

CITY OF LEEDS TREE PRESERVATION ORDER (No 9) 2014

The Former Vickers Factory, Munston
Lane Leeds LS15 8ST

I, Phil Crabtree, Chief Planning Officer, in pursuance of powers delegated to me by LEEDS CITY COUNCIL, hereby determine that it is expedient in the interests of amenity to make a Tree Preservation Order under Section 198 of the Town and Country Planning Act 1990 in respect of those trees on land specified above and shown in the schedule and on the plan attached hereto.


Chief Planning Officer

PP R502


Date 24th June 2014

TREE PRESERVATION ORDER AMENITY EVALUATION CHECKLIST



Inspection Date Inspecting Officer

Site Address

A REASON FOR MAKING THIS TREE PRESERVATION ORDER; Mark Box

1 Development Control

Yes No

Application no.

Date of Application

Applicant

2 Conservation Area Notification to Fell/Prune

Yes No

Application ref:

Date notification received

Expiry date

3 Emergency Action

Yes No

4 Request to Make TPO Received

Yes No

5 Strategic or Other

Yes No

B SOURCE

Mark Box
Yes No

1 Tree Officer

Yes No

2 Public

Yes No

3 Chief Officer

Yes No

4 Committee

Yes No

5 Council Member Yes no

6 Other

specify *landscape officer as a result of DC consultation*

C BACKGROUND FILE CHECK

- | | | Mark Box | |
|---|--|-------------------------------------|-------------------------------------|
| | | Yes | No |
| 1 | Any existing TPOs on or adjacent to the site/land? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2 | Is the site; | | |
| | In a conservation area? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| | Adjacent to a conservation area? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3 | Any of the following on or adjacent to the site; | | |
| | Listed Building | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| | Nature conservation interests | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| | Recent or current planning Applications | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| | Scheduled monuments | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| | Forestry Commission interests | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4 | Are any of the trees situated on; | | |
| | Crown Land? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| | NHS Land? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| | LCC owned land? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

D LANDSCAPE APPRAISAL

- | | | | |
|---|--------------------------------|-------------------------------------|-------------------------------------|
| 1 | Trees / Site Photographed | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2 | Landscape Function of Trees; | | |
| | <i>AV</i> Avenue / Focal Point | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| | Screen (noise/vision) | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| | Physical Buffer | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| | Rarity / Historic associations | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| | Feature of intrinsic beauty | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

3 Visual Prominence;

Yes No

Visible to conurbation

or
Visible to neighbourhood / locale

or
Site and Immediate surroundings

or
Site only

4 Species Suitability for Site:

Mark box

Yes No

Particularly suitable

Fairly suitable

Unsuitable

5 Presence of Other Trees in Locality of Site;

High percentage tree cover

Medium percentage tree cover

Low percentage tree cover

6 Condition ;

Good

Fair

Poor

Dangerous

Comment on general condition if several or numerous trees involved;

Trees appear generally healthy though
in need of some management.

6 Assessment of Importance as a Wildlife Habitat

Comment

may be increasingly important given
conservation initiatives in land to S.
of railway line.

E EXEMPTIONS

1 Are any of the following in existence which will exempt tree work/felling from the normal requirement to obtain LPA consent?

- | | Yes | No |
|---|--------------------------|-------------------------------------|
| Highways Act 1980, Electricity Act 1989, Civil Aviation Act 1982 | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Other statutory undertaker's operational land on or adjacent to the site. | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Tree(s) dead, dying or dangerous. | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Mark Box
Yes or No

F COMPENSATION

1 Is there any obvious evidence that the trees are causing actionable nuisance?

- | Yes | No |
|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> |

2 Is there a likelihood that the trees will cause actionable nuisance in the future, reasonably foreseeable?
(due to ultimate size/proximity to building etc.)

- | | |
|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|-------------------------------------|

3 Comment on 1 and or 2

G DESIGNATIONS

1 Does the TPO merit the use of one or more of the following designations?

- | | Yes | No |
|--|-------------------------------------|-------------------------------------|
| Individual tree(s) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Group(s) of trees | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Areas (Only in an emergency TPO for detailed modification at a later date) | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Woodland | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

H MANAGEMENT

Are the trees currently subject to regular good arboricultural or silvicultural maintenance?

