



OXENHOPE PARISH COUNCIL

Clerk to the Parish Council
Mrs. Julia Kitchen,
Lower Isle Farm,
Oxenhope,
Keighley. BD22 9QA

Telephone Haworth 44858

Directorate of Community and Environmental Services
City Planning Office
Jacobs Well
BRADFORD

27 JAN 1994

25 January 1994

FOR THE ATTENTION OF MR P COATS

Dear Mr Coats

TREE PRESERVATION ORDERS

I refer to my letter of 26 July 1993 highlighting three areas of trees, ie Moorside Bridge, Crossfield Road and an area adjacent to the allotments, which the Parish Council felt were at risk and should therefore be protected by Preservation Orders.

This concern has unfortunately, as you know, proved to be justified in the case of Moorside Bridge where a number of trees have recently been felled.

The Parish Council ask you, therefore, to cover the other areas as a matter of urgency particularly as they include many irreplaceable *mature* trees.

Yours sincerely

Julia Kitchen

Julia Kitchen
Clerk to the Parish Council

Legal Services

Director of Legal Services: A R Sykes, Solicitor

General Legal, City Hall, Bradford, BD1 1HY
Tel: 0274 752083 Fax: 0274 754242

PLANNING DIVISION
- 6 DEC 1993
DISTRICT
TP 11

MEMORANDUM

From: Development Unit	To: Please See Circulation Below:
Ref: GL/SCR/421067	
Contact: Mrs Richardson	
Date: 2 December 1993	Ref:

F:\DEV\CORRES\

**TOWN AND COUNTRY PLANNING ACT 1990 - SECTION 201
LAND AT MOORHOUSE LANE OXENHOPE
TREE PRESERVATION ORDER**

The above Tree Preservation Order was confirmed on 2 December 1993. Please find attached a copy for your records.

Enc

cc Barbara Brunton Senior Area Clerk Town Hall Keighley

Local Land Charges, 4th Floor, City Hall

Planning Office, Jacob's Well Fao P Coates



Town and Country Planning Act 1990

Insert title of Order

Land at Moerhouse Lane Oxenhope

TREE PRESERVATION ORDER, 1993 .

Insert name of local planning authority

City of Bradford Metropolitan Council

in this Order called "the authority", in pursuance of the powers conferred in that behalf by sections 198 and 199 [[and] 201*] [and] [300] of the Town and Country Planning Act 1990, and subject to the provisions of the Forestry Acts 1967 and 1979, hereby make the following Order:—

1. In this Order:—

"the Act" means the Town and Country Planning Act 1990;

"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~~. ad

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.

NOTE: Where appropriate this Order has been updated to reflect statutory amendments which have resulted in the need to show substitutions or repeals of the prescribed form.

* Include only where Order contains a direction under section 201 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 proposed to fell any of the trees included in this Order and the felling requires a licence under the Forestry Act 1967, an application should be made in the first place to the Forestry Commission.

(2) The authority shall keep a register of all applications for consent under this Order containing information as to the nature of the application, the decision of the authority thereon, any compensation awarded in consequence of such decision and any directions as to replanting of woodlands; and every such register shall be available for inspection by the public at all reasonable hours.

5.—Where the authority refuse consent under this Order or grant such consent subject to conditions they may when refusing or granting consent certify in respect of any trees for which they are so refusing or granting consent that they are satisfied—

- (a) that the refusal or condition is in the interests of good forestry; or
- (b) in the case of trees, other than trees comprised in a group of trees or in a woodland, that the trees have an outstanding or special amenity value; or
- (c) in the case of trees which are comprised in a group of trees or in a woodland, that the group of trees or the woodland, as the case may be, has an outstanding or special amenity value,

but a certificate shall not be given in the case of trees falling within (c) above if the application in respect of them has been referred by the Forestry Commissioners under section 15(1)(b) or 15(2)(a) of the Forestry Act 1967.

6.—(1) Where consent is granted under this Order to fell any part of a woodland other than consent for silvicultural thinning then unless—

- (a) such consent is granted for the purpose of enabling development to be carried out in accordance with a permission to develop land under Part III of the Act, or
 - (b) the authority with the approval of the Secretary of State dispense with replanting,
- the authority shall give to the owner of the land on which that part of the woodland is situated a direction in writing specifying the manner in which and the time within which he shall replant such land and where such a direction is given and the part is felled the owner shall, subject to the provision of this Order and section 204 of the Act, replant the said land in accordance with the direction.

(2) Any direction given under paragraph (1) of this Article may include requirements as to—

- (a) species;
- (b) number of trees per acre (hectare);
- (c) the erection and maintenance of fencing necessary for protection of the replanting;
- (d) the preparation of ground, draining, removal of brushwood, lop and top; and
- (e) protective measures against fire.

7.—On imposing any condition requiring the replacement of any tree under Article 4 of the Order, or on giving a direction under Article 6 of this Order with respect to the replanting of woodlands, the authority shall if such condition or direction relates to land in respect of which byelaws made by the National Rivers Authority, an internal drainage board, a water undertaker or a sewerage undertaker (as defined in the Water Act 1989) or any other authority whose functions are now exercised by the above bodies, restrict or regulate the planting of trees, notify the applicant or the owner of the land, as the case may be, of the existence of such byelaws and that any condition or direction has effect subject to the requirements of the byelaws, and the condition or direction shall have effect accordingly.

8.—The provisions set out in the Third Schedule to this Order, being provisions of Part III of the Act adapted and modified for the purposes of this Order, shall apply in relation thereto.

9.—Subject to the provisions of this Order, any person who has suffered loss or damage in consequence of any refusal (including revocation or modification) of consent under this Order or of any grant of any such consent subject to conditions, shall, if he makes a claim on the authority within the time and in the manner prescribed by this Order, be entitled to recover from the authority compensation in respect of such loss or damage:

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Provided that no compensation shall be payable in respect of loss or damage suffered by reason of such refusal or grant of consent in the case of any trees the subject of a certificate in accordance with Article 5 of this Order.

10.—In assessing compensation payable under the last preceding Article account shall be taken of:

- (a) any compensation or contribution which has been paid whether to the claimant or any other person, in respect of the same trees under the terms of this or any other Tree Preservation Order under section 198 of the Act, or under the terms of any Interim Preservation Order made under section 8 of the Town and Country Planning (Interim Development) Act 1943, or any compensation which has been paid or which could have been claimed under any provision relating to the preservation of trees or protection of woodlands contained in an operative scheme under the Town and Country Planning Act 1932, and
- (b) any injurious infection to any land of the owner which would result from the felling of the trees the subject of the claim.

11.—(1) A claim for compensation under this Order shall be in writing and shall be made by serving it on the authority, such service to be effected by addressing the claim to the authority and leaving it at or sending it by post to the principal office of the authority.

(2) The time within which any such claim shall be made as aforesaid shall be a period of twelve months from the date of the decision of the authority, or of the Secretary of State, as the case may be, or where an appeal has been made to the Secretary of State against the decision of the authority, from the date of the decision of the Secretary of State on the Appeal.

12.—Any question of disputed compensation shall be determined in accordance with the provisions of section 205 of the Act.

13.—[(1) The provisions of section 201 of the Act shall apply to this Order and the Order shall take effect on 5 October 1993 .]*

~~[(2) This Order shall apply to any tree specified in the First Schedule hereto, which is to be planted as mentioned therein, as from the time when that tree is planted.]~~

NOTE: Any person contravening the provisions of this Order by cutting down, uprooting or wilfully destroying a tree, or by wilfully damaging, topping or lopping a tree in such a manner as to be likely to destroy it is guilty of an offence and liable on summary conviction to a fine not exceeding the prescribed sum[§] or twice the sum which appears to the court to be the value of the tree, whichever is the greater, or on indictment to a fine. The penalty for any other contravention of this Order is a fine not exceeding Level 4 on the standard scale[‡] on summary conviction and, in the case of a continuing offence when the contravention is continued after conviction, a person is liable on summary conviction to an additional fine not exceeding £5 for every day on which the contravention is so continued.

