

C O P Y.

THE RURAL DISTRICT COUNCIL OF WINCHESTER.

TOWN AND COUNTRY PLANNING ACTS, 1932
AND 1943.

INTERIM PRESERVATION ORDER NO.2

WHEREAS it appears to us the RURAL DISTRICT COUNCIL OF THE RURAL DISTRICT OF

WINCHESTER (hereinafter called "the Council") being the Interim Development

Authority for the purposes of the above Acts in respect of the said District that it is expedient having regard to the provisions proposed to be inserted in the Planning Scheme for the said District in accordance with section forty-six of the Town and Country Planning Act, 1932, to provide as hereinafter mentioned for the preservation of the trees and groups of trees, during the period pending the coming into operation of the provision of the said Planning Scheme.

NOW THEREFORE in pursuance of the powers contained in section eight of the Town and Country Planning (Interim Development) Act 1943 and of all other powers enabling us in that behalf

WE THE COUNCIL DO ORDER as follows -

(1) THAT until such time as a Planning Scheme for the said District comes into operation and subject to the exemptions specified in the Second Schedule hereto no person (which expression shall in this Order include any body or firm whether corporate or otherwise) shall except with the consent of the Council cut down, top, lop or willfully destroy or permit the cutting down, topping, lopping or willful destruction of any of the trees and groups of trees in the said District referred to in the First Schedule hereto and more particularly indicated numbered and shown coloured green on the plan hereto annexed

(2) ANY application for consent of the Council made in pursuance of paragraph one hereof shall be in writing and shall contain such particulars and be accompanied by such plans as the Council may require and in considering any such application the Council may grant the same either unconditionally or subject to such conditions as they may think fit to impose or may refuse the same PROVIDED THAT

(a) any person who is aggrieved by the refusal of any consent under this Order or by any condition imposed upon the grant of any such consent may appeal to the Minister of Town and Country Planning (hereinafter called "the Minister") and

(b) upon the refusal of any consent under this Order or upon granting any such consent subject to conditions, the Council may make a contribution towards any damage or expense likely to be suffered or incurred by reason of their decision

(3) ANY person contravening this Order shall be guilty of an offence and liable on summary conviction to a fine not exceeding Fifty Pounds and in the case of a

continuing offence shall be liable on summary conviction to a fine not exceeding forty shillings for each day during which the offence continues after conviction (4) THIS Order shall take effect from the date on which it is approved by the Minister in accordance with the provisions of sub-sections two and three of section 8 of the Town and Country Planning (Interim Development) Act, 1945

THE FIRST SCHEDULE heretofore referred to

<u>No. on Plan.</u>	<u>Description of tree(s)</u>	<u>Situation</u>
1	Deciduous and coniferous	Ordnance Enclosure Nos. 339 and 340 (Revision of 1941 Edition) - Parish of West End known as West End Copse.
2	Deciduous and coniferous	The Wilderness Estate, Parish of West End comprising Ordnance Enclosure 94 (part) (1933 Edition) bounded by Church Hill, West End Road and Chalk Hill.
3	Deciduous and coniferous	West side of Chalk Hill Parish of West End
4	Deciduous and coniferous	South side of West End Road
5	Scots Pine	East of Harefield Farm, Parish of West End - Ordnance Enclosure No. 53 (1933 Edition).
6	Deciduous and coniferous	South East of Harefield Farm, Parish of West End - part Ordnance Enclosure 48 (1933 Edition).
7	Deciduous	Parish of West End - Ordnance Enclosure No. 27 (1933 Edition).
8	Deciduous and coniferous	South side of West End Road and West side of Moor Hill, Parish of West End - Ordnance Enclosures 314 and 26 (1933 Edition).
9	Coniferous	West of Moor Hill, Parish of West End - part Ordnance Enclosure 444 (Ordnance Edition Revision of 1940)
10	Deciduous and coniferous	West side of Moor Hill, Parish of West End - Ordnance Enclosures 774, part 819 and part 811 (Ordnance Edition Revision of 1940)
11	Deciduous and coniferous	East side of Moor Hill, Parish of West End - Ordnance Enclosures 815, 817 part and 812 (Ordnance Edition Revision of 1940)
12	Deciduous and coniferous	West of Kanes Hill forming part of Dumbleton's Copse, Parish of West End - Ordnance Enclosures 586 585 part (Ordnance Edition 1909) Parish of Hound - Ordnance Enclosures part 14
13	Deciduous and coniferous	North East side of Kanes Hill, Parish of Hedge End - Ordnance Enclosure part 268 (Ordnance Edition 1909)
14	Deciduous and coniferous	Northern junction of Kanes Hill and St. John's Road, Parish of Hedge End - Ordnance Enclosure part 1 (Ordnance Edition 1909)

