

TOWN AND COUNTRY PLANNING ACT 1990

CITY OF LEEDS TREE PRESERVATION ORDER (NO.7) 2015 (HORSFORTH SCHOOL LEE LANE EAST HORSFORTH LS18 5RF)

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.7) 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 23 day of April 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. 93121

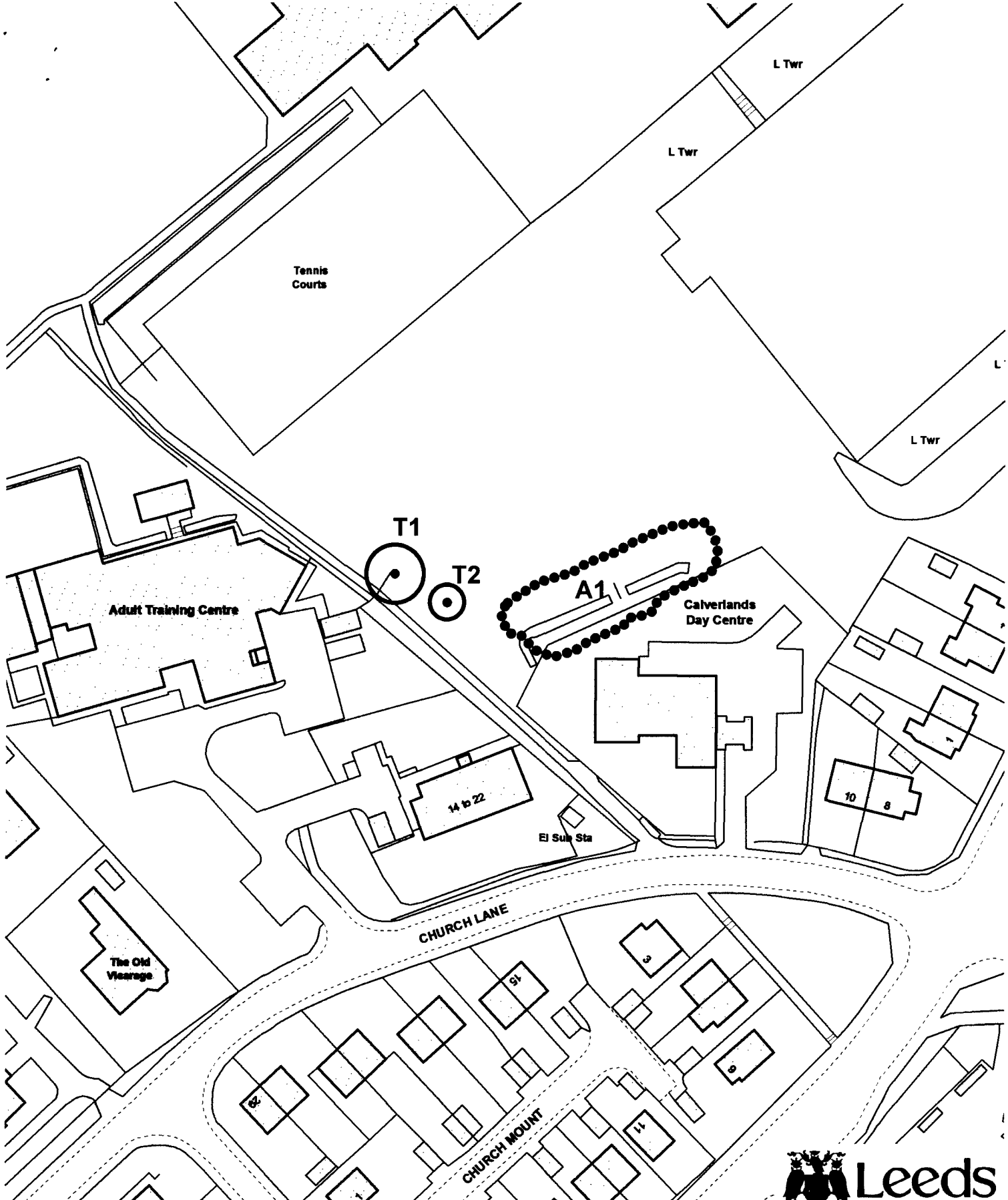
CONFIRMATION OF ORDER

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)




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

CITY OF LEEDS TREE PRESERVATION ORDER

(No.07) 2015
 Horsforth School,
 Lee Lane East,
 Horsforth,
 Leeds,
 LS185RF

Prepared By..... KJW
 Checked By..... SC
 Scale..... 1/1000
 Date..... 20/04/2015
 O.S. Grid Reference.... SE 2338
 North..... 
 PRODUCED BY LEEDS CITY COUNCIL