If a tree is removed, uprooted or destroyed in contravention of an order or, except in the case of a tree to which the Order applies as part of a woodland, is removed, uprooted or destroyed or dies at a time when its cutting down or uprooting is authorised only by section 198(6)(a) of the Town and Country Planning Act 1990 relating to trees which are dying or dead or have become dangerous, it is the duty of the owner of the land, unless on his application the local planning authority dispense with the requirement, to plant another tree of appropriate size and species at the same place as soon as he reasonably can. Except in emergency, not less than 5 days previous notice of the removal, etc., should be given to the authority to enable the latter to decide whether or not to dispense with the requirement. In respect of trees in a woodland it is sufficient to replace the trees removed, uprooted or destroyed by planting the same number of trees either on or near the land on which the trees removed, uprooted or destroyed stood or on such other land as may be agreed between the authority and the owner of the land, and (in either case) in such places as may be designated by the authority.

* This provision is not to be included unless it appears to the authority that the Order should take effect immediately.
 † This provision may be included in relation to trees to be planted pursuant to a condition imposed under section 197 of the Act.
 § This sum is currently £2000 but provision is made under the Planning and Compensation Act 1991 for a fine on summary conviction not exceeding £20,000. In addition the provision for daily fines for continuing offences will be abolished. These revised penalties will become operative on the coming into effect of section 23 of that Act.
 ‡ £1000 but subject to alteration by Order.

FIRST SCHEDULE
TREES SPECIFIED INDIVIDUALLY*

(encircled in black on the map)

No. on Map.

Description.

Situation.

T1

Alder

SE 03163538

TREES SPECIFIED BY REFERENCES TO AN AREA*

(within a dotted black line on the map)

No. on Map.

Description

Situation.

A1

**Sycamore, Alder
Willow, Elder**

SE 03143540

GROUPS OF TREES*

(within a broken black line on the map)

No. on Map.

Description.

Situation.

None



ee Presert

Land at
Moorhc
Oxenho

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

Scale
1:2500 28

WOODLANDS*

(within a continuous black line on the map)

<i>No. on Map.</i>	<i>Description</i>	<i>Situation.</i>
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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 a grant scheme under section 1 of the Forestry Act 1979 except a scheme which applies to a forestry dedication covenant.
- (3) the cutting down, uprooting, topping or lopping of a tree
 - (a) by or at the request of the Post Office where the land on which the tree is situated is land which has been acquired for the purpose of the Post Office's undertaking and either works on such land cannot otherwise be carried out or the cutting down, uprooting, topping or lopping is for the purpose of securing safety in the operation of the undertaking; or the lopping in pursuance of the power conferred on any operator of a telecommunications code system by virtue of paragraph 19 of Schedule 2 to the Telecommunications Act 1984;
 - (b) by or at the request of
 - (i) a statutory undertaker or a holder of a licence under section 6(1) of the Electricity Act 1989 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, uprooting, topping or lopping is for the purpose of securing safety in the operation of the undertaking;
 - (ii) a licence holder within the meaning of Part I of the Electricity Act 1989, where such tree obstructs the construction by the licence holder of any electric line within the meaning of Part I of the said Act of 1989 or interferes or would interfere with the maintenance or working of any such line;
 - (iii) the National Rivers Authority or an internal drainage board established under the Water Act 1989, where the tree interferes or would interfere with the exercise of any of the functions of such authority or drainage board in relation to the maintenance, improvement or construction of water courses or of drainage works; or a water undertaker or sewerage undertaker appointed under section 11 of the Water Act 1989 in relation to their duties as such undertakers; or
 - (iv) the Secretary of State for Defence, the Secretary of State for Transport, the Civil Aviation Authority, or in relation to any airport managed by a company to which any property, rights or liabilities have been transferred in pursuance of a scheme made under section 1 or 15 of the Airports Act 1986, the person for the time being having the management of the airport, where in the opinion of such Secretary of State, Authority or person the tree obstructs the approach of aircraft to, or their departure from, any airport 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.

THIRD SCHEDULE

Provisions of the following parts of Part III of the Town and Country Planning Act 1990 as adapted and modified to apply to this Order.

75.—(1) Without prejudice to the following provisions as to the revocation or modification of consents, any consent under the Order, including any direction as to replanting given by the authority on the granting of such consent, shall (except in so far as the consent otherwise provides), enure for the benefit of the land and of all persons for the time being interested in it.

77. **Reference of applications to the Secretary of State.**—(1) The Secretary of State may give directions to the authority requiring applications for consent under the Order to be referred to him instead of being dealt with by the authority.

(2) a direction under this section may relate either to a particular application or to applications of a class specified in the direction.

(3) Any application in respect of which a direction under this section has effect shall be referred to the Secretary of State accordingly.

(4) Where an application for consent under the Order is referred to the Secretary of State under this section, the provisions of Articles 4 and 5 of the Order shall apply as they apply to such an application which falls to be determined by the authority.

(5) Before determining an application referred to him under this section the Secretary of State shall, if either the applicant or the authority wish, give each of them an opportunity of appearing before, and being heard by, a person appointed by the Secretary of State for the purpose.

(7) The decision of the Secretary of State on any application referred to him under this section shall be final.

78. **Appeals against decisions or in default of decision.**—(1) Where an authority—

(a) refuse an application for consent under the Order or grant it subject to conditions, or

(b) give any certificate or direction, on granting consent,
the applicant may by notice appeal to the Secretary of State.

(2) A person who has made an application for consent under the Order may also appeal to the Secretary of State if the authority have neither—

(a) given notice to the applicant of their decision on the application; nor

(b) given notice to him that the application has been referred to the Secretary of State in accordance with directions given under section 77 above,

within two months from the date of receipt of the application, or within such extended period as may at any time be agreed upon in writing between the applicant and the authority.

(3) Any appeal under this section shall be made by notice in writing served within such time as is specified in subsection (4) below.

(4) The service of such a notice must be within—

(a) 28 days from the receipt of notification of the decision, certificate or direction, as the case may be, or such longer period as the Secretary of State may allow; or

(b) in the case of an appeal under subsection (2), 28 days or such longer period as the Secretary of State may allow from the end of the period of two months or, as the case may be, the extended period agreed.

(5) In relation to an appeal under subsection (2), it shall be assumed that the authority decided to refuse the application in question.

79. **Determination of appeals.**—(1) On an appeal under section 78 the Secretary of State may—

(a) allow or dismiss the appeal,

(b) reverse or vary any part of the decision of the authority (whether the appeal relates to that part of it or not), or

(c) cancel any certificate or cancel or vary any direction,

and may deal with the application as if it had been to him in the first instance.

(2) Before determining an appeal under section 78 the Secretary of State shall, if either the appellant or the authority so wish, give each of them an opportunity of appearing before and being heard by a person appointed by the Secretary of State for the purpose.

(5) The decision of the Secretary of State on such an appeal shall be final.

97. **Power to revoke or modify the consent under the Order.**—(1) If it appears to the authority that it is expedient to revoke or modify any consent under the Order granted on an application made under Article 3 of the Order, the authority may by Order revoke or modify the consent to such extent as they consider expedient.

(3) The power conferred by this section may be exercised at any time before the operations for which consent has been given have been completed.

(4) The revocation or modification of consent shall not affect so much of those operations as has been previously carried out.

98. Procedure for s.97 Orders: opposed cases.—(1) Except as provided in section 99, an Order under section 97 shall not take effect unless it is confirmed by the Secretary of State.

(2) Where an authority submit such an Order to the Secretary of State for confirmation, they shall provide the Secretary of State with a statement of their reason for making the Order and shall serve notice together with a copy of the statement on—

- (a) the owner of the land affected,
- (b) the occupier of the land affected, and
- (c) any other person who in their opinion will be affected by the Order.

(3) The notice shall specify the period within which any person on whom it is served may require the Secretary of State to give him an opportunity of appearing before, and being heard by, a person appointed by the Secretary of State for the purpose.