No. on
Plan.

Description of
trees(s)

Situation

15

Deciduous and coniferous

Southern Junction of Kares Hill and
St. John's Road, Parish of Hedge
End - Ordnance Enclosures 3 and
part 4 (Ordnance Edition 1909)

THE SECOND SCHEDULE heretofore referred to

THIS Order shall not apply so as to require the consent of the Council to the cutting down, topping, lopping or wilful destruction of any tree undertaken

(a) in compliance with an obligation imposed by or under any Act

of Parliament; or

(b) in pursuance of a power conferred on the Postmaster General by

virtue of section five of the Telegraph (Construction) Act 1908; or

(c) in the case of a local or public authority or statutory undertakers,

in the exercise of any powers conferred on the authority or undertaken

by or under any Act of Parliament; or

(d) where the tree is dying or dead or has become dangerous; or

(e) in pursuance of any consent granted on an appeal made under this Order

IN WITNESS whereof the Council have caused their Common Seal to be hereunto affixed this 31st day of December One thousand nine hundred and forty-seven in the presence of:-

E. J. HARDMAN JONES

Chairman

L.S.

G. H. GARDNER

Clerk

CERTIFIED True copy

Clerk of the Council
1 March 1948

2530

The Minister of Town and Country Planning in exercise of the powers given to him by subsection (2) of Section 8 of the Town and Country Planning (Interim Development) Act, 1943, and having taken into consideration all objections not withdrawn, hereby approves the above Order subject to the following modifications:

1. In line 7 the words "groups of trees and woodlands" shall be substituted for the words "trees and groups of trees".

2. In Clause (1) the words "groups of trees or any part of the woodland areas" shall be substituted for the words "trees and groups of trees".
3. The following Clause shall be added after Clause (2)
(2A) If any of the said woodland areas or any part thereof is felled in the course of forestry operations permitted by or under this Order the owner or owners of the land shall if required by the Council undertake such replanting as would be in accordance with the practice of good forestry.
4. The groups of trees and woodland areas numbered 1,4,5,6 and 7 and the portions of group numbered 8 and area numbered 8 which are shown edged red and hatched black, shall be omitted from Clause (1) and the First Schedule.
5. In the First Schedule the words "group of trees" shall be inserted in the first column after the numbers 3,9,11,13 and 14 and the words "woodland area" shall be inserted in the first column after the numbers 2,8,10,12 and 15.
6. In the second Schedule the words "or part of any woodland area" shall be inserted after the words "any tree".

L.S.

(signed) ---

GIVEN under the Official Seal of
the Minister of Land and
Country Planning this thirtieth
day of June, One thousand nine
hundred and forty-eight.

Authorised by the Minister to sign
in that behalf

THE RURAL DISTRICT COUNCIL OF WINCHESTER.

TOWN AND COUNTRY PLANNING ACTS, 1932
AND 1945.

INTERIM PRESERVATION ORDER NO.2

WHEREAS it appears to us the RURAL DISTRICT COUNCIL OF THE RURAL DISTRICT OF WINCHESTER (hereinafter called "the Council") being the Interim Development Authority for the purposes of the above Acts in respect of the said District that it is expedient having regard to the provisions proposed to be inserted in the Planning Scheme for the said District in accordance with section forty-six of the Town and Country Planning Act, 1932, to provide as hereinafter mentioned for the preservation of the trees and groups of trees, during the period pending the coming into operation of the provision of the said Planning Scheme.

