

Internal Memo



Steve Waterson
Landscape
Leonardo Building

DEVELOPMENT DEPARTMENT			
To	Action	Info	File
15 MAY 2013			
File Number			

From: Joel Levine
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Our Ref: A76/JL
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13 May 2013

CITY OF LEEDS TREE PRESERVATION ORDER (NO.32) 2012 (DISUSED RAILWAY CUTTING TO REAR OF GREEN BANK LOFTHOUSE WF3 3QN)

On 19 November 2012 the Council made the above Tree Preservation Order, a copy of which was sent to you.

The above Order has today been confirmed as originally served, further to a decision taken by the Chief Planning Officer.

Any person aggrieved by the Council's decision can challenge it by applying to the High Court under Section 288 of the Town & Country Planning Act 1990. An application to the High Court can be made on the grounds:-

- (1) that the Order is not within the powers of the Town & Country Planning Act 1990 ; or
- (2) that the requirements of the Act or the Town & Country Planning (Trees) Regulations 2012, have not been complied with in relation to the Order.

Any application to the High Court must be made within 6 weeks from the date of the Council's decision to confirm the Order. A copy of the confirmed Order is attached.

Regards


JOEL LEVINE
Development

TOWN AND COUNTRY PLANNING ACT 1990

CITY OF LEEDS TREE PRESERVATION ORDER (NO.32) 2012 (DISUSED RAILWAY CUTTING TO REAR OF GREEN BANK LOFTHOUSE WF3 3QN)

Leeds City Council, in exercise of the powers conferred on them by section 198 of the Town and Country Planning Act 1990 make the following Order—

Citation

1. This Order may be cited as City of Leeds Tree Preservation Order (No.32) 2012

Interpretation

2. (1) In this Order “the authority” means the Leeds City Council
- (2) In this Order any reference to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990 and any reference to a numbered regulation is a reference to the regulation so numbered in the Town and Country Planning (Tree Preservation) (England) Regulations 2012.

Effect

3. (1) Subject to article 4, this Order takes effect provisionally on the date on which it is made.
- (2) Without prejudice to subsection (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners) and, subject to the exceptions in regulation 14, no person shall—
 - (a) cut down, top, lop, uproot, wilfully damage, or wilfully destroy; or
 - (b) cause or permit the cutting down, topping, lopping, wilful damage or wilful destruction of,any tree specified in the Schedule to this Order except with the written consent of the authority in accordance with regulations 16 and 17, or of the Secretary of State in accordance with regulation 23, and, where such consent is given subject to conditions, in accordance with those conditions.

Application to trees to be planted pursuant to a condition

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

Dated this 19 day of November 2012

THE COMMON SEAL of
LEEDS CITY COUNCIL was
hereby affixed to this Order
in the presence of:

Name: Helen Atkinson

Signature: 

Job Title: Principal Legal Officer (Development)

THIS ORDER WAS CONFIRMED BY
LEEDS CITY COUNCIL
without modification
on 13 MAY 2013

Name: HELEN ATKINSON

Signature: 

Job Title: PRINCIPAL LEGAL OFFICER (DEVELOPMENT)

Code No S9466

SCHEDULE

SPECIFICATION OF TREES

Trees specified individually
(encircled in black on the map)

