

VARIATION OF ORDER

This Order was varied by Rushmoor Borough Council on the 12/19/22 by a variation order under reference number 354A a copy of which is attached. This order will now be referred to as 354V.

Signed on behalf of Rushmoor Borough Council by

Tim Mills

Tim Mills (Dec 19, 2022 12:18 GMT)

Head of Economy, Planning and Strategic Housing

Authorised by the Council to Sign in that behalf

TIM MILLS
HEAD OF ECONOMY, PLANNING
AND STRATEGIC HOUSING
COUNCIL OFFICES
FARNBOROUGH ROAD, FARNBOROUGH
HAMPSHIRE
GU14 7JU
TEL: (01252) 398735

TREE PRESERVATION ORDER 354V

Tree Schedule: Please refer to Schedule 1

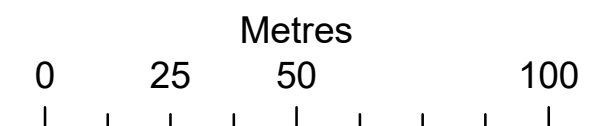
Location:-
Land affected by TPO 354V
between Farnborough Road,
Prospect Avenue and
St Michael's Road
Farnborough
Hampshire

Tim Mills

Tim Mills (Dec 19, 2022 12:18 GMT)

Date: 14/12/2022

Scale: 1:1,500



Schedule

Specification of trees

Trees specified individually

(Encircled in black on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
T2	Sweet Chestnut	47 Prospect Avenue
T4	Sweet Chestnut	4 Pierrefondes Avenue
T5	Silver Birch	4 Pierrefondes Avenue
T8	Silver Birch	2B Pierrefondes Avenue
T9	Sweet Chestnut	50 St. Michaels' Road
T10	Sweet Chestnut	50 St. Michaels' Road
T11	Oak	48 St. Michaels' Road
T12	Oak	48 St. Michaels' Road
T13	Sweet Chestnut	44 St. Michaels' Road
T14	Silver Birch	44 St. Michaels' Road
T15	Oak	44 St. Michaels' Road
T16	Sweet Chestnut	42 St. Michaels' Road
T17	Sweet Chestnut	36 St. Michaels' Road
T18	Silver Birch	34 St. Michaels' Road
T19	Sycamore	34 St. Michaels' Road

Groups of trees

(within a broken black line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
G1	1 Sweet Chestnut 1 Oak	53 Prospect Avenue
G2	4 Sweet Chestnuts 1 Silver Birch	53 Prospect Avenue
G3	2 Beeches	51 Prospect Avenue
G4	2 Sweet Chestnuts	51 Prospect Avenue
G5	1 Beech	49 Prospect Avenue
G6	1 Oak 1 Sweet Chestnut	8 Pierrefondes Avenue
G7	1 Sweet Chestnut 1 Oak	6 Pierrefondes Avenue
G8	3 Sweet Chestnuts	2 Pierrefondes Avenue
G9	3 Sweet Chestnuts	2A Pierrefondes Avenue
G11	2 Sweet Chestnuts	2B Pierrefondes Avenue
G12	9 Sweet Chestnuts 1 Beech	43 Prospect Avenue
G13	16 Sweet Chestnuts	41 Prospect Avenue
G14	2 Oaks	46 St. Michael's Road
G15	5 Sweet Chestnuts 1 Scots Pine 1 Spruce	39 Prospect Avenue
G16	13 Sweet Chestnuts	37 Prospect Avenue
G17	7 Sweet Chestnuts	37 Prospect Avenue
G18	10 Sweet Chestnuts 1 Silver Birch 1 Holly 1 Beech	35 Prospect Avenue
G19	2 Sweet Chestnuts	40 St. Michael's Road
G20	5 Sweet Chestnuts 4 Silver Birch	33 Prospect Avenue