- | Yes | No |
|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> |

I SUPPLEMENTARY INFORMATION

1 Brief statement of any additional reasons for promoting this order;

TPO will protect trees during discussions
ward planning Application

J SUMMARY;

Mark Box
Yes or No

- | | Yes | No |
|---|-------------------------------------|--------------------------|
| 1 Would the loss of the tree(s) have a significant impact on the local environment? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2 Will a reasonable degree of public benefit accrue form the making of this Order? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 3 Is an order expedient in the circumstances? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Signed..... *R D Lynch*

Date..... *24 June 2014*

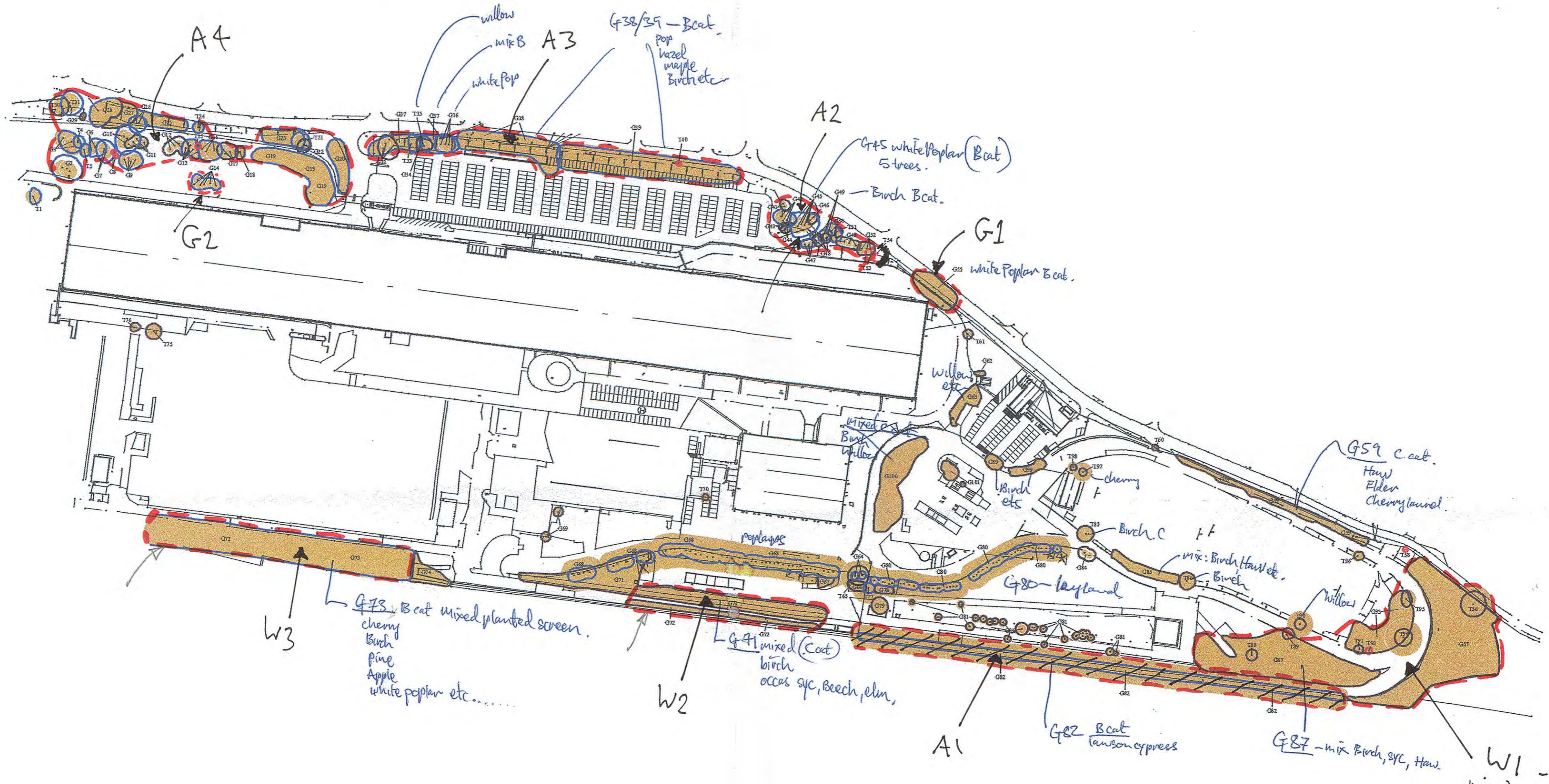
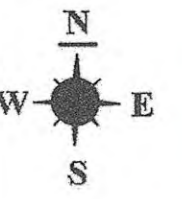
Title..... *Tree officer*



