2 Oak 1 Beech	Adjacent to the western boundary of the site as shown on the attached plan
G4	2 Beech	On the northern boundary as shown on the attached plan
G5	10 Beech 1 Ash 1 Oak	Adjacent to the northern boundary as shown on the attached plan
G6	14 Oak 1 Hawthorn	In the northern part of the site as shown on the attached plan
G7	3 Oak	South of Group 6 as shown on the attached plan
G8	2 Oak	South of G7 as shown on the attached plan
G9	5 Oak	Adjacent to the eastern boundary, as shown on the attached plan

### SPECIFICATION OF TREES

Trees specified individually  
(encircled in green on the map)

Reference on Map	Description	Situation
T1	Beech	Approximately 100 metres from the southern boundary and 5 metres from the western boundary
T2	Beech	Approximately 3 metres from the western boundary and 7 metres from the northern boundary
T3	Oak	On the northern boundary, approximately 25 metres from the western boundary
T4	Beech	Adjacent to the northern boundary, approximately 88 metres from the western boundary
T5	<del>Spruce</del> Ash	On the eastern boundary and approximately 70 metres from the southern boundary
T6	Beech	On the southern boundary and approximately 16 metres from the eastern boundary
T7	Beech	On the southern boundary and approximately 35 metres from the eastern boundary
T8	Oak	On the southern boundary and approximately 145 metres from the western boundary
T9	Beech	On the southern boundary and approximately 53 metres from the western boundary

This Order was confirmed by East Hampshire District Council, subject to the modification shown in red in schedule 1 on the 28<sup>th</sup> April 2016  
Signed on behalf of the East Hampshire District Council  
N. Leach  
Authorised by the Council to sign in that behalf.