(4) If within that period such a person so requires, before the Secretary of State confirms the Order he shall give such an opportunity both to him and to the local planning authority.

(5) The period referred to in subsection (3) shall be 28 days from the service of the notice.

(6) The Secretary of State may confirm an Order submitted to him under this section either without modification or subject to such modifications as he considers expedient.

(7) Where a notice has been served in accordance with the provisions of subsection (2) of this section, no operations or further operations as the case may be, in pursuance of the consent granted, shall be carried out pending the decision of the Secretary of State under this section.

99. Procedure for s.97 Orders: unopposed cases.—(1) This section applies where—

- (a) the authority have made an Order under section 97 above; and
- (b) the owner and occupier of the land and all persons who in the authority's opinion will be affected by the Order have notified the authority in writing that they do not object to it.

(2) Where this section applies, instead of submitting the Order to the Secretary of State for confirmation the authority shall advertise the fact that the Order has been made and the advertisement must specify—

- (a) the period within which persons affected by the Order may give notice to the Secretary of State that they wish for an opportunity of appearing before, and being heard by, a person appointed by the Secretary of State for the purpose; and
- (b) the period at the expiration of which, if no such notice is given to the Secretary of State, the Order may take effect by virtue of this section without being confirmed by the Secretary of State.

(3) The authority shall also serve notice to the same effect on the persons mentioned in subsection (1)(b).

(4) The period referred to in subsection 2(a) must be not less than 28 days from the date the advertisement first appears.

(5) The period referred to in subsection 2(b) must be not less than 14 days from the expiration of the period referred to in subsection (2)(a).

(6) The authority shall send a copy of any advertisement published under subsection (2) to the Secretary of State not more than three days after the publication.

(7) If—

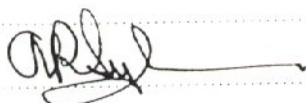
- (a) no person claiming to be affected by the Order has given notice to the Secretary of State under subsection (2)(a) within the period referred to in that subsection, and
- (b) the Secretary of State has not directed within that period that the Order be submitted to him for confirmation,

the Order shall take effect at the expiry of the period referred to in subsection 2(b) without being confirmed by the Secretary of State as required by section 98(1).

(8) This section does not apply to an Order revoking or modifying a consent granted or deemed to have been granted by the Secretary of State under Part III, Part VII or Part VIII of the Act.

GIVEN under the Common Seal of the
City of Bradford Metropolitan Council

the 5th day of October 19 93

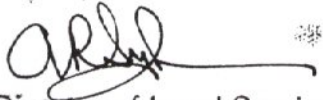


Director of Legal Services

60706

On 2nd December 1992
City of Bradford Metropolitan
Council confirmed the within
written Order as an unopposed
Order

The Common Seal of
City of Bradford Metropolitan
Council was hereunto affixed
in the presence of:



Director of Legal Services

Dated 5th October

1992

City of Bradford Metropolitan Council

TOWN AND COUNTRY PLANNING ACT 1990

TREE PRESERVATION ORDER

relating to

Land at Moerhouse Lane
Oxenhope

61564



City of Bradford Metropolitan Council

From: City Planning office
Peter Coates
My Ref: PLM/TPO 518
Date: 22/11/93
Contact: P. Coates
Ext: 4296

To: Director Legal Services
Mr Richardson
Your Ref: 44/SCR/421067

SUBJECT

LANDS AT HORSEHOUSE LANE OXENHOPE

Please note that Mr Bailey has withdrawn his objection to the above order.

Thanks

From:	To:
My Ref:	Contact:
Date:	Ext:
	Your Ref:

REPLY

Legal Services

DEVELOPMENT UNIT

Directorate of Legal Services,
City Hall, Bradford,
West Yorkshire BD1 1HY.
Telephone: (0274)
Fax : (0274)

From: SAVAN LICHANSON
Telephone Number: 2080 Date: 18/11/93

- For your information.
- Please let me have your comments.
- Please deal with this matter direct
*I have/have not acknowledged receipt.
- Copy herewith as requested.
- Please complete the attached document so far as you are able and return to me.
*Please delete as applicable

PLANNING DIVISION
RECEIVED
19 NOV 1993
DISTRIBUTION:
P. COATES
PLANNING
JACOBUS DEW

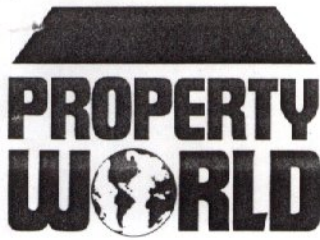
With Compliments



City of Bradford Metropolitan Council



Director of Legal Services: A R Sykes, Solicitor



McManus & Poole

CHARTERED SURVEYORS :: AUCTIONEERS :: ESTATE AGENTS & VALUERS

100 Cavendish Street, Keighley BD21 3DE
Telephone: (0535) 603747 Fax No: 0535 610253

Our ref: WJP/SW
Your ref: GL/SCR/421067
17 November 1993

For the Attention of Mr P Coates

The Legal Services Department
Development Unit
City Hall
Bradford
BD1 1HY



Dear Sir

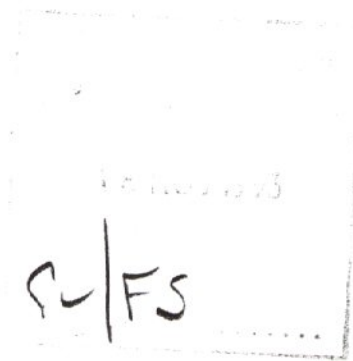
re: Town & Country Planning Act 1990, Section 201, Land at Moorhouse Lane,
Oxenhope - Tree Preservation Order.

I refer to our recent correspondence of 8 November 1993, being the formal objection to the above tree preservation order and after our telephone conversation, would confirm that I would now like to withdraw the objection on behalf of our mutual client, Mrs Bailey as discussed.

As you are aware, our client is at present about to apply for planning consent for residential use on the plot of land and should you wish our client to enter into a formal tree planting scheme in conjunction with the development then we would be delighted to discuss this with you.

Yours faithfully

McMANUS & POOLE



Legal Services

Director of Legal Services: A R Sykes, Solicitor

General Legal, City Hall, Bradford, BD1 1HY
Tel: 0274 752083 Fax: 0274 754242

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MEMORANDUM

From: Development Unit	To: Please See Circulation Below:
Ref: GL/SCR/421067	
Contact: Mrs Richardson	
Date: 5 October 1993	Ref:

F:\DEV\CORRES\

**TOWN AND COUNTRY PLANNING ACT 1990 - SECTION 201
LAND AT MOORHOUSE LANE OXENHOPE
TREE PRESERVATION ORDER**

The above Tree Preservation Order was made on 5 October 1993. Please find attached a copy for your records.

Enc

cc Barbara Brunton Senior Area Clerk Planning Office Town Hall Keighley

Local Land Charges, 4th Floor, City Hall

Planning Office (Admin), Jacob's Well



TOWN AND COUNTRY PLANNING ACT 1990
NOTICE OF MAKING A TREE PRESERVATION ORDER
CITY OF BRADFORD METROPOLITAN COUNCIL
LAND AT MOORHOUSE LANE OXENHOPE
TREE PRESERVATION ORDER

TAKE NOTICE that City of Bradford Metropolitan Council made the above Tree Preservation Order on 5 October 1993 for the following reasons:

The trees are of very high amenity value and are within an area where the Council seeks to encourage trees and woodlands.

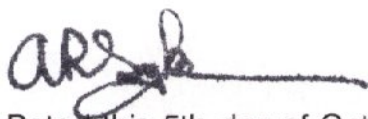
The provisions of Section 201 of the Town and Country Planning Act 1990 apply to the Order and the Order provisionally takes effect on 5 October 1993 and shall continue in force by virtue of this Section until:

- (a) the expiration of six months beginning with the date on which the Order was made, or
- (b) the date on which the Order is confirmed, whichever first occurs.