G21	8 Sweet Chestnuts 2 Silver Birches 1 Beech	31 Prospect Avenue
G22	2 Sweet Chestnuts 1 Beech	29 Prospect Avenue
G23	2 Silver Birches 1 Beech	27 Prospect Avenue
G24	2 Sweet Chestnuts 1 Scots Pine	34 St. Michael's Road
G25	1 Sweet Chestnut 1 Oak 1 Scots Pine	30 St. Michaels' Road
G26	4 Silver Birches 3 Sweet Chestnuts 3 Beeches 1 Yew	23 Prospect Avenue
G27	1 Sweet Chestnut 1 Holly	21 Prospect Avenue
G28	1 Oak 2 Sweet Chestnuts 1 Holly	28 St. Michael's Road
G29	16 Sweet Chestnuts 3 Beeches 1 Silver Birch	19 Prospect Avenue
G30	11 Sweet Chestnuts 1 Beech 2 Silver Birches 1 Oak	17 Prospect Avenue
G31	4 Sweet Chestnuts 2 Silver Birches 1 Sycamore 1 Oak	26 St. Michael's Road
G33	3 Sweet Chestnuts 2 beeches 1 Oak 1 Silver Birch	15 Prospect Avenue
G34	6 Sweet Chestnuts 2 Beeches 1 Sycamore 1 Rowan	13 Prospect Avenue
G35	4 Sweet Chestnuts 1 Beech	11 Prospect Avenue

Woodlands

(within a continuous black line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
	NONE	

Town and Country Planning Act 1990

TOWN AND COUNTRY PLANNING (TREES) REGULATIONS 1999

TPO 354A

Trees in the grounds of properties within Prospect Avenue; St. Michael's Road; 339,341, 343, & 345 Farnborough Road; 2, 2A, 2B, 4, 6 & 8 Pierrefondes Avenue, Farnborough, Hampshire 2004

Rushmoor Borough Council, exercise of the powers conferred on them by sections 198, 201^(a) and 203 of the town and Country Planning Act 1990 ^(b) and Regulations 1999, hereby make the following Order –

Citation

1. This Tree Preservation Order shall be cited as TPO 354A, Trees in the grounds of properties within Prospect Avenue; St. Michael's Road; 339, 341, 343, & 345 Farnborough Road; 2, 2A, 2B, 4, 6 & 8 Pierrefondes Avenue, Farnborough, Hampshire, 2004.

Interpretation

2. In this Order "the authority" means *Rushmoor Borough Council* and unless the context otherwise requires, any reference in this Order to a number section is a reference to the section so numbered in the Town and Country Planning Act 1990.

Application of section 201

3. The authority hereby direct that section 201 (provisional tree preservation orders) shall apply to this Variation Order, and accordingly, this Order shall take effect provisionally on 21.07.04

Prohibited acts in relation to trees

4. Without prejudice to subsections (6) and (7) of section 198 (power to make tree preservation order)^(c) or subsection (3) of section 200 (orders affecting land where Forestry Commissioners interested), and subject to article 5, no person shall –

- (a) cut down, top, lop, uproot, wilfully damage or wilfully destroy; or
- (b) cause or permit the cutting down, topping, lopping, uprooting, wilful damage or wilful destruction of,

any tree specified in Schedule 1 to this Order or comprised in a group of trees or in a woodland so specified, except with the consent of the authority and, where such consent is given subject to conditions, in accordance with those conditions.

^(a) Under section 199(1), tree preservation orders generally do not take effect until confirmed, but a direction may be given under section 201 for an order to take provisional effect immediately.

^(b) Where the Order is to be made under the sections cited and section 300 of the Town and Country Planning Act 1990, all those provisions should be cited, as should the fact of the consent of the appropriate authority. As to the circumstances in which the consent of the Forestry Commission is required (and should be cited) see section 200(1) of that Act.

^(c) Subsection (6) of section 198 exempts from the application of tree preservation orders the cutting down, uprooting, topping or lopping of trees which are dying, dead or have become dangerous, or the undertaking of those acts in compliance with obligations imposed by or under an Act of Parliament or so far as may be necessary for the prevention or abatement of a nuisance. Subsection (7) of that section makes section 198 subject to section 39(2) of the Housing and Planning Act 1986 (c.63) (saving for effect of section 2(4) of the Opencast Act 1967 1958 on land affected by a tree preservation order despite its repeal) and section 15 of the Forestry Act 1967 (c.10) (licences under that Act to fell trees comprised in a tree preservation order).

