

TOWN AND COUNTRY PLANNING ACT 1990

CITY OF LEEDS TREE PRESERVATION ORDER (NO. 24) 2014 (STONE GAP, MILL LANE, BARDSEY, LEEDS LS17 9AN)

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. 24) 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,

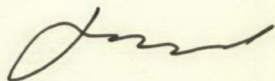
any tree specified in the Schedule to this Order except with the written consent of the authority in accordance with regulations 16 and 17, or of the Secretary of State in accordance with regulation 23, and, where such consent is given subject to conditions, in accordance with those conditions.

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 15th day of October 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. 92286

CONFIRMATION OF ORDER

This order was confirmed by
LEEDS CITY COUNCIL this 13 day of April 2015
subject to the modifications to
the Schedule and plan marked in red

Name: NICOLA MURPHY

Signature: 

Job Title: SECTION HEAD (LEGAL)



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

CITY OF LEEDS TREE PRESERVATION ORDER

(No.24) 2014 - Modified Plan

Stone gap, Mill Lane
Bardsey, Leeds
LS17 9AN

Prepared By.....	WLM
Checked By.....	RD
Scale.....	1/1000
Date.....	14/04/2015
O.S. Grid Reference....	SE 3743
North.....	
PRODUCED BY LEEDS CITY COUNCIL	

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	All trees of whatever species NONE	In the grounds of Stone Gap, Mill Lane, Bardsey, Leeds LS17 9AN

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

NONE

Woodlands
(within a continuous black line on the map)

NONE

Trees specified individually
(encircled in black on the modified map)

Reference on map	Description	Situation
T1	Beech	In the grounds of 'Stone Gap', Mill Lane, Bardsey, Leeds LS16 9AN
T2	Maple	As above
T3	Tulip Tree	As above
T4	Horse Chestnut	As above
T5	Robinia	As above
T6	Elm	As above
T7	Cherry	As above
T8	Field Maple	As above
T9	Maple	As above
T10	Rowan	As above
T11	Thorn	As above
T12	Yew	As above

TREE PRESERVATION ORDER AMENITY EVALUATION CHECKLIST



Inspection Date 15/10/14 Inspecting Officer Richard Lapisch

Site Address Stone Gap Mill Lane Bardsey LS17 9AN

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

Application ref: Date notification received Expiry date

3 Emergency Action

Comment

4 Request to Make TPO Received

Comment neighbours concerned activity by owner threatens trees of significance

5 Strategic or Other

Comment site is large house in generous garden - development ambitions foreseeable

B SOURCE

Mark Box
Yes No

1 Tree Officer

2 Public

3 Chief Officer

4 Committee

5 Council Member

Yes no

6 Other

specify

C BACKGROUND FILE CHECK

Mark Box

1 Any existing TPOs on or adjacent to the site/land?

Yes No

2 Is the site;

In a conservation area?

Adjacent to a conservation area?

3 Any of the following on or adjacent to the site;

Listed Building

Nature conservation interests

Recent or current planning Applications

Scheduled monuments

Forestry Commission interests

4 Are any of the trees situated on;

Crown Land?

NHS Land?

LCC owned land?

D LANDSCAPE APPRAISAL

1 Trees / Site Photographed

2 Landscape Function of Trees;

Avenue / Focal Point

Screen (noise/vision)

Physical Buffer

Rarity / Historic associations

Feature of intrinsic beauty

3 Visual Prominence;

	Yes	No
Visible to conurbation	<input type="checkbox"/>	<input checked="" type="checkbox"/>
or Visible to neighbourhood / locale	<input checked="" type="checkbox"/>	<input type="checkbox"/>
or Site and Immediate surroundings	<input checked="" type="checkbox"/>	<input type="checkbox"/>
or Site only	<input type="checkbox"/>	<input checked="" type="checkbox"/>

4 Species Suitability for Site:

Mark box

	Yes	No
Particularly suitable	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Fairly suitable	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Unsuitable	<input type="checkbox"/>	<input checked="" type="checkbox"/>

5 Presence of Other Trees in Locality of Site;

High percentage tree cover	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Medium percentage tree cover	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Low percentage tree cover	<input type="checkbox"/>	<input checked="" type="checkbox"/>

6 Condition ;

Good	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Fair	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Poor	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Dangerous	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comment on general condition if several or numerous trees involved;
*mature group of wide species range
appear currently healthy*

6 Assessment of Importance as a Wildlife Habitat

Comment *significant as element in
the generally high tree cover of the area*

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

2 Is there a likelihood that the trees will cause actionable nuisance in the future, reasonably foreseeable? Yes No
(due to ultimate size/proximity to building etc.)

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 type="checkbox"/> | <input checked="" type="checkbox"/> |
| Areas (Only in an emergency TPO for detailed modification at a later date) | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Woodland | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

H MANAGEMENT

Are the trees currently subject to regular good arboricultural or 1. silvicultural maintenance? Yes No

I SUPPLEMENTARY INFORMATION

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

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.....*Re D Lupton*.....

Date.....*14/10/2014*.....

Title.....*Tree officer*.....



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

CITY OF LEEDS TREE PRESERVATION ORDER (No. 24) 2014

Stone Gap, Mill Lane Bawdsey
LS17 9AN

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

P.P. 

Date 14/10/2014