A certified copy of the Order and the map contained in it may be inspected at the Director of Legal Services Office, 1st Floor, City Hall, Bradford and at the Information Centre Town Hall Keighley during normal office hours.

If you wish to make any objection or representation with respect to the Order you may send them in writing to the Director of Legal Services at the above address stating the grounds thereof and specifying the particular trees, group of trees or woodlands in respect of which it is made. This must be done within 28 days of the date of the service of this notice.

If no objections or representations are made or if any so made are withdrawn then at the expiration of 42 days from the date hereof the Order may be confirmed by the Council.



Dated this 5th day of October 1993

A R Sykes
Director of Legal Services
City Hall
Bradford

Town and Country Planning Act 1990

Insert title of
Order

Land at Moorhouse Lane Oxenhope

TREE PRESERVATION ORDER, 1993 .

Insert name
of local
planning
authority

City of Bradford Metropolitan Council

in this Order called "the authority", in pursuance of the powers conferred in that behalf by sections 198 and 199 [[and] 201*] [and] [300] of the Town and Country Planning Act 1990, and subject to the provisions of the Forestry Acts 1967 and 1979, hereby make the following Order:—

1. In this Order:—

"the Act" means the Town and Country Planning Act 1990;

"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~~ ar

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.

NOTE: Where appropriate this Order has been updated to reflect statutory amendments which have resulted in the need to show substitutions or repeals of the prescribed form.

* Include only where Order contains a direction under section 201 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 proposed to fell any of the trees included in this Order and the felling requires a licence under the Forestry Act 1967, an application should be made in the first place to the Forestry Commission.

(2) The authority shall keep a register of all applications for consent under this Order containing information as to the nature of the application, the decision of the authority thereon, any compensation awarded in consequence of such decision and any directions as to replanting of woodlands; and every such register shall be available for inspection by the public at all reasonable hours.

5.—Where the authority refuse consent under this Order or grant such consent subject to conditions they may when refusing or granting consent certify in respect of any trees for which they are so refusing or granting consent that they are satisfied—

- (a) that the refusal or condition is in the interests of good forestry; or
- (b) in the case of trees, other than trees comprised in a group of trees or in a woodland, that the trees have an outstanding or special amenity value; or
- (c) in the case of trees which are comprised in a group of trees or in a woodland, that the group of trees or the woodland, as the case may be, has an outstanding or special amenity value,

but a certificate shall not be given in the case of trees falling within (c) above if the application in respect of them has been referred by the Forestry Commissioners under section 15(1)(b) or 15(2)(a) of the Forestry Act 1967.

6.—(1) Where consent is granted under this Order to fell any part of a woodland other than consent for silvicultural thinning then unless—

- (a) such consent is granted for the purpose of enabling development to be carried out in accordance with a permission to develop land under Part III of the Act, or
- (b) the authority with the approval of the Secretary of State dispense with replanting, the authority shall give to the owner of the land on which that part of the woodland is situated a direction in writing specifying the manner in which and the time within which he shall replant such land and where such a direction is given and the part is felled the owner shall, subject to the provision of this Order and section 204 of the Act, replant the said land in accordance with the direction.

(2) Any direction given under paragraph (1) of this Article may include requirements as to—

- (a) species;
- (b) number of trees per acre (hectare);
- (c) the erection and maintenance of fencing necessary for protection of the replanting;
- (d) the preparation of ground, draining, removal of brushwood, lop and top; and
- (e) protective measures against fire.

7.—On imposing any condition requiring the replacement of any tree under Article 4 of the Order, or on giving a direction under Article 6 of this Order with respect to the replanting of woodlands, the authority shall if such condition or direction relates to land in respect of which byelaws made by the National Rivers Authority, an internal drainage board, a water undertaker or a sewerage undertaker (as defined in the Water Act 1989) or any other authority whose functions are now exercised by the above bodies, restrict or regulate the planting of trees, notify the applicant or the owner of the land, as the case may be, of the existence of such byelaws and that any condition or direction has effect subject to the requirements of the byelaws, and the condition or direction shall have effect accordingly.

8.—The provisions set out in the Third Schedule to this Order, being provisions of Part III of the Act adapted and modified for the purposes of this Order, shall apply in relation thereto.

9.—Subject to the provisions of this Order, any person who has suffered loss or damage in consequence of any refusal (including revocation or modification) of consent under this Order or of any grant of any such consent subject to conditions, shall, if he makes a claim on the authority within the time and in the manner prescribed by this Order, be entitled to recover from the authority compensation in respect of such loss or damage:

Provided that no compensation shall be payable in respect of loss or damage suffered by reason of such refusal or grant of consent in the case of any trees the subject of a certificate in accordance with Article 5 of this Order.

10.—In assessing compensation payable under the last preceding Article account shall be taken of:

- (a) any compensation or contribution which has been paid whether to the claimant or any other person, in respect of the same trees under the terms of this or any other Tree Preservation Order under section 198 of the Act, or under the terms of any Interim Preservation Order made under section 8 of the Town and Country Planning (Interim Development) Act 1943, or any compensation which has been paid or which could have been claimed under any provision relating to the preservation of trees or protection of woodlands contained in an operative scheme under the Town and Country Planning Act 1932, and
- (b) any injurious infection to any land of the owner which would result from the felling of the trees the subject of the claim.

11.—(1) A claim for compensation under this Order shall be in writing and shall be made by serving it on the authority, such service to be effected by addressing the claim to the authority and leaving it at or sending it by post to the principal office of the authority.

(2) The time within which any such claim shall be made as aforesaid shall be a period of twelve months from the date of the decision of the authority, or of the Secretary of State, as the case may be, or where an appeal has been made to the Secretary of State against the decision of the authority, from the date of the decision of the Secretary of State on the Appeal.

12.—Any question of disputed compensation shall be determined in accordance with the provisions of section 205 of the Act.

13.—[(1) The provisions of section 201 of the Act shall apply to this Order and the Order shall take effect on **5 October 1993** .]*

~~[(2) This Order shall apply to any tree specified in the First Schedule hereto, which is to be planted as mentioned therein, as from the time when that tree is planted.]†~~

NOTE: Any person contravening the provisions of this Order by cutting down, uprooting or wilfully destroying a tree, or by wilfully damaging, topping or lopping a tree in such a manner as to be likely to destroy it is guilty of an offence and liable on summary conviction to a fine not exceeding the prescribed sum[§] or twice the sum which appears to the court to be the value of the tree, whichever is the greater, or on indictment to a fine. The penalty for any other contravention of this Order is a fine not exceeding Level 4 on the standard scale[‡] on summary conviction and, in the case of a continuing offence when the contravention is continued after conviction, a person is liable on summary conviction to an additional fine not exceeding £5 for every day on which the contravention is so continued.

If a tree is removed, uprooted or destroyed in contravention of an order or, except in the case of a tree to which the Order applies as part of a woodland, is removed, uprooted or destroyed or dies at a time when its cutting down or uprooting is authorised only by section 198(6)(a) of the Town and Country Planning Act 1990 relating to trees which are dying or dead or have become dangerous, it is the duty of the owner of the land, unless on his application the local planning authority dispense with the requirement, to plant another tree of appropriate size and species at the same place as soon as he reasonably can. Except in emergency, not less than 5 days previous notice of the removal, etc., should be given to the authority to enable the latter to decide whether or not to dispense with the requirement. In respect of trees in a woodland it is sufficient to replace the trees removed, uprooted or destroyed by planting the same number of trees either on or near the land on which the trees removed, uprooted or destroyed stood or on such other land as may be agreed between the authority and the owner of the land, and (in either case) in such places as may be designated by the authority.

* This provision is not to be included unless it appears to the authority that the Order should take effect immediately.

† This provision may be included in relation to trees to be planted pursuant to a condition imposed under section 197 of the Act.

§ This sum is currently £2000 but provision is made under the Planning and Compensation Act 1991 for a fine on summary conviction not exceeding £20,000. In addition the provision for daily fines for continuing offences will be abolished. These revised penalties will become operative on the coming into effect of section 23 of that Act.