Exemptions

5. (1) Nothing in article 4 shall prevent –

- (a) the cutting down, lopping or uprooting of a tree by or at the request of a statutory undertaker, where the land on which the tree is situated is operational land^(d) of the statutory undertaker and the work is necessary –
 - (i) in the interests of the safe operation of the undertaking;
 - (ii) in connection with the inspection, repair or renewal of any sewers, mains, pipes, cables or other apparatus of the statutory undertaker; or
 - (iii) to enable the statutory undertaker to carry out development permitted by or under the Town and Country Planning (General Permitted Development) Order 1995^(a)
 - (b) the cutting down, topping, lopping or uprooting of a tree cultivated for the production of fruit in the course of a business or trade where such work is in the interests of that business or trade;
 - (c) the pruning in accordance with good horticultural practice, of any tree cultivated for the production of fruit;
 - (d) the cutting down, topping, lopping or uprooting of a tree where that work is required to enable a person to implement a planning permission (other than an outline planning permission or, without prejudice to paragraph (a)(iii), a permission granted by or under the Town and Country Planning (General Permitted Development) Order 1995) granted on an application under Part III of the Act, or deemed to have been granted (whether for the purposes of that Part or otherwise);
 - (e) the cutting down, topping, lopping or uprooting of a tree by or at the request of the Environment Agency to enable the Agency to carry out development permitted by or under the Town and Country Planning (General Permitted Development) Order 1995.
 - (f) the cutting down, topping, lopping or uprooting of a tree by or at the request of a drainage body where that tree interferes, or is likely to interfere with the exercise of any of the functions of that body in relation to the maintenance, improvement or construction of watercourses or of drainage works, and for this purpose “drainage body” and “drainage” have the same meanings as in the Land Drainage Act 1991^(b); or
 - (g) without prejudice to section 198(6)(b), the felling or lopping of a tree or the cutting back of its roots by or at the request of, or in accordance with a notice served by, a licence holder under paragraph 9 of Schedule 4 to the Electricity Act 1989^(c).
- (2) In paragraph (1), “statutory undertaker” means any of the following –
- a person authorised by any enactment to carry on any railway, light railway, tramway, road transport, water transport, canal, inland navigation, dock, harbour, pier or lighthouse undertaking, or any undertaking for the supply of hydraulic power,
 - a relevant airport operator (within the meaning of Part V of the Airports Act 1986)^(d)
 - the holder of a licence under section 6 of the Electricity Act 1989,
 - a public gas transporter,
 - the holder of a licence under section 7 of the Telecommunications Act 1984^(e) to whom the telecommunications code (within the meaning of that Act) is applied.
 - a water or sewerage undertaker,

^(d) See section 263 of the town and Country Planning Act 1990.

^(a) S.I. 1995/418.

^(b) 1991 c.59, see section 72.

^(c) 1989 c.29.

^(d) 1986 c.31.

^(e) 1984 c.12.

the Civil Aviation Authority or a body acting on behalf of that Authority,
the Post Office.

Applications for consent under the Order

6. An application for consent to the cutting down, topping, lopping or uprooting of any tree in respect of which this Order is for the time being in force shall be made in writing to the authority and shall

- (a) identify the tree or trees to which it relates (if necessary, by reference to a plan);
- (b) specify the work for which consent is sought; and
- (c) contain a statement of the applicant's reasons for making the application.

Application of provisions of the Town and Country Planning Act 1990

7. (1) The provisions of the Town and Country Planning Act 1990 relating to registers, applications, permissions and appeals mentioned in column (1) of Part 1 of Schedule 2 to this Order shall have effect, in relation to consents under this Order and applications for such consent, subject to the adaptations and modifications mentioned in column (2).

- (2) The provisions referred to in paragraph (1), as so adapted and modified, are set out in Part II of that Schedule.

Directions as to replanting

8. (1) Where consent is granted under this Order for the felling in the course of forestry operations of any part of a woodland area, the authority may give to the owner of the land on which that part is situated ("the relevant land") a direction in writing specifying the manner in which and the time within which he shall replant the relevant land.

(2) Where a direction is given under paragraph (1) and trees on the relevant land are felled (pursuant to the consent), the owner of that land shall replant it in accordance with the direction.

- (3) A direction under paragraph (1) may include requirements as to –

- (a) species;
- (b) number of trees per hectare;
- (c) the preparation of the relevant land prior to the replanting; and
- (d) the erection of fencing necessary for the protection of the newly planted trees.