NONE

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

NONE

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

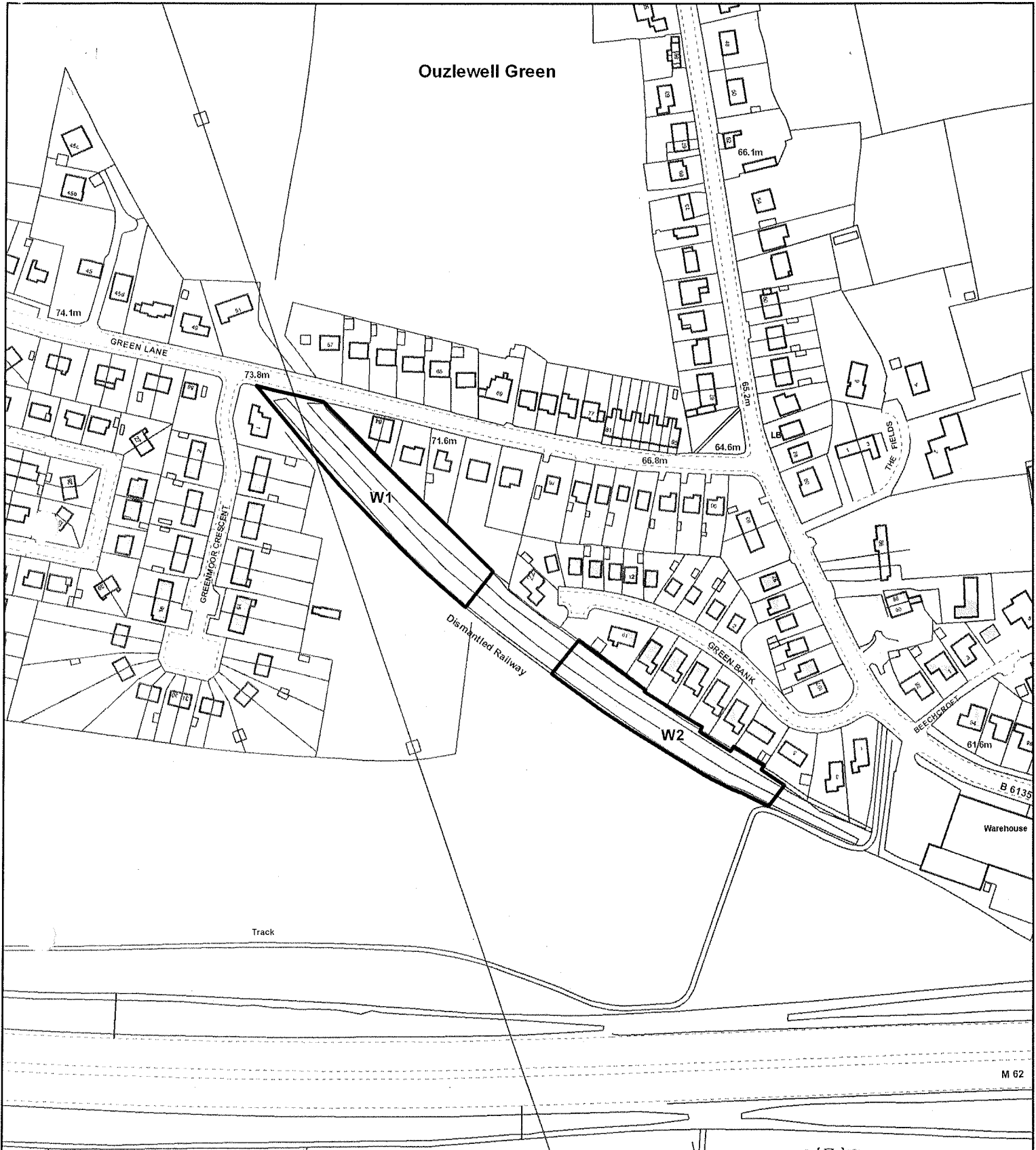
Reference on map	Description	Situation
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NONE

Woodlands

(within a continuous black line on the map)

Reference on map	Description	Situation
W1	Mixed Deciduous	On the disused railway cutting to rear of Green Bank Lofthouse Wakefield WF3 3QN
W2	Mixed Deciduous	On the disused railway cutting to rear of Green Bank Lofthouse Wakefield WF3 3QN



Ouzlewell Green

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PRODUCED BY LEEDS CITY COUNCIL

**TOWN AND COUNTRY PLANNING ACT 1990
SECTION 198**

**CITY OF LEEDS TREE PRESERVATION ORDER
(No.32) 2012**

Disused Railway Cutting To Rear Of Green Bank
Loft House
Wakefield
WF3 3QN

Plan No..... GIS 5565
Prepared By..... NI
Checked By..... SW
Scale..... 1/2500
Date..... 15.11.2012
O.S. Grid Reference.... SE3326
North..... 