‡ £1000 but subject to alteration by Order.

FIRST SCHEDULE
TREES SPECIFIED INDIVIDUALLY*

(encircled in black on the map)

<i>No. on Map.</i>	<i>Description.</i>	<i>Situation.</i>
T1	Alder	SE 03163538

TREES SPECIFIED BY REFERENCES TO AN AREA*

(within a dotted black line on the map)

<i>No. on Map.</i>	<i>Description</i>	<i>Situation.</i>
A1	Sycamore, Alder Willow, Elder	SE 03143540

GROUPS OF TREES*

(within a broken black line on the map)

<i>No. on Map.</i>	<i>Description.</i>	<i>Situation.</i>
	None	

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



e Prese

Land a
Moorh
Oxenh

Scale
500 2



ation Order No. 0518

use Lane
pe

Handwritten signature

Date
n Sept 1993

O.S. ref no
SE 0335



Town Planning Division

Implementation Unit



City of Bradford Metropolitan Council
Town Planning Division, Jacobs Well
Manchester Road, Bradford.
BD1 5RW

Reproduced from the Ordnance Survey map
with the sanction of H.M. Stationery office.

CROWN COPYRIGHT RESERVED

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 a grant scheme under section 1 of the Forestry Act 1979 except a scheme which applies to a forestry dedication covenant.
- (3) the cutting down, uprooting, topping or lopping of a tree
 - (a) by or at the request of the Post Office where the land on which the tree is situated is land which has been acquired for the purpose of the Post Office's undertaking and either works on such land cannot otherwise be carried out or the cutting down, uprooting, topping or lopping is for the purpose of securing safety in the operation of the undertaking; or the lopping in pursuance of the power conferred on any operator of a telecommunications code system by virtue of paragraph 19 of Schedule 2 to the Telecommunications Act 1984;
 - (b) by or at the request of
 - (i) a statutory undertaker or a holder of a licence under section 6(1) of the Electricity Act 1989 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, uprooting, topping or lopping is for the purpose of securing safety in the operation of the undertaking;
 - (ii) a licence holder within the meaning of Part I of the Electricity Act 1989, where such tree obstructs the construction by the licence holder of any electric line within the meaning of Part I of the said Act of 1989 or interferes or would interfere with the maintenance or working of any such line;
 - (iii) the National Rivers Authority or an internal drainage board established under the Water Act 1989, where the tree interferes or would interfere with the exercise of any of the functions of such authority or drainage board in relation to the maintenance, improvement or construction of water courses or of drainage works; or a water undertaker or sewerage undertaker appointed under section 11 of the Water Act 1989 in relation to their duties as such undertakers; or
 - (iv) the Secretary of State for Defence, the Secretary of State for Transport, the Civil Aviation Authority, or in relation to any airport managed by a company to which any property, rights or liabilities have been transferred in pursuance of a scheme made under section 1 or 15 of the Airports Act 1986, the person for the time being having the management of the airport, where in the opinion of such Secretary of State, Authority or person the tree obstructs the approach of aircraft to, or their departure from, any airport 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.

THIRD SCHEDULE

Provisions of the following parts of Part III of the Town and Country Planning Act 1990 as adapted and modified to apply to this Order.

75.—(1) Without prejudice to the following provisions as to the revocation or modification of consents, any consent under the Order, including any direction as to replanting given by the authority on the granting of such consent, shall (except in so far as the consent otherwise provides), enure for the benefit of the land and of all persons for the time being interested in it.

77. Reference of applications to the Secretary of State.—(1) The Secretary of State may give directions to the authority requiring applications for consent under the Order to be referred to him instead of being dealt with by the authority.

(2) a direction under this section may relate either to a particular application or to applications of a class specified in the direction.

(3) Any application in respect of which a direction under this section has effect shall be referred to the Secretary of State accordingly.

(4) Where an application for consent under the Order is referred to the Secretary of State under this section, the provisions of Articles 4 and 5 of the Order shall apply as they apply to such an application which falls to be determined by the authority.

(5) Before determining an application referred to him under this section the Secretary of State shall, if either the applicant or the authority wish, give each of them an opportunity of appearing before, and being heard by, a person appointed by the Secretary of State for the purpose.

(7) The decision of the Secretary of State on any application referred to him under this section shall be final.

78. Appeals against decisions or in default of decision.—(1) Where an authority—

(a) refuse an application for consent under the Order or grant it subject to conditions, or

(b) give any certificate or direction, on granting consent,

the applicant may by notice appeal to the Secretary of State.

(2) A person who has made an application for consent under the Order may also appeal to the Secretary of State if the authority have neither—

(a) given notice to the applicant of their decision on the application; nor

(b) given notice to him that the application has been referred to the Secretary of State in accordance with directions given under section 77 above,

within two months from the date of receipt of the application, or within such extended period as may at any time be agreed upon in writing between the applicant and the authority.

(3) Any appeal under this section shall be made by notice in writing served within such time as is specified in subsection (4) below.

(4) The service of such a notice must be within—

(a) 28 days from the receipt of notification of the decision, certificate or direction, as the case may be, or such longer period as the Secretary of State may allow; or

(b) in the case of an appeal under subsection (2), 28 days or such longer period as the Secretary of State may allow from the end of the period of two months or, as the case may be, the extended period agreed.

(5) In relation to an appeal under subsection (2), it shall be assumed that the authority decided to refuse the application in question.

79. Determination of appeals.—(1) On an appeal under section 78 the Secretary of State may—

(a) allow or dismiss the appeal,

(b) reverse or vary any part of the decision of the authority (whether the appeal relates to that part of it or not), or

(c) cancel any certificate or cancel or vary any direction,

and may deal with the application as if it had been to him in the first instance.

(2) Before determining an appeal under section 78 the Secretary of State shall, if either the appellant or the authority so wish, give each of them an opportunity of appearing before and being heard by a person appointed by the Secretary of State for the purpose.

(5) The decision of the Secretary of State on such an appeal shall be final.

97. Power to revoke or modify the consent under the Order.—(1) If it appears to the authority that it is expedient to revoke or modify any consent under the Order granted on an application made under Article 3 of the Order, the authority may by Order revoke or modify the consent to such extent as they consider expedient.

(3) The power conferred by this section may be exercised at any time before the operations for which consent has been given have been completed.

(4) The revocation or modification of consent shall not affect so much of those operations as has been previously carried out.

98. Procedure for s.97 Orders: opposed cases.—(1) Except as provided in section 99, an Order under section 97 shall not take effect unless it is confirmed by the Secretary of State.

(2) Where an authority submit such an Order to the Secretary of State for confirmation, they shall provide the Secretary of State with a statement of their reason for making the Order and shall serve notice together with a copy of the statement on—

- (a) the owner of the land affected,
- (b) the occupier of the land affected, and
- (c) any other person who in their opinion will be affected by the Order.

(3) The notice shall specify the period within which any person on whom it is served may require the Secretary of State to give him an opportunity of appearing before, and being heard by, a person appointed by the Secretary of State for the purpose.

(4) If within that period such a person so requires, before the Secretary of State confirms the Order he shall give such an opportunity both to him and to the local planning authority.

(5) The period referred to in subsection (3) shall be 28 days from the service of the notice.

(6) The Secretary of State may confirm an Order submitted to him under this section either without modification or subject to such modifications as he considers expedient.

(7) Where a notice has been served in accordance with the provisions of subsection (2) of this section, no operations or further operations as the case may be, in pursuance of the consent granted, shall be carried out pending the decision of the Secretary of State under this section.

99. Procedure for s.97 Orders: unopposed cases.—(1) This section applies where—

- (a) the authority have made an Order under section 97 above; and
- (b) the owner and occupier of the land and all persons who in the authority's opinion will be affected by the Order have notified the authority in writing that they do not object to it.