Compensation

9. (1) If, on a claim under this article, a person establishes that loss or damage has been caused or incurred in consequence of –

- (a) the refusal of any consent required under this Order; or
- (b) the grant of any such consent subject to conditions,

he shall, subject to paragraphs (3) and (4), be entitled to compensation from the authority.

- (2) No claim, other than a claim made under paragraph (3), may be made under this article –

- (a) if more than 12 months have elapsed since the date of the authority's decision or, where such a decision is the subject of an appeal to the Secretary of State, the date of the final determination of the appeal; or
- (b) if the amount in respect of which the claim would otherwise have been made is less than £500.

(3) Where the authority refuse consent under this Order for the felling in the course of forestry operations or any part of a woodland area, they shall not be required to pay compensation to any person other than the owner of the land; and such compensation shall be limited to an

amount equal to any depreciation in the value of the trees which is attributable to deterioration in the quality of the timber in consequence of the refusal.

(4) In any other case, no compensation shall be payable to a person –

- (a) for loss of development value or other diminution in the value of the land;
- (b) for loss or damage which, having regard to the statement of reasons submitted in accordance with article 6(c) and any documents or other evidence submitted in support of any such statement, was not reasonably foreseeable when consent was refused or was granted subject to conditions;
- (c) for loss or damage reasonably foreseeable by that person and attributable to his failure to take reasonable steps to avert the loss or damage or to mitigate its extent; or
- (d) for costs incurred in appealing to the Secretary of State against the refusal of any consent required under this Order or the grant of any such consent subject to conditions.

(5) Subsections (3) to (5) of section 11 (terms of compensation on refusal of licence) of the Forestry Act 1967 shall apply to the assessment of compensation under paragraph (3) as it applies to the assessment of compensation where a felling licence is refused under section 10 (application for felling licence and decision of Commissioners thereon) of that Act as if for any reference to a felling licence there were substituted a reference to a consent required under this Order and for the reference to the Commissioners there were substituted a reference to the authority.

(6) In this article –

“development value” means an increase in value attributable to the prospect of development; and, in relation to any land the development of it shall include the clearing of it; and

“owner” has the meaning given to it by section 34 of the Forestry Act 1967.

TREE PRESERVATION ORDER 2004 (No. 354/354A)

LIST OF ALL PEOPLE SERVED WITH ORDER AND NOTICE

The Owner/ Occupier,
1 – 55 (odd numbers) Prospect Avenue,
Farnborough,
Hants GU14 8JU.

The Owner/Occupier
2, 2A, 2B, 4, 6 & 8 Pierrefondes Avenue,
Farnborough,
Hants GU14 8NF.

The Owner/ Occupier,
4 – 50 (even numbers) St. Michael's Road,
Farnborough,
Hants GU14 8NE.

The Owner/ Occupier,
13, 15, 17, 19, 21, St. Michael's Road,
Farnborough
Hants GU14 8ND

The Owner/ Occupier,
317 – 353 (odd numbers) Farnborough Road,
Farnborough,
Hants GU14 8AY.

The Owner/ Occupier,
1 & 2 Burnsall Close,
Farnborough,
Hants GU14 8NN.

Rushmoor Borough Council
Property Services
Council Offices
Farnborough Road
Farnborough
Hants GU14 7JU

Annington Developments Ltd
1 Eaglethorpe Barns
Peterborough Road
Warmington
Peterborough PE8 8TL.

Defence Housing Executive
Defence Estate Organisation
Blandford House,
Farnborough Road,
Aldershot,
Hants. GU11 2HA

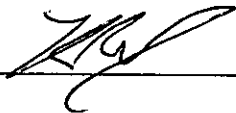
Empress Ward Councillors: P.M Devereux, P.M Hodge & J. J Wall
Grange Ward Councillors: S.J Masterson, M.D Smith & J. P Weston

TREE PRESERVATION ORDER: 354

Trees in the grounds of properties within Prospect Avenue, St. Michael's Road; 339,341, 343, & 345 Farnborough Road; 2, 2A, 2B, 4, 6 & 8 Pierrefondes Avenue, Farnborough, Hampshire 2004

It is expedient in the interest of amenity to make provision for the preservation of trees on the above site and that a Tree Preservation Order should be issued in respect of the above site.