SCHEDULE

SPECIFICATION OF TREES

Trees specified individually (encircled in black on the map)

Reference on map	Description	Situation
T1	Sycamore	On land at the south-western boundary of Horsforth School, Lee Lane Horsforth LS18 5RF
T2	Field Maple	On land at the south-western boundary of Horsforth School, Lee Lane Horsforth LS18 5RF

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

Reference on map	Description	Situation
A1	Trees of whatever species within the area marked 'A1'	On land at the south-western boundary of Horsforth School, behind Calverlands Day Centre

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

NONE

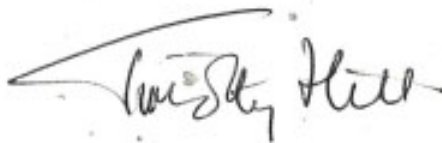
Woodlands (within a continuous black line on the map)

NONE

CITY OF LEEDS TREE PRESERVATION ORDER (No.) 201

Horsforth School, Lee Lane East, Horsforth
LS18 5RE

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

20/4/15

TREE PRESERVATION ORDER AMENITY EVALUATION CHECKLIST



Inspection Date Feb 2005 Inspecting Officer S. Coor

Site Address Horsforth School, Lee Lane East, Horsforth LS18 5RF

A REASON FOR MAKING THIS TREE PRESERVATION ORDER;

Mark Box

1 Development Control

Yes No

14/07/08 / FU
Application no.

5/12/14
Date of Application

Farnell and Clark (Architect/Agent)
Applicant

2 Conservation Area Notification to Fell/Prune

Yes No

N/A
Application ref.

N/A
Date notification received

N/A
Expiry date

3 Emergency Action

Yes No

Comment N/A Negotiations with Arch failing to protect/retain tree in scheme

4 Request to Make TPO Received

Yes No

Comment discussions with planning officer.

5 Strategic or Other

Yes No

Comment Trees offer good screening and provide public amenity for users of PROW.

B SOURCE

Mark Box

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

Yes No

specify Planning case officer.

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?
quite close to a Conservation Area - CA Horsforth No 09
- 3 Any of the following on or adjacent to the site;
- | | | | | |
|---|-------------------------------------|-------------------------------------|--|--|
| Listed Building <i>nearby</i> | Yes | No | | |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | | |
| Nature conservation interests | <input type="checkbox"/> | <input checked="" type="checkbox"/> | | |
| Recent or current planning Applications | <input type="checkbox"/> | <input checked="" 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? | Yes | No | | |
| | <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 Yes No
- 2 Landscape Function of Trees;
- | | | | | |
|--------------------------------|-------------------------------------|-------------------------------------|--|--|
| Avenue / Focal Point | Yes | No | | |
| | <input type="checkbox"/> | <input checked="" 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;
- | | | | | |
|-----------------------------------|-------------------------------------|-------------------------------------|--|--|
| Visible to conurbation | Yes | No | | |
| or | <input type="checkbox"/> | <input checked="" type="checkbox"/> | | |
| Visible to neighbourhood / locale | <input checked="" type="checkbox"/> | <input type="checkbox"/> | | |
| or | <input checked="" type="checkbox"/> | <input type="checkbox"/> | | |
| Site and Immediate surroundings | <input checked="" type="checkbox"/> | <input type="checkbox"/> | | |
| or | <input checked="" type="checkbox"/> | <input type="checkbox"/> | | |
| Site only | <input type="checkbox"/> | <input checked="" type="checkbox"/> | | |

4 Species Suitability for Site:

- | | 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;

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

6 Condition ;

- | | Yes | No |
|-----------|-------------------------------------|-------------------------------------|
| 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;

A professional independent tree survey was submitted as part of the application. This was carried out by a company called JCA, and all the trees have been categorised as Bs and Cs. Which means they are in good condition

6 Assessment of Importance as a Wildlife Habitat

Comment

unknown but likely to provide wildlife cover.

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"/> |

* details unknown

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

no comment

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

* not known

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

The proposals indicate that there is a strong desire to remove some of the trees to facilitate development. A TPO is deemed necessary to ensure the trees are protected while negotiations continue

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?

Trees provide important landscape function and are visible from public areas including PLOW and the environs of the church (listed)

Signed.....



Date.....

20/4/15.....

Title.....

