

TOWN AND COUNTRY PLANNING ACT 1990

CITY OF LEEDS TREE PRESERVATION ORDER (NO.3) 2015 (‘SHALIMAR’ GROVE LANE HEADINGLEY LS6 2AP)

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.3) 2015

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 5 day of March 2015

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

Name: Nicola Murphy

Signature:




Job Title: Section Head (Legal)

Sec No. 9283031

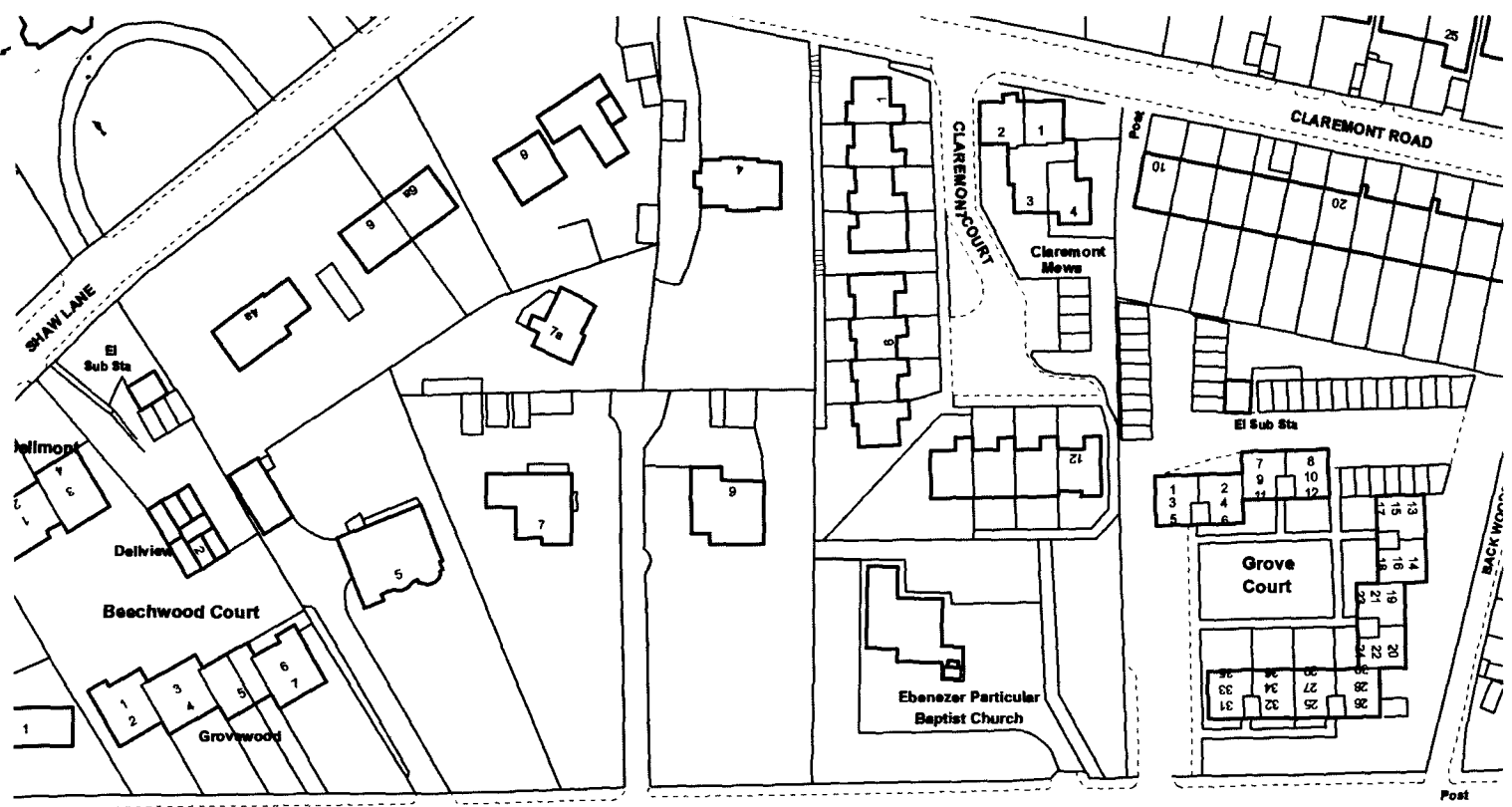
CONFIRMATION OF ORDER

This order was confirmed
by LEEDS CITY COUNCIL
without modification
this 8 day of June 2015