Signed



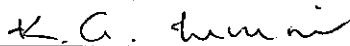
Head of Planning Services

Dated:

22.7.04

Agreed

Signed



Solicitor to the Council

Dated:

26/7/04

Dated 26th day of July 2004

The Common Seal of *Rushmoor Borough Council*
was hereunto affixed in the presence of -

J.H. Marshall
.....
Leader of the Council or appropriate Council Member.

186/04

K.C. Quinn
.....
Solicitor to the Council

SCHEDULE 1

Article 4

SPECIFICATION OF TREES

Trees specified individually
(encircled in black on the map)

Reference on map	Description	Situation
[T1]	FALSE ACACIA	47 PROSPECT AVENUE
[T2]	SWEET CHESTNUT	47 PROSPECT AVENUE
[T3]	SILVER BIRCH	49 PROSPECT AVENUE
[T4]	SWEET CHESTNUT	4 PIERREFONDES AVENUE
[T5]	SILVER BIRCH	4 PIERREFONDES AVENUE
[T7]	SWEET CHESTNUT	2B PIERREFONDES AVENUE
[T8]	SILVER BIRCH	2B PIERREFONDES AVENUE
[T9]	SWEET CHESTNUT	50 ST.MICHAEL'S ROAD
[T10]	SWEET CHESTNUT	50 ST.MICHAEL'S ROAD
[T11]	OAK spp	48 ST.MICHAEL'S ROAD
[T12]	OAK spp	48 ST.MICHAEL'S ROAD
[T13]	SWEET CHESTNUT	44 ST.MICHAEL'S ROAD
[T14]	SILVER BIRCH	44 ST.MICHAEL'S ROAD
[T15]	OAK spp	44 ST.MICHAEL'S ROAD
[T16]	SWEET CHESTNUT	42 ST.MICHAEL'S ROAD
[T17]	SWEET CHESTNUT	36 ST. MICHAEL'S ROAD
[T18]	SILVER BIRCH	34 ST.MICHAEL'S ROAD
[T19]	SYCAMORE	34 ST.MICHAEL'S ROAD
[T20]	WHITEBEAM	28 ST.MICHAEL'S ROAD
[T21]	SCOTS PINE	24 ST.MICHAEL'S ROAD

Trees specified by reference to an area
(within a dotted black line on the map)

Reference on map	Description	Situation
[A1]	NONE	
[A2]	NONE	

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

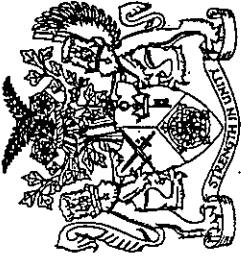
Reference on map	Description (including a number of trees in the group)	Situation
[G1]	1X SWEET CHESTNUT 1 OAK spp	53 PROSPECT AVENUE
[G2]	4X SWEET CHESTNUT 1X SILVER BIRCH	53 PROSPECT AVENUE
[G3]	2X BEECH	51 PROSPECT AVENUE
[G4]	2X SWEET CHESTNUT	51 PROSPECT AVENUE
[G5]	2X BEECH 1 X SCOTS PINE	49 PROSPECT AVENUE
[G6]	1X OAK spp 1X SWEET CHESTNUT	8 PIERREFONDES AVENUE
[G7]	1 X SWEET CHESTNUT 1 X OAK spp	6 PIERREFONDES AVENUE
[G8]	4X SWEET CHESTNUT	2 PIERREFONDES AVENUE
[G9]	3X SWEET CHESTNUT	2A PIERREFONDES AVENUE
[G10]	1X SILVER BIRCH 1X SWEET CHESTNUT	45 PROSPECT AVENUE
[G11]	4X SWEET CHESTNUT	2B PIERREFONDES AVENUE
[G12]	13X SWEET CHESTNUT 1X BEECH	43 PROSPECT AVENUE
[G13]	16X SWEET CHESTNUT 1X BEECH	41 PROSPECT AVENUE