Principal Landscape Architect



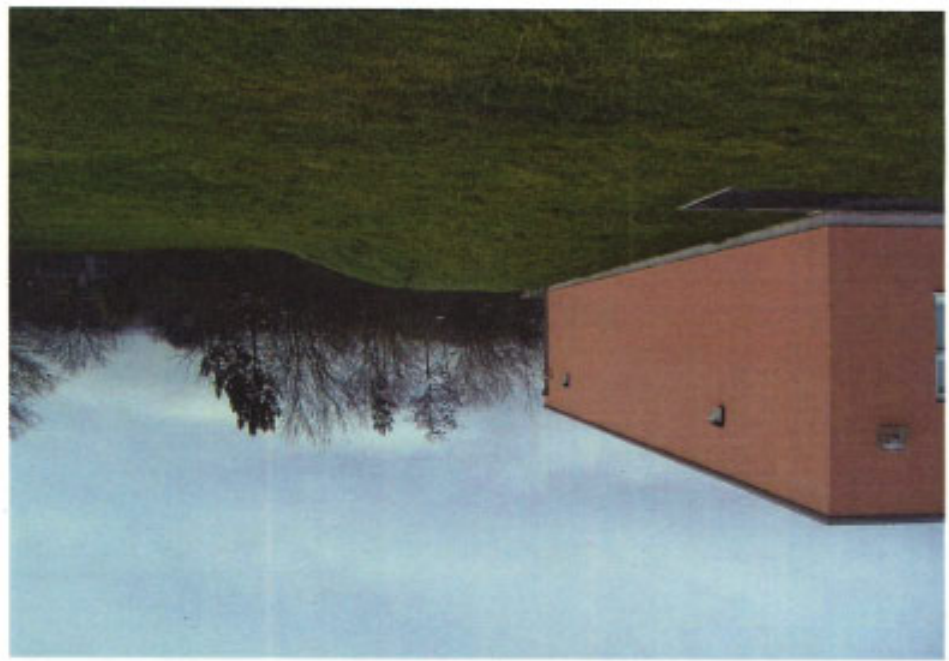
LEEDS
CITY COUNCIL

Sustainable Development Unit

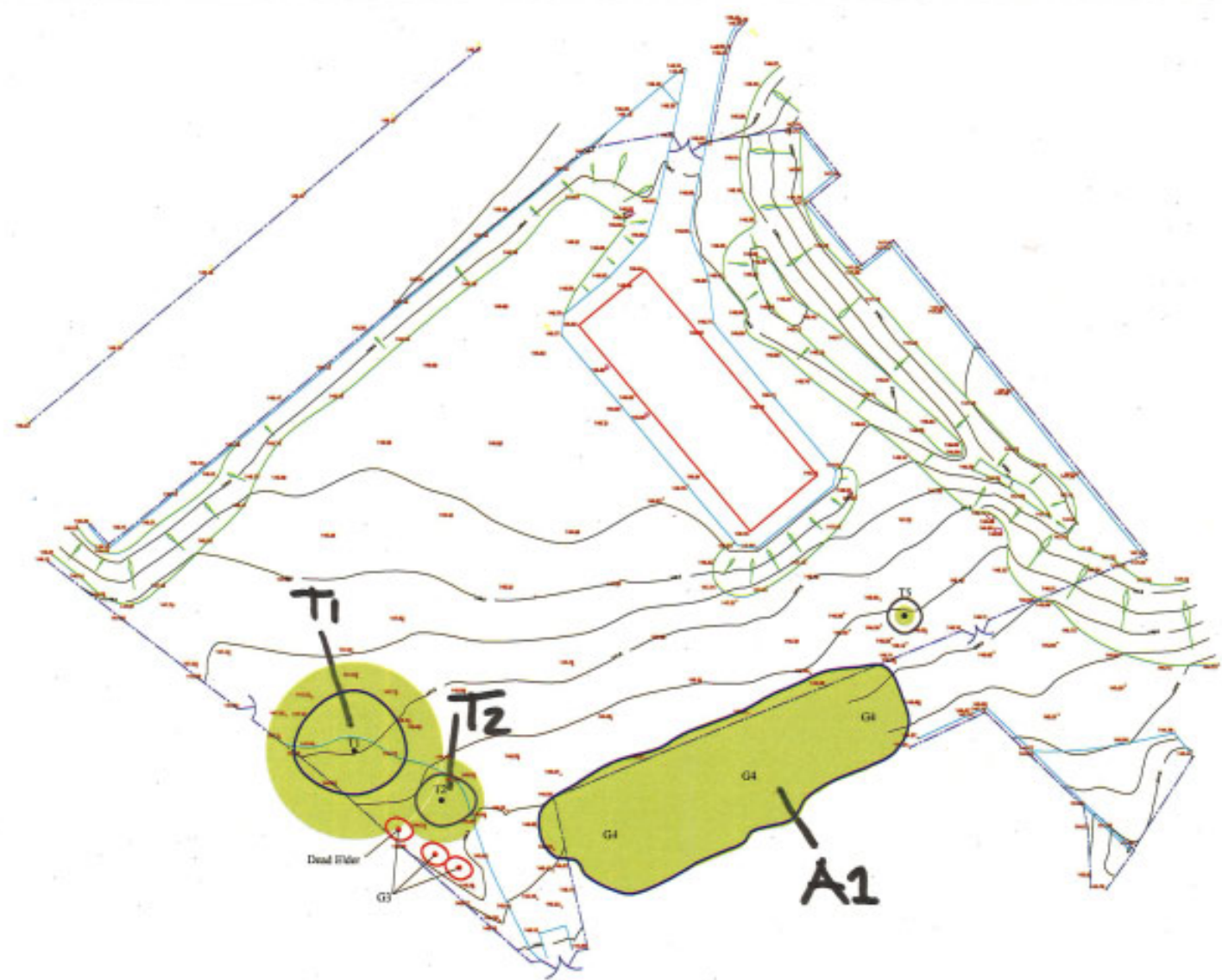
Development Department
The Leonardo Building
2 Rossington Street
Leeds LS2 8HD