LEEDS
CITY COUNCIL

Sustainable Development Unit
Development Department
The Leonardo Building
2 Rossington Street
Leeds LS2 8HD

Development Enquiry Centre, Tel: (0113) 247 8000
E-mail: landscape.planning@leeds.gov.uk
www.leeds.gov.uk/planning



Appendix 6: Tree Constraints Plan		BRITISH STANDARD 5837:2012: 4.5 RETENTION CATEGORIES	
ADDRESS: Former Vickers Factory, Mansford Lane, Leeds, LS15 8ST. JCA REF: 11425/LP.		Detailed definitions of these categories are at Appendix 2 of our report. N.B. These categories do not necessarily represent or correspond to recommendations for action made in this report.	
SCALE 1:2000	PAPER SIZE A2		CATEGORY A: 'RETENTION MOST DESIRABLE'
SURVEYED BY: LPS/RA	DRAWN BY: SR/ALP		CATEGORY B: 'RETENTION DESIRABLE'
APPROVED BY: AJB			CATEGORY C: 'TREE WHICH COULD BE RETAINED'
 Arboricultural & Forestry Consultants			CATEGORY U: 'TREE FOR REMOVAL'
			STEM OF TREE TO BE RETAINED
			STEM OF TREE TO BE REMOVED
			ROOT PROTECTION AREA

Root Protection Area: RPA

THE ROOT PROTECTION AREA (RPA) INDICATES THE LIKELY ROOTING ZONE OF A TREE. THE RPA SHOULD IDEALLY REMAIN UNDISTURBED IF A TREE IS TO BE RETAINED.

THE DEVELOPMENT PROPOSALS SHOULD THEREFORE BE DESIGNED TO AVOID THE RPA OF ANY TREE WHICH IS TO BE RETAINED.

IF IT IS NECESSARY FOR THE DEVELOPMENT TO ENCROACH INTO THE RPA OF A TREE WHICH IS TO BE RETAINED THEN SPECIALIST CONSTRUCTION TECHNIQUES AND MATERIALS MUST BE CONSIDERED.

W1 - mixed deciduous consisting mainly of Birch, Sycamore, Willow

TOWN AND COUNTRY PLANNING ACT 1990

CITY OF LEEDS TREE PRESERVATION ORDER (NO. 09) 2014 (THE FORMER VICKERS FACTORY, MANSTON LANE, LEEDS LS15 8ST)

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. 09) 2014

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 1st day of July 2014

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



Jason Field
Principal Legal Officer
Development

Seal No. 91916

W2	Mixed deciduous trees consisting mainly of birch, sycamore and beech	On land at the former Vickers factory on Manston Lane
W3	Mixed deciduous trees consisting mainly of cherry, birch and poplar	On land at the former Vickers factory on Manston Lane

CONFIRMATION OF ORDER.

This order was confirmed by Leeds City Council without modification on 19th day of August 2014



Sarah Berken
Principal Legal Officer
Commercial Property.

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)