[G14] [G15]	2X OAK spp 7X SWEET CHESTNUT 1X SCOTS PINE 1X SPRUCE spp 1X SILVER BIRCH	46 ST. MICHAEL'S ROAD 39 PROSPECT AVENUE
[G16]	13 X SWEET CHESTNUT	37 PROSPECT AVENUE
[G17]	7X SWEET CHESTNUT	37 PROSPECT AVNUE
[G18]	14X SWEET CHESTNUT 1X SILVER BIRCH 1X HOLLY 1X BEECH	35 PROSPECT AVENUE
[G19] [G20]	2X SWEET CHESTNUT 5X SWEET CHESTNUT 4X SILVER BIRCH 2X SORBUS spp 1X BEECH 1X HORSE CHESTNUT	40 ST. MICHAEL'S ROAD 33 PROSPECT AVENUE
[G21]	9X SWEET CHESTNUT 8X SILVER BIRCH 1X BEECH	31 PROSPECT AVENUE
[G22]	2X SWEET CHESTNUT 1X BEECH	29 PROSPECT AVENUE
[G23]	2X SILVER BIRCH 1X BEECH	27 PROSPECT AVENUE
[G24]	2X SWEET CHESTNUT 1X SCOTS PINE	34 ST. MICHAEL'S ROAD
[G25]	1X SWEET CHESTNUT 1X OAK 1X SCOTS PINE	30 ST. MICHAEL'S ROAD
[G26]	4X SILVER BIRCH 3X SWEET CHESTNUT 3X BEECH 1X YEW	23 PROSPECT AVENUE
[G27]	1X SWEET CHESTNUT 1X HOLLY	21 PROSPECT AVENUE
[G28]	2X OAK 2X SWEET CHESTNUT 1X HOLLY	28 ST. MICHAEL'S ROAD
[G29]	16X SWEET CHESTNUT 3X BEECH 1X SILVER BIRCH	19 PROSPECT AVENUE
[G30]	15X SWEET CHESTNUT 2X BEECH 2X SILVER BIRCH 1X OAK spp	17 PROSPECT AVENUE
[G31]	4X SWEET CHESTNUT 2X SILVER BIRCH 1X SYCAMORE 1X ASH	26 ST. MICHAEL'S ROAD
[G32]	25X SWEET CHESTNUT 3X BEECH	24 ST. MICHAEL'S ROAD
[G33]	3X SWEET CHESTNUT 2X BEECH 1X OAK spp 1X SILVER BIRCH	15 PROSPECT AVENUE
[G34]	8X SWEET CHESTNUT 2X BEECH 1X SYCAMORE 1X ROWAN	13 PROSPECT AVENUE 13 PROSPECT AVENUE
[G35]	5X SWEET CHESTNUT 1X BEECH	11 PROSPECT AVENUE

[G37]	6X SWEET CHESTNUT 1X SCOTS PINE	PLOT ATTACHED TO 22 ST.MICHAELS ROAD 9 PROSPECT AVENUE
[G38]	4X SWEET CHESTNUT 1X SILVER BIRCH	7 PROSPECT AVENUE
[G39]	2X SILVER BIRCH 1X OAK spp 1X SWEET CHESTNUT 1X SORBUS spp	5 PROSPECT AVENUE
[G40]	1X OAK spp 1X SWEET CHESTNUT 1X SILVER BIRCH	3 PROSPECT AVENUE
[G41]	8X SWEET CHESTNUT 7X SILVER BIRCH 1X ROWAN	345 FARNBOROUGH ROAD
[G42]	7X SWEET CHESTNUT 3X SILVER BIRCH 1X OAK spp 1X BEECH	343 FARNBOROUGH ROAD
[G43]	8X SWEET CHESTNUT 1X BEECH	341 FARNBOROUGH ROAD
[G44]	4X SWEET CHESTNUT 1X BEECH 1X SILVER BIRCH 1X ROWAN	22 ST.MICHAEL'S ROAD
[G45]	27X SWEET CHESTNUT 1X BEECH 1X SILVER BIRCH	339 FARNBOROUGH ROAD
[G46]	9X SWEET CHESTNUT 4X SILVER BIRCH 1X HORNBEAM	18 ST.MICHAEL'S ROAD
[G47]	11X SWEET CHESTNUT 2X BEECH	16 ST.MICHAEL'S ROAD
[G48]	7X SWEET CHESTNUT 1X SILVER BIRCH	14 ST.MICHAEL'S ROAD
[G49]	1X OAK spp 1X SWEET CHESTNUT	12 ST.MICHAEL'S ROAD
[G50]	5X SWEET CHESTNUT 1X SCOTS PINE	10 ST.MICHAEL'S ROAD
[G51]	3X SWEET CHESTNUT	8 ST.MICHAEL'S ROAD
[G52]	1X SWEET CHESTNUT 1X SYCAMORE	6 ST.MICHAEL'S ROAD