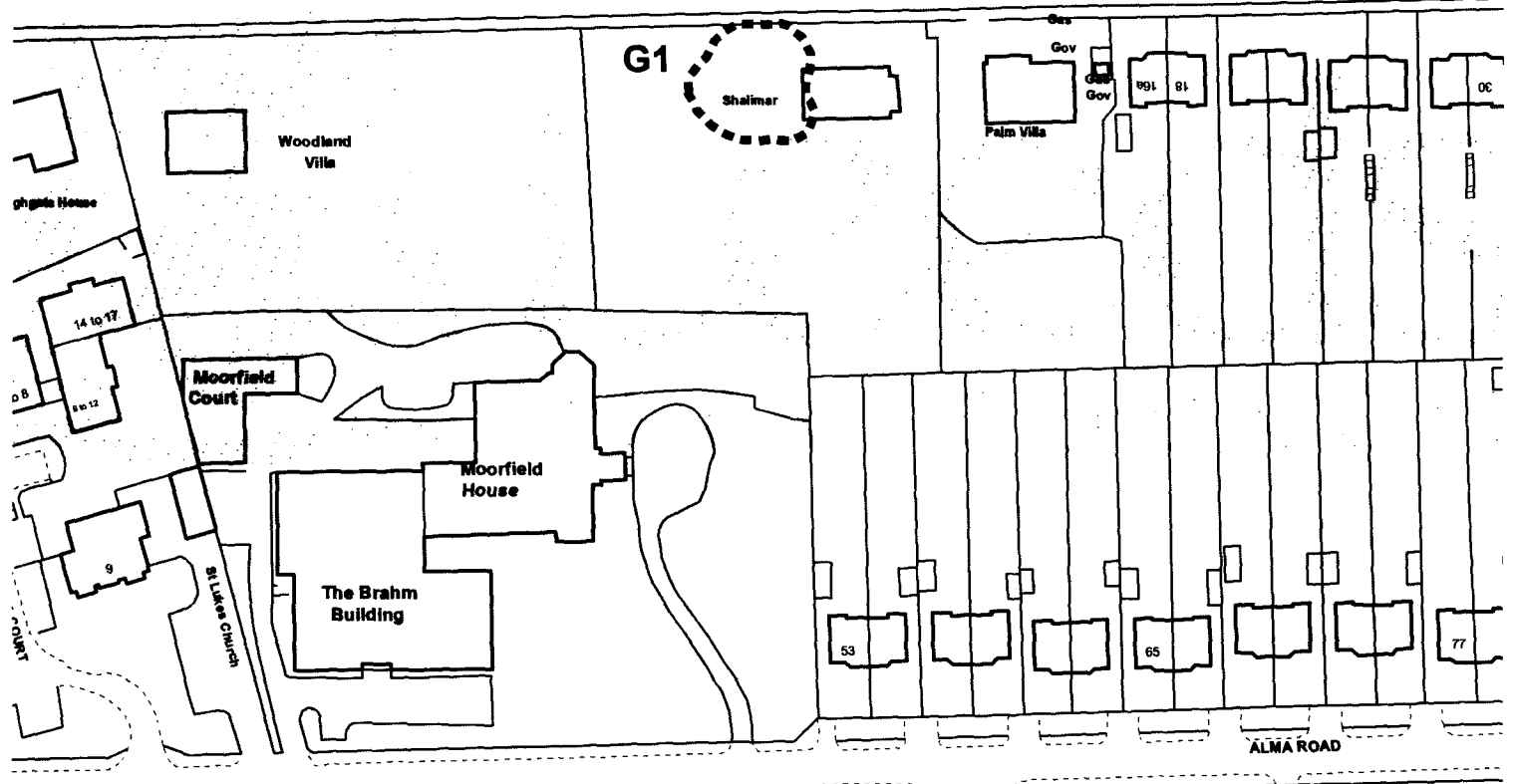
Name: NICOLA MURPHY

Signature: 