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

Tree Ref	Age Species <i>Latin Name</i>	Height (m)	Crown Height (m)	Height (m) and Direction of the Lowest Branch	Diameter (cm)	Crown Spread			Observations	Recommendations	Physiological Condition	Structural Condition	Amenity Value	Life Expectancy (yrs)	Retention Category
						N	E	S							
* T 1	Mature Sycamore <i>Acer pseudoplatanus</i>	13	4	3 W	62 + 59	7	6	5	Twin-stemmed at 1m with a balanced crown which overhangs the boundary. Minor included bark at stem union. Occasional pruning wounds due to crown lifting - occluding well. Surface roots exposed. Epicormic growth noted at the base as well as fungi growing out of an old pruning wound.	Monitor annually if retained. <i>Remove to facilitate the proposed development.</i>	FAIR	GOOD	HIGH	20-40	B
* T 2	Early-mature Field Maple <i>Acer campestre</i>	7.5	0.5	0.5 W	27 + 15 + 28	3	4	3	Multi-stemmed at 1m with a balanced crown. No evidence of significant pruning. No major visible defects.	Crown lift to 2m if retained. <i>Remove to facilitate the proposed development.</i>	FAIR	GOOD	MOD	20-40	C
G 3	Early-mature Hawthorn & Elder <i>Crataegus monogyna</i> & <i>Sambucus nigra</i>	to 6	0+	0 n/a	20 Ave	See plan			2 Hawthorn and 1 Elder. The Elder has recently died but still standing. Broken branches, deadwood and minor cavities throughout. Crossing branches and Ivy up the main stems. Trees are in decline with no long term future due to being heavily suppressed.	Remove.	POOR	POOR	LOW	<10	U
* G 4	Semi-mature to early-mature Mixed	to 8	0+	0 n/a	12 Ave	See plan			Boundary vegetation including Sycamore, Pine, Alder, Willow and shrubs possibly situated on adjacent land - limited inspection due to the fence. The group offers good screening for neighbouring residential properties so ideally should be retained.	No action required.	FAIR	GOOD	HIGH	20-40	B
T 5	Early-mature Holly <i>Ilex aquifolium</i>	5	0+	0 n/a	#10 Ave	2	2	2	Single-stemmed and vertical with a balanced crown. No evidence of significant pruning. No major visible defects. Growing on the school side of the fence.	No action required.	GOOD	GOOD	LOW	20-40	C