(2) Where this section applies, instead of submitting the Order to the Secretary of State for confirmation the authority shall advertise the fact that the Order has been made and the advertisement must specify—

- (a) the period within which persons affected by the Order may give notice to the Secretary of State that they wish for an opportunity of appearing before, and being heard by, a person appointed by the Secretary of State for the purpose; and
- (b) the period at the expiration of which, if no such notice is given to the Secretary of State, the Order may take effect by virtue of this section without being confirmed by the Secretary of State.

(3) The authority shall also serve notice to the same effect on the persons mentioned in subsection (1)(b).

(4) The period referred to in subsection 2(a) must be not less than 28 days from the date the advertisement first appears.

(5) The period referred to in subsection 2(b) must be not less than 14 days from the expiration of the period referred to in subsection (2)(a).

(6) The authority shall send a copy of any advertisement published under subsection (2) to the Secretary of State not more than three days after the publication.

(7) If—

- (a) no person claiming to be affected by the Order has given notice to the Secretary of State under subsection (2)(a) within the period referred to in that subsection, and
- (b) the Secretary of State has not directed within that period that the Order be submitted to him for confirmation,

the Order shall take effect at the expiry of the period referred to in subsection 2(b) without being confirmed by the Secretary of State as required by section 98(1).

(8) This section does not apply to an Order revoking or modifying a consent granted or deemed to have been granted by the Secretary of State under Part III, Part VII or Part VIII of the Act.

GIVEN under the Common Seal of the
City of Bradford Metropolitan Council

the **5th day of October** 19 **93**



Director of Legal Services

60706

Dated 5th October

1999 

City of Bradford Metropolitan Council
.....

TOWN AND COUNTRY PLANNING ACT 1990

TREE PRESERVATION ORDER

relating to

Land at Moorhouse Lane
Oxenhope

Legal Services

Director of Legal Services: A R Sykes, Solicitor

Development Section, City Hall, Bradford, BD1 1HY
Tel: 0274 752083 Fax: 0274 754242

Paul
PLANNING DIVISION
RECEIVED
10 NOV 1993
DISTRIBUTION:
TP 13

MEMORANDUM

From: Director of Legal Services	To: City Planning Officer Jacobs Well
Ref: GL/SCR/421067	
Contact: Mrs Richardson	
Date: 9 November 1993	Ref: fao P Coates

F:\DEV\CORRES\

TOWN AND COUNTRY PLANNING ACT 1990 - SECTION 201 LAND AT MOORHOUSE LANE OXENHOPE

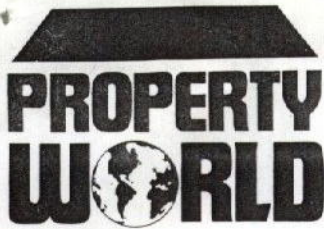
I refer to the above matter and write to inform you that I have now received an objection to the making of the above Order.

I attach a copy of the letter of objection and would be obliged if you would arrange for it to be considered by Members of the Town Planning Sub-Committee and advise me of their decision on the matter in due course.

Enc

(Revised 8/6/93)





McManus & Poole

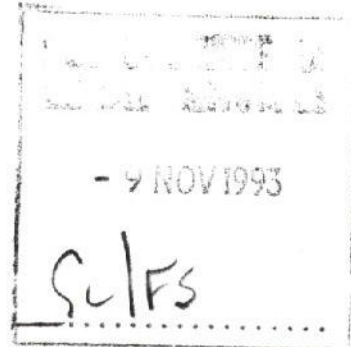
CHARTERED SURVEYORS :: AUCTIONEERS :: ESTATE AGENTS & VALUERS

100 Cavendish Street, Keighley BD21 3DE
Telephone: (0535) 603747 Fax No: 0535 610253

Our ref: WJP/SW
Your ref: GL/SCR/421067
8 November 1993

For the Attention of A R Sykes

Director of Legal Services
City Hall
Bradford
BD1 1HY



Dear Sirs

re: Town and Country Planning Act 1990 - Section 201 - Land at Moorhouse Lane, Oxenhope - Tree Preservation Order.

Your correspondence dated 12 October to my client ^{T. 0535 - 606597} Mrs N S Bailey of 286 Oakworth Road, Keighley, has been passed to me for attention. I note from the correspondence that the council are wishing to place a tree preservation order on the above piece of land.

You may not be aware but this particular section of land has been the basis of some considerable consultation with the local planning authority as to its future use and development. Initially, plans were put forward to develop the land with 4/5 units which the planners stated was of too high a density. At the present time my client is in the process of lodging a further planning application with the local authority for the development of the land for one residential dwelling and we are concerned that the implementation of a tree preservation order may make this unviable. I am sure the council are well aware that there is a shortage of building land in the area at the present time and that a well thought out, small development scheme on a piece of surplus land such as this would be of benefit to all.

Also bearing in mind that the trees mentioned on the plan are what appear to be overgrown saplings and shrubs which have grown because the land has been left unattended and bearing in mind that these are native trees I would ask you to consult with us fully before the order is finalised.

My client is obviously prepared to enter into a tree planting scheme on the site and I am sure consultation between all parties would be beneficial.

I would be grateful, therefore, if you could treat this letter as official objection to the tree preservation order but would invite you to discuss the matter in further detail and look forward to hearing from you.

Yours faithfully

W J Poole FRICS
McMANUS & POOLE

W.J. Poole F.R.I.C.S. (Principal) W.H. Smith A.R.I.C.S. (Associate)

Appointed Representative of **Provident Life**, which is a member of LAUTRO, for life assurance and pension plans only.

Notes on falling of Wees - 20/10/93

Mr Michael Ellis rang in to say he had
(0535-643546)
spoken to the owner of the land who had asked the
"bidding up" of the land before the sale. - It was
a code up!!

After discussion with Mr. Bell it was agreed
that he would go back to her and agree a
bidding up and replanting programme. We await
development.

One - Mrs T. Coatsworth
Highfield
Heathbank Ave
Kearby.



City of Bradford Metropolitan Council

DIRECTORATE OF COMMUNITY AND ENVIRONMENT

Planning Office, Town Hall, Bow Street, Keighley, BD21 3PA

Fax No. Bradford (0274) 758450

TOM COY 8087

FACSIMILE TRANSMISSION COVER PAGE

To: BFD PLANNING (TREE SECTION)
 F A O: JON COCKING / ALISON WEST

Fax No: 722840

From: KLY PLANNING
 Contact: CHRIS WHITLEY
 Ref:

Date: 15/10/93
 Tel No: 8076

OR RHODES A1 M1 M6

If this transmission is incomplete please advise - tel. (0274) 758010
 Total number of pages sent, including this cover page =

Message:

TOOK PHOTOGRAPHS

VIRTUALLY ALL SYCAMORES GONE

SPOKE TO NO 2 STATION VIEW SAYS TREES

WENT 14/10/93 AM/PM BUT DOESN'T KNOW

BY WHOM,

Chris Ellis to speak to owner

LOOKS A RIGHT MESS

ALL THE BEST

SEE YOU ON HOL

CITY OF BRADFORD METROPOLITAN COUNCIL

TOWN AND COUNTRY PLANNING ACT, 1971

TOWN AND COUNTRY PLANNING (APPLICATION) REGULATIONS 1988

Davric Ltd
c/o Craven Design
Old Hall Farm
Colne Road
Glusburn
Nr KEIGHLEY BD20 8QT

TAKE NOTICE that in pursuance of their powers under the above mentioned Act and Regulations the Metropolitan Council of the City of Bradford as Local Planning Authority hereby REFUSE to permit: Erection of 4 dwellings, formation of access road and construction of private sewage treatment works in accordance with amended plan 097/20B dated 24 January 1990 at land at Moorhouse Lane, Oxenhope, Keighley in accordance with a form of application and plans received by the Council on the 12th day of October 1988 and numbered 88/06/07515

The reason(s) for the Council's decision to refuse permission for the development are:

The development site is considered to be an important open amenity area in the context of existing development (especially Station View to the north) and the prominent location as viewed from Keighley Road to the east. It is therefore considered that the proposal would adversely affect the visual character of the immediate area and also the Wider Special Landscape Area as defined on the Upper Airedale Local Plan (policy UAEN9 refers).