Job Title: SECTION HEAD (LEGAL)



69.5m 68.4m



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
G1	2 Beech	On land in the grounds of 'Shalimar' Grove Lane Headingley LS6 2AP

Woodlands
(within a continuous black line on the map)

NONE

TREE PRESERVATION ORDER AMENITY EVALUATION CHECKLIST



Inspection Date 13/2/15 Inspecting Officer R DRACUP

Site Address SHALIMAR GROVE CAVZ, HEADWICKLEY CS6 2AP

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: 15/00656/TR Date notification received 29/1/2015 Expiry date 6 weeks

3 Emergency Action

Yes No

Comment

4 Request to Make TPO Received

Yes No

Comment

5 Strategic or Other

Yes No

Comment

B SOURCE

Mark Box

1 Tree Officer

Yes No

2 Public

3 Chief Officer

4 Committee

5 Council Member

6 Other

specify

C BACKGROUND FILE CHECK

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

Yes No

2 Is the site;

In a conservation area?

Yes No

Adjacent to a conservation area?

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

Listed Building

Yes No

Nature conservation interests

Recent or current planning Applications

Scheduled monuments

Forestry Commission interests

4 Are any of the trees situated on;

Crown Land?

Yes No

NHS Land?

LCC owned land?

D LANDSCAPE APPRAISAL

1 Trees / Site Photographed

Yes No

2 Landscape Function of Trees;

~~Avenue~~ Focal Point

Yes No

Screen (~~noise~~/vision)

Physical Buffer

Rarity / Historic associations

Feature of intrinsic beauty

3 Visual Prominence;

Visible to conurbation

Yes No

or

Visible to neighbourhood / locale

or

Site and Immediate surroundings

or

Site only

4 Species Suitability for Site:

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

5 Presence of Other Trees in Locality of Site;

	Yes	No
High percentage tree cover	<input type="checkbox"/>	<input type="checkbox"/>
Medium percentage tree cover	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Low percentage tree cover	<input type="checkbox"/>	<input type="checkbox"/>

6 Condition ;

	Yes	No
Good	<input type="checkbox"/>	<input type="checkbox"/>
Fair	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Poor	<input type="checkbox"/>	<input type="checkbox"/>
Dangerous	<input type="checkbox"/>	<input type="checkbox"/>

Comment on general condition if several or numerous trees involved;
Applicant commissioned a tree report, recommending retention and very minor work but was still instructed to apply to remove trees.

6 Assessment of Importance as a Wildlife Habitat

Comment
Collectively Fair

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"/>

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?

(due to ultimate size/proximity to building etc.)

Yes No

3 Comment on 1 and or 2

Trees inspected by Arb consultant report and recommend for retention. Applicant highlight that proposal to fell is purely client lead and contrary to report/survey recommendations

G DESIGNATIONS

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

Individual tree(s)

Yes No

Group(s) of trees

Areas (Only in an emergency TPO for detailed modification at a later date)

Woodland

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;

Highly prominent trees recommended for retention by Arb consultant. Consultant contacted Council prior to submission and asked not to submit, but did anyway.

J SUMMARY;

Mark Box

1 Would the loss of the tree(s) have a significant impact on the local environment?

Yes No

2 Will a reasonable degree of public benefit accrue from the making of this Order?

3 Is an order expedient in the circumstances?

Signed R. M. Dramp

Date 8/3/15

Title Tree officer



LEEDS
CITY COUNCIL

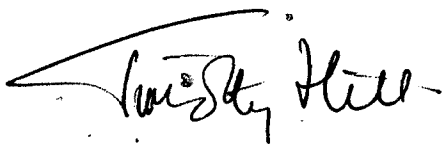
Sustainable Development Unit
Development Department
The Leonardo Building
2 Rossington Street
Leeds LS2 8HD

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

CITY OF LEEDS TREE PRESERVATION ORDER (No.) 201 5

SHALIMAR GROVE CAVÉ, HEADINGLEY, LS6 2AP

I, Tim Hill, 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

Date 3/3/15