Woodlands
(within a continuous black line on the map)

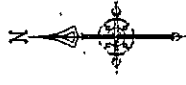
Reference on map	Description	Situation
[W1]	NONE	
[W2]	NONE	



RUSHMOOR BOROUGH COUNCIL

DIRECTORATE OF ENVIRONMENTAL SERVICES

KEITH HOLLAND, BA, MRTPI
HEAD OF PLANNING SERVICES
COUNCIL OFFICES
FARNBOROUGH ROAD, FARNBOROUGH
HANTS, GU14 7JU
TEL: (01252) 398398



TREE PRESERVATION ORDER No 354A

TREE SCHEDULE: Please refer to schedule 1

T1 - T21 INDIVIDUAL TREES
G1 - G52 GROUPS OF TREES

Location: -

Trees in the grounds of properties within:
Prospect Avenue; St. Michael's Road; 339,
341, 343 & 345 Farnborough Road; 2, 2A, 2B,
4, 6 & 8 Pierrefondes Avenue,
Farnborough,
Hants
2004

Date: 21/07/2004 Map Reference: E.486839 N.156770
Scale: 1:1500

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And may lead to prosecution or civil proceedings



[Signature]
LEADER OF
THE COUNCIL

[Signature]
SOLICITOR TO
THE COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990

(SECTION 199)

RUSHMOOR BOROUGH COUNCIL

**TREE PRESERVATION ORDER No. 354, TREES WITHIN PROSPECT AVE'; ST
MICHAEL'S ROAD; 339,341,343, & 345 FARNBOROUGH ROAD; 2,2A, 2B, 4,6 &
8 PIERREFONDES AVE', FARNBOROUGH, HAMPSHIRE. 2004.**

DATED 13 DECEMBER 2004

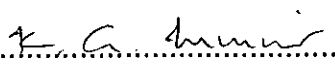
Under the provisions of Section 199 of the Town and Country Planning Act 1990 and the Town and Country Planning (Trees) Regulations 1999, Rushmoor Borough Council having considered eight letters of representation received in respect of the above Tree Preservation Order, this Order is hereby confirmed with modification as TPO 354A.

Signed.....

Head of Planning Services

Dated.....13.1.05...

AGREED

Signed.....

Solicitor to the Council

Dated.....14.1.05.

CONFIRMATION OF ORDER 354A

This Order was confirmed by Rushmoor Borough Council with the following modifications:

T6 has root decay and has now been omitted from Schedule 1.

G7 now correctly identifies 1 Sweet Chestnut tree (not 2) & 1 Oak tree within Schedule 1.

G14 is now correctly situated at 46 St Michael's Road in Schedule 1.

G28 now excludes 3 dying Birch trees from Schedule 1.

G30 now correctly identifies in Schedule 1; 15 not 16 Sweet Chestnut trees; 2 not 3 Beech trees; 2 not 1 Birch tree; and 1 Oak tree misidentified as a Sweet Chestnut tree.

G44 now correctly identifies 4 not 5 Sweet Chestnut trees in Schedule 1.