NOW THEREFORE in pursuance of the powers contained in section eight of the Town and Country Planning (Interim Development) Act 1945 and of all other powers enabling us in that behalf

WE THE COUNCIL DO ORDER as follows -

(1) THAT until such time as a Planning Scheme for the said District comes into operation and subject to the exemptions specified in the Second Schedule hereto no person (which expression shall in this Order include any body or firm whether corporate or otherwise) shall except with the consent of the Council cut down, top, lop or wilfully destroy or permit the cutting down, topping, lopping or wilful destruction of any of the trees and groups of trees in the said District referred to in the First Schedule hereto and more particularly indicated numbered and shown coloured green on the plan hereto annexed

(2) ANY application for consent of the Council made in pursuance of paragraph one hereof shall be in writing and shall contain such particulars and be accompanied by such plans as the Council may require and in considering any such application the Council may grant the same either unconditionally or subject to such conditions as they may think fit to impose or may refuse the same PROVIDED THAT

- (a) any person who is aggrieved by the refusal of any consent under this Order or by any condition imposed upon the grant of any such consent may appeal to the Minister of Town and Country Planning (hereinafter called "the Minister") and
- (b) upon the refusal of any consent under this Order or upon granting any such consent subject to conditions, the Council may make a contribution towards any damage or expense likely to be suffered or incurred by reason of their decision

(3) ANY person contravening this Order shall be guilty of an offence and liable on summary conviction to a fine not exceeding Fifty Pounds and in the case of a

continuing offence shall be liable on summary conviction to a fine not exceeding forty shillings for each day during which the offence continues after conviction (4) THIS Order shall take effect from the date on which it is approved by the Minister in accordance with the provisions of sub-sections two and three of section 8 of the Town and Country Planning (Interim Development) Act, 1945

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<u>No. on Plan.</u>	<u>Description of trees(s)</u>	<u>Situation</u>
15	Deciduous and coniferous	Southern Junction of Kanes Hill and St. John's Road, Parish of Hedge End - Ordnance Enclosures 3 and part 4 (Ordnance Edition 1909)

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(b) in pursuance of a power conferred on the Postmaster General by virtue of section five of the Telegraph (Construction) Act 1908; or

(c) in the case of a local or public authority or statutory undertakers,

in the exercise of any powers conferred on the Authority or undertaken by or under any Act of Parliament; or

(d) where the tree is dying or dead or has become dangerous; or

(e) in pursuance of any consent granted on an appeal made under this Order

IN WITNESS whereof the Council have caused their Common Seal to be hereunto affixed this 31st day of December One thousand nine hundred and forty-seven in the presence of:-

E. J. HARDMAN JONES

Chairman

L.S.

G. H. GARDNER

Clerk

CERTIFIED True copy

Clerk of the Council
1 March 1948

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3. The following Clause shall be added after Clause (2)
(2A) If any of the said woodland areas or any part thereof is felled in the course of forestry operations permitted by or under this Order the owner or owners of the land shall if required by the Council undertake such replanting as would be in accordance with the practice of good forestry.
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5. In the First Schedule the words "group of trees" shall be inserted in the first column after the numbers 3,9,11,13 and 14 and the words "woodland area" shall be inserted in the first column after the numbers 2,8,10,12 and 15.
6. In the second Schedule the words "or part of any woodland area" shall be inserted after the words "any tree".

GIVEN under the Official Seal of
the Minister of Town and
Country Planning this thirtieth
day of June, One thousand nine
hundred and forty-eight.

L.S.

(signed) ---

Authorised by the Minister to sign
in that behalf

RESERVATION OF TREES & WOODLANDS. WEST END: SCALE. 6 INCHES TO ONE MI
(INTERIM T.P.O. NO 2)