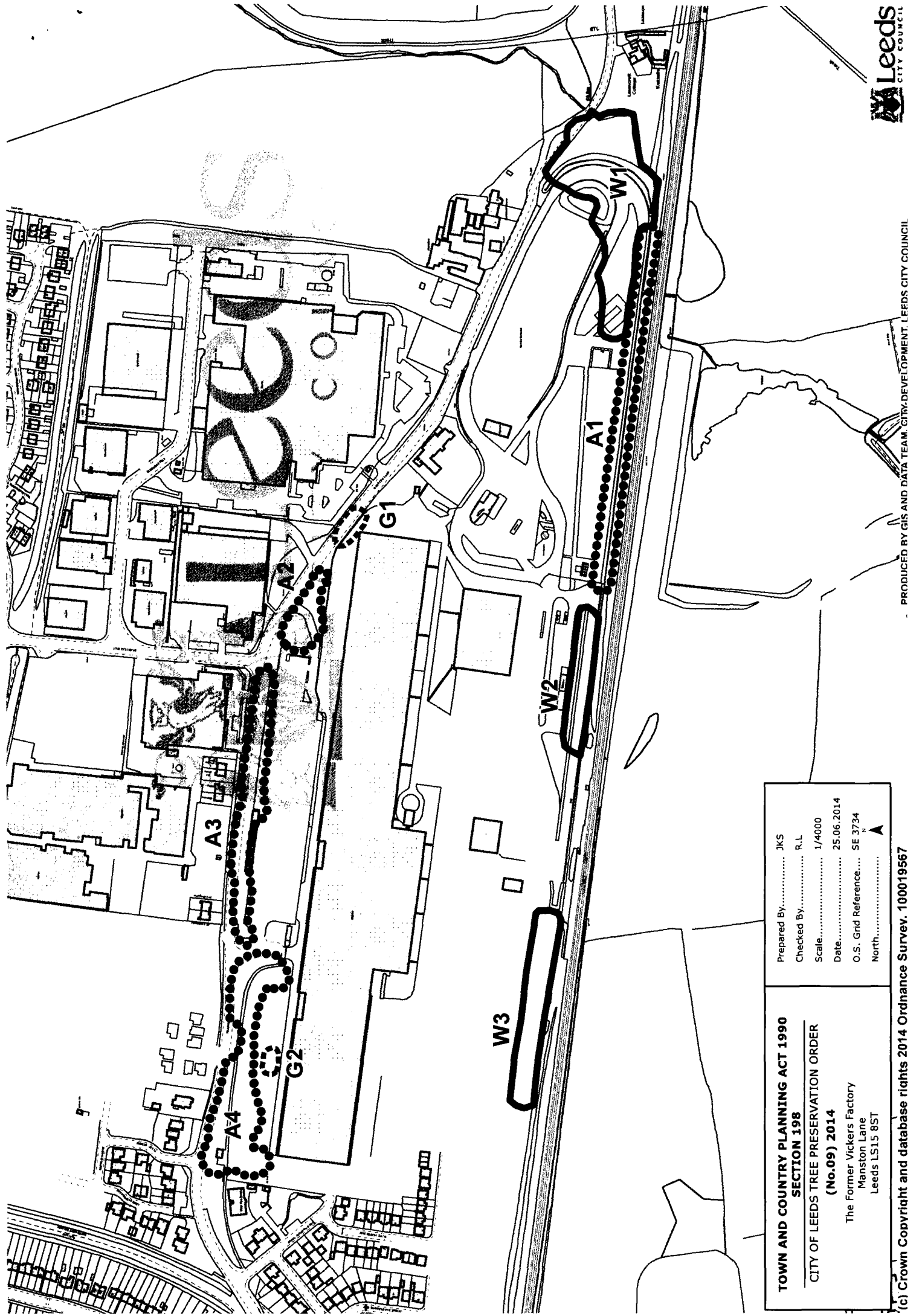
Reference on map	Description	Situation
A1	An area of lawson cypress trees	Situated within A1 on the plan
A2	All trees of whatever species	Situated within A2 on the plan
A3	All trees of whatever species	Situated within A3 on the plan
A4	All trees of whatever species	Situated within A4 on the plan

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

G1	Eight white poplar trees	On land at the former Vickers factory on Manston Lane
G2	Six birch trees	On land at the former Vickers factory on Manston Lane

Woodlands
(within a continuous black line on the map)

W1	Mixed deciduous trees consisting mainly of birch, sycamore and willow	On land at the former Vickers factory on Manston Lane
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<p>TOWN AND COUNTRY PLANNING ACT 1990 SECTION 198 CITY OF LEEDS TREE PRESERVATION ORDER (No.09) 2014 The Former Vickers Factory Manston Lane Leeds LS15 8ST</p>	<p>Prepared By..... JKS Checked By..... R.L Scale..... 1/4000 Date..... 25.06.2014 O.S. Grid Reference... SE 3734 North..... </p>
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