G47 now correctly shows 11 not 1 Sweet Chestnut (typo) in Schedule 1.

on the 14th day of January, 2005

9/05

JH Marshall

.....
Leader of the Council or appropriate Council Member

K. C. Smith

.....
Solicitor to the Council



Your reference

Contact

Ian May

Our reference

IM/TPO 354A

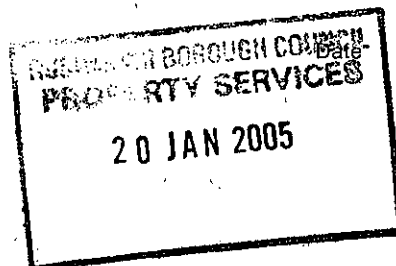
Direct line

(01252) 398737
imay@rushmoor.gov.uk

Extension

18 January 2005

Rushmoor Borough Council,
Property Services,
Council Offices,
Farnborough Road,
Farnborough,
Hants GU14 7JU



Dear Sir or Madam,

IMPORTANT - THIS COMMUNICATION MAY AFFECT YOUR PROPERTY

**TOWN & COUNTRY PLANNING ACT 1990
TOWN & COUNTRY PLANNING (TREES) REGULATIONS 1999**

**Re: TREE PRESERVATION ORDER No. 354, TREES WITHIN PROSPECT AVENUE,
ST MICHAEL'S ROAD, 339,341,343 & 345 FARNBOROUGH ROAD, 2,2A,2B,4,6 & 8
PIERREFONDES AVENUE, FARNBOROUGH, HAMPSHIRE. 2004.
RUSHMOOR BOROUGH COUNCIL**

THIS IS A FORMAL NOTICE to remind you that on 26th July 2004 the Council made the above tree preservation order, and sent you a copy.

The Council, in deciding whether or not the order should be confirmed (or, in other words, made permanent), has considered eight representations made about the order before reaching its decision. On 14th January 2005 the Council decided: **to confirm the order subject to modification**. T6 has root decay and has now been omitted from Schedule 1. G7 now correctly identifies 1 Sweet Chestnut tree (not 2) and 1 Oak tree within Schedule 1. G14 is now correctly situated at 46 St Michael's Road in Schedule 1. G28 now excludes 3 dying Birch trees from Schedule 1. G30 now correctly identifies in Schedule 1: 15 not 16 Sweet Chestnut trees; 2 not 1 Birch trees; and 1 Oak tree misidentified as a Sweet Chestnut tree. G44 now correctly identifies 4 not 5 Sweet Chestnut trees in Schedule 1. G47 now correctly shows 11 not 1 Sweet Chestnut (typo) in Schedule 1.

A copy of the modified order TPO 354A is enclosed. In simpler terms, it prohibits anyone from cutting down, topping or lopping any remaining trees described in the First Schedule and shown on the map of the modified order, without the Council's consent.

Some explanatory guidance on tree preservation orders is given in the previously sent leaflet, *Protected Trees: A Guide to Tree Preservation Orders*, produced by the Department of Transport, Local Government and the Regions.

visit our website at www.rushmoor.gov.uk

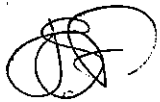
If you disagree with our decision you can challenge it by applying to the High Court under sections 284 and 288 of the Town and Country Planning Act 1990. You can apply to the High Court if you believe:

- (1) the order is not within the powers of the Town and Country Planning Act 1990; or
- (2) the requirements of the 1990 Act or Town and Country Planning (Trees) Regulations 1999 have not been met.

You must apply to the High Court within six weeks from the date of our decision.

For more information about our decision or if you have any questions about this letter, please do not hesitate to contact me on 01252 398 737.

Yours faithfully



IAN MAY

Arboricultural Officer (Planning Services)

TPO 354V - Pack

Final Audit Report

2022-12-19

Created:	2022-12-19
By:	Toby Fotheringham (toby.fotheringham@rushmoor.gov.uk)
Status:	Signed
Transaction ID:	CBJCHBCAABAAK2JHZEcpNoxgMzmHyrBLZr1HAz9FTeu

"TPO 354V - Pack" History

 Document created by Toby Fotheringham (toby.fotheringham@rushmoor.gov.uk)
2022-12-19 - 11:59:52 AM GMT

 Document emailed to tim.mills@rushmoor.gov.uk for signature
2022-12-19 - 12:00:39 PM GMT

 Email viewed by tim.mills@rushmoor.gov.uk
2022-12-19 - 12:18:24 PM GMT

 Signer tim.mills@rushmoor.gov.uk entered name at signing as Tim Mills
2022-12-19 - 12:18:44 PM GMT

 Document e-signed by Tim Mills (tim.mills@rushmoor.gov.uk)
Signature Date: 2022-12-19 - 12:18:46 PM GMT - Time Source: server

 Agreement completed.
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