THIS MAY HELP

SAME SITE AS T.P.O.

SAYS APART FROM DAURIC LTD OF SYKES LANE
ALSO A MISS CRABTREE OF HEATHFIELD, HEATHER BANK,
BOSTHORN, KLY ARE OWNERS.

OAKWORTH

Dated this 11th day of April 1990

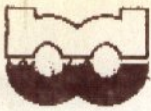
Date of Issue

D. M. Kennedy

Director of Employment & Environment Services, Jacob's Well, Bradford BD1 5RW.

Appeal forms may be obtained from the Secretary of State for the Environment, 10, Whitehall, London SW1A 2BQ, and you should send a copy of your appeal to the Director of Legal Services, City Hall, Bradford BD1 1HY.

NOTE: Any enquiries respecting this notice should be made to the Planning Office, Jacob's Well, Bradford BD1 5RW, between the hours of 0900 and 1200 or 1400 and 1600 on any weekday except Saturday.



City of Bradford Metropolitan Council

DIRECTORATE OF COMMUNITY AND ENVIRONMENT

Planning Office, Town Hall, Bow Street, Keighley, BD21 3PA

Fax No. Bradford (0274) 758450

FACSIMILE TRANSMISSION COVER PAGE

To: BFD PLANNING (TREE SECTION)
 F A O: JON COCKINGS / ALISON WEST 4297 16/10/93 N/A 4:55pm

Fax No: 722840

From: KLY PLANNING
 Contact: CHRIS WHITLEY
 Ref:

Date: 15/10/93
 Tel No: 8076

OR RHODES A1 M1 M6

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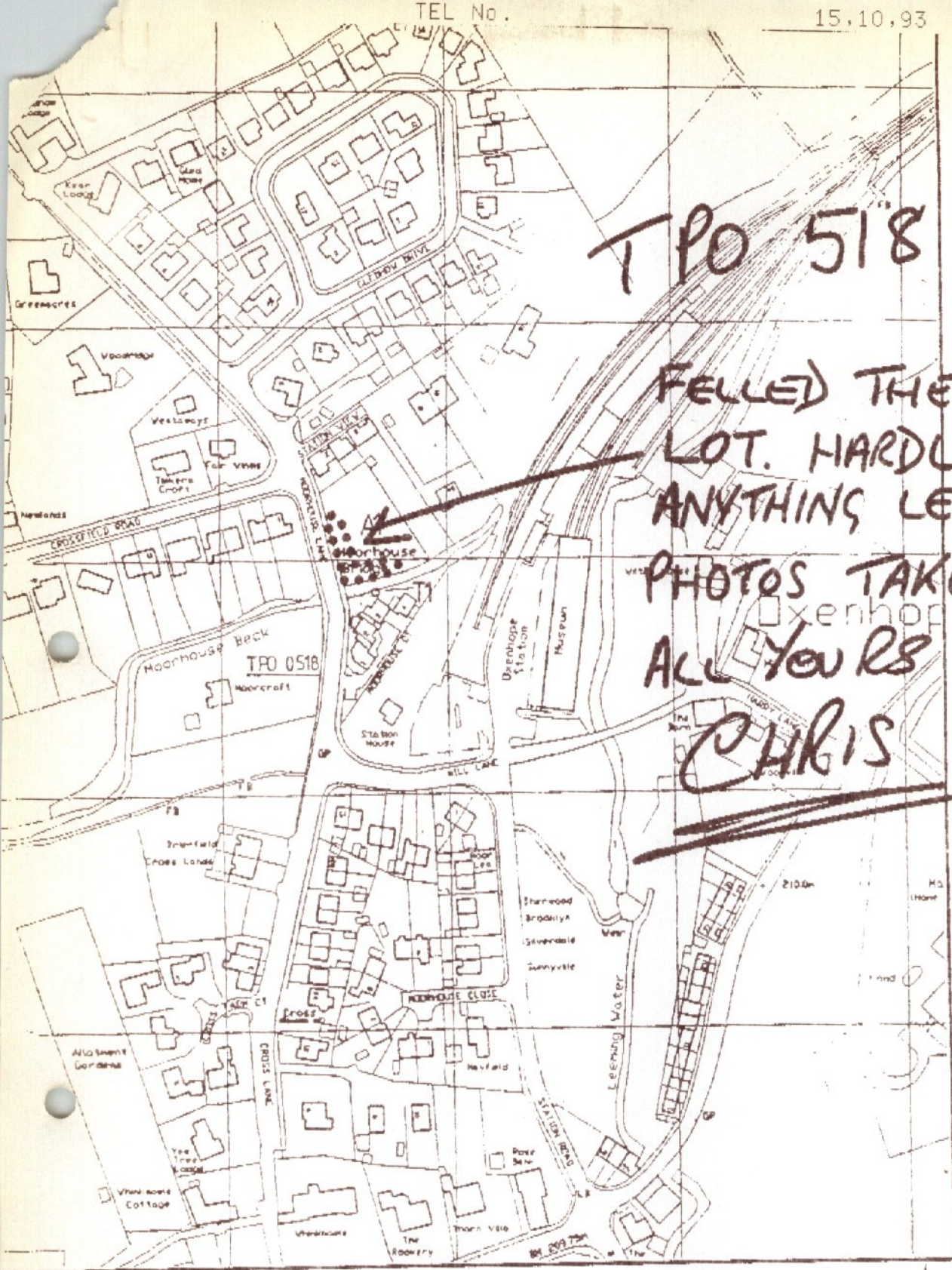
Message:

TOOK PHOTOGRAPHS
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 BY WHOM,

LOOKS A RIGHT MESS

ALL THE BEST

SEE YOU ON HOL



TPO 518

FELLED THE LOT. HARDLY ANYTHING LEFT.

PHOTOS TAKEN ALL YOURS

CHRIS

Application Order No. 0518

se Lane

Date Sept 1993

O.S. ref no SE 0335



Town Planning Division

Implementation Unit



City of Bradford Metropolitan Council
Town Planning Division, Jacobs Well
Manchester Road, Bradford
BD1 5AW

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Legal Services

Director of Legal Services: A R Sykes, Solicitor

General Legal, City Hall, Bradford, BD1 1HY
Tel: 0274 752183 Fax: 0274 754242

MEMORANDUM

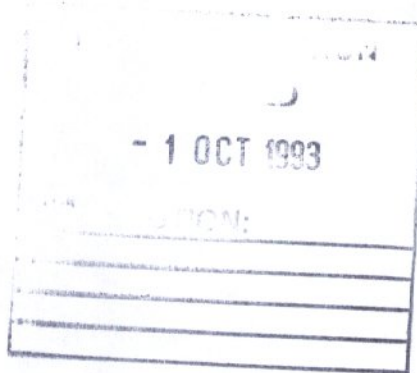
From: Development Unit	To: Area Planning Officer Jacob's Well
Ref: GL/FS/421067/SGB	FAO: Peter Coats
Contact: Mr F Suadwa	Ref: P/CRH/PC/TPO 518
Date: 30 September 1993	

TREE PRESERVATION ORDER NO 518 LAND AT MOORHOUSE LANE, OXENHOPE

I refer to your instructions received by me on the 30 September 1993 relating to the above.

The Officer dealing with the matter is Mrs Sarah Richardson who can be contacted on extension 2083. The matter will be dealt with as quickly as possible, but in any event I will ensure that you receive regular progress reports in the event of unforeseen delay.