**Appendix 6:
Tree Constraints Plan**

ADDRESS: Harlewell Academy,
Lark Lane East, Leamli, LB18 3PQ,
JCA REF: 11864000

SCALE: 1:1000 PAPER SIZE: A3

DRAWN BY: JJ CHECKED BY: JJ APPROVED BY: JJ

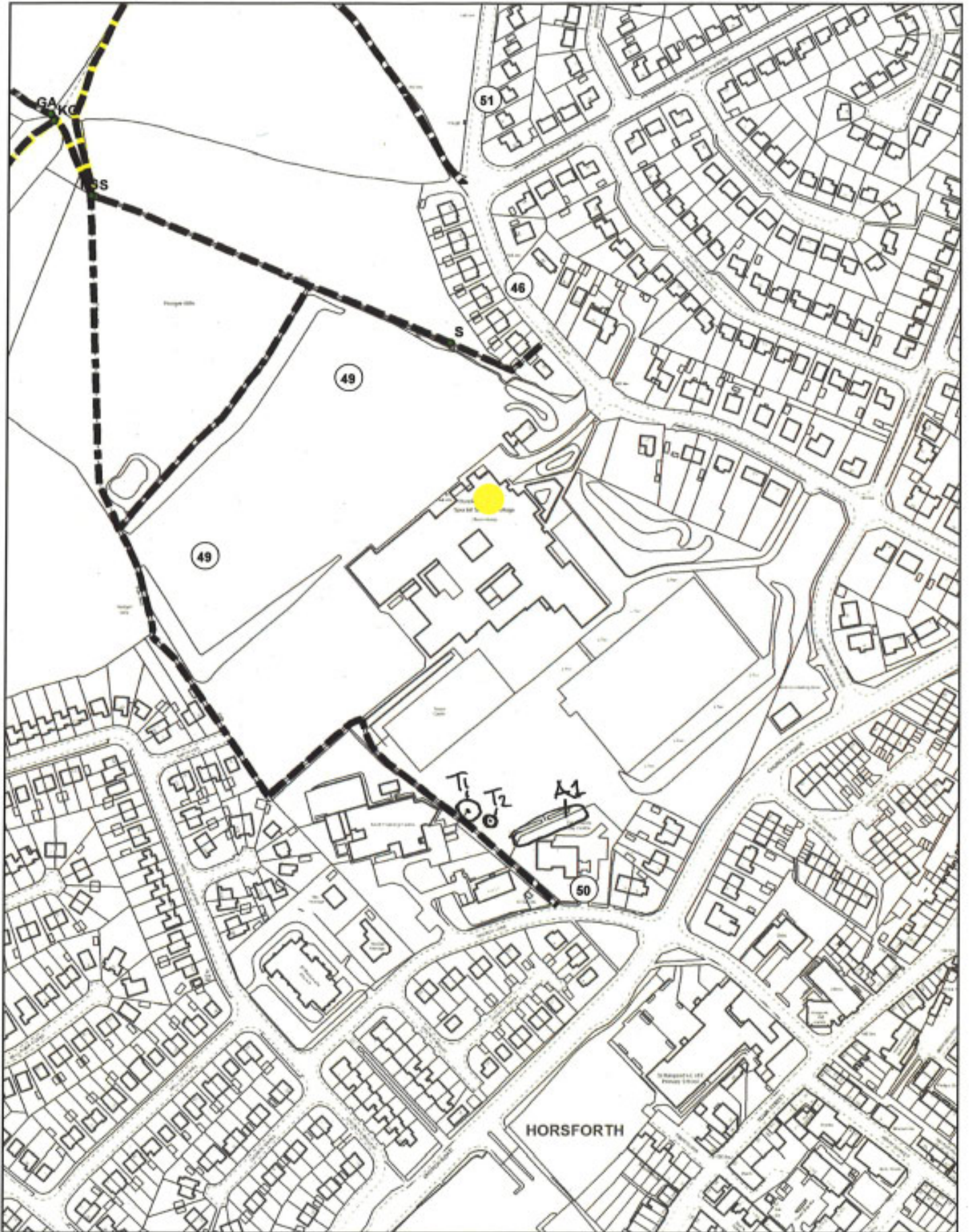
BRITISH STANDARD BS57:2012 A-E
RETENTION CATEGORIES

Modelled on the original specification as approved by the Council and the Planning Committee of the Council.

	CATEGORY A RETENTION DESIRABLE
	CATEGORY B RETENTION DESIRABLE
	CATEGORY C TREE WHICH SHOULD BE RETAINED
	CATEGORY D TREE FOR REMOVAL
	AREA OF TREE TO BE REMOVED
	ROOT PROTECTION AREA
	ROOT PROTECTION AREA (UNDER 10 CM DBH)

JCA Consultants

Arboricultural & Forestry Consultants



Title

Key	Definitive	Claims/Review	Permissive	Recreational
Footpath				
Bridleway				
Restricted Byway				
Byway				



25316.22
 Meters

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