ARS



Order made: 5/10/93



TPO No: 518 Moorhouse Lane, Oxenhope

Order to be served on:

1, Davric Ltd
Units 8/9
Valley Road Business Park
Valley Road
Keighley BD21 4LZ

2, Mr + Mrs C. Robson
3 Moorhouse Court
Oxenhope
BD22 9SF

286 Oakwood Rd
Keighley
Hatchall Wood
Aire
Keighley

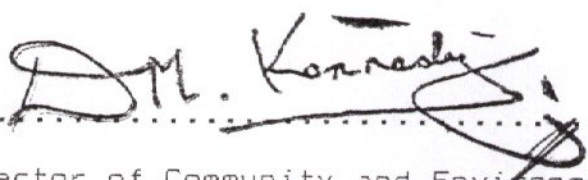
Any query please ring Alison x 4297

DIRECTORATE OF COMMUNITY AND ENVIRONMENT

TREE PRESERVATION ORDER FOR LAND AT MOORHOUSE LANE, OXENHOPE

In accordance with powers delegated to me under the City of Bradford Metropolitan Council Standing Orders, I David Kennedy, being Director of Community and Environmental Services, resolve that the Council make a Tree Preservation Order under the provisions of Section 201 of the Town and Country Planning Act 1990 in respect of the trees specified on the attached sheet.

SIGNED:


Director of Community and Environment

DATED: This 29th day of September 1993

DIRECTORATE OF COMMUNITY AND ENVIRONMENT

MEMORANDUM

FROM:
City Planning Officer

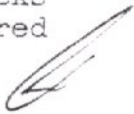
TO:
Town and Country Planning
Sub-Committee.

My Ref: P/CRH/PC/TPO 518
Contact: Peter Coats
Extension: 4296

29th September 1993

TOWN AND COUNTRY PLANNING ACT 1990 - SECTION 201
LAND AT MOORHOUSE LANE, OXENHOPE.
TREE PRESERVATION ORDER NO 518

Oxenhope Parish Council recently asked us to protect a number of trees in the area which they felt may be under threat. These trees are of very high amenity value and are within an area where the council seeks to encourage trees and woodlands. It is therefore considered appropriate that an Order be placed upon them.



FIRST SCHEDULE

TREES SPECIFIED INDIVIDUALLY
(encircled in black on the map)

No. on map	Description	Situation
T1	Alder	SE 03163538

TREES SPECIFIED BY REFERENCE TO AN AREA
(within a dotted black line on the map)

No. on map	Description	Situation
A1	Sycamore, Alder, Willow, Elder	SE 03143540

GROUPS OF TREES
(within a broken black line on the map)

No. on map	Description	Situation
None		

WOODLANDS
(within a continuous black line on the map)

No. on map	Description	Situation
None		





Tree Preservation Order No. 0518

Land at
Moorhouse Lane
Oxenhope



Town Planning
Division
Implementation Unit

Scale 1:2500	Date 28th Sept 1993		O.S. ref no SE 0335
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 City of Bradford Metropolitan Council
Town Planning Division, Jacobs Well
Manchester Road, Bradford.
BD1 5RW

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Tree Preservation Order No. 0518

Land at
Moorhouse Lane
Oxenhope



Town Planning Division

*Implementation
Unit*

Scale 1:2500	Date 28th Sept 1993		O.S. ref no SE 0335
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City of Bradford Metropolitan Council
Town Planning Division, Jacobs Well
Manchester Road, Bradford.
BD1 5RW

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8877.



OXENHOPE PARISH COUNCIL

Clerk to the Parish Council
Mrs. Julia Kitchen,
Lower Isle Farm,
Oxenhope,
Keighley. BD22 9QA

PLANNING DIVISION
RECEIVED
28 JUL 1993
Telephone Haworth 44858

Julia Kitchen

FOR THE ATTENTION OF MR P COATS
Directorate of Community and Environmental Services
City Planning Office
Jacobs Well
BRADFORD

26 July 1993

Dear Mr Coats

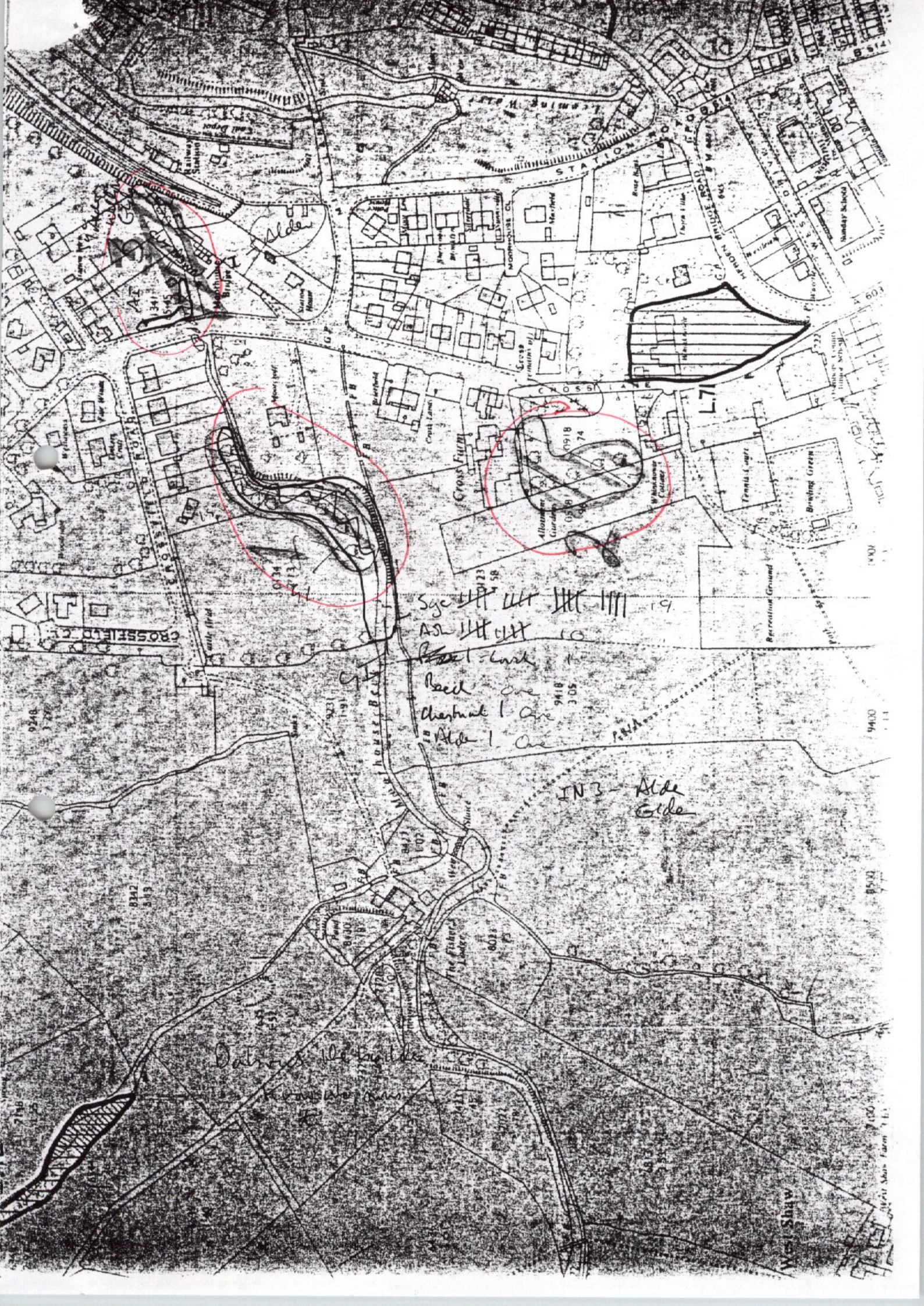
I enclose ,for your information, a map showing three groups of trees(hatched in red) which the Parish Council feel are at risk. This was highlighted recently when a mature tree at Moorside Bridge (area 3) was felled.

I should be pleased if you would inspect the areas then consider covering the trees with Preservation Orders.

I look forward to your reply.

Yours sincerely

Julia Kitchen
Julia Kitchen
Clerk to the Parish Council



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 Chestnut 1 acre
 Alder 1 acre

IN 3 - Alder
Side

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 Alder
 Chestnut
 Beet

West Shaw