

Memo

Department of Legal and Democratic Services

To: For circulation see below

Legal Services
City Hall
Bradford
BD1-1HY



Lexcel
PRACTICE MANAGEMENT SOLUTIONS
THE LAW SOCIETY

Your Ref:

05/00050/G.

From: Carole Barrott
Legal Officer
Development & Regulatory Law Team

Date: 14 February 2006

Tel: (01274) 434751
Fax: (01274) 434242
My Ref: LEG/DEV/CEB/ST/28130
Email: carole.barrott@bradford.gov.uk

**TOWN AND COUNTRY PLANNING ACT 1990 - SECTION 201
LAND AT 237 ROOLEY LANE BRADFORD - TREE PRESERVATION ORDER**

The above Tree Preservation Order was confirmed on 14 February 2006. Please find attached a copy for your records.

C. E. Barrott

C E Barrott

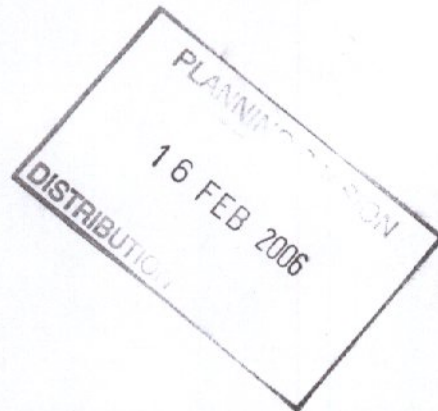
Enc

Arboricultural Technician
Development Services Tree Section
Transportation, Design and Planning
3rd Floor, Jacobs Well

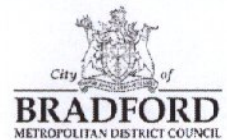
Land Charges Manager
Local Land Charges Unit Team
4th Floor, City Hall

Tracy Cullen (Senior Clerk)
Transportation, Design and Planning
Development Control
3rd Floor, Jacobs Well

(28130.M3)
N:\DEVELOPMENT\STDS\TP17.DOT(February 2005)



BRADFORD
one landscape many views



TOWN AND COUNTRY PLANNING ACT 1990
THE LAND AT 237 ROOLEY LANE BRADFORD
TREE PRESERVATION ORDER 2005

CITY OF BRADFORD METROPOLITAN DISTRICT COUNCIL

The City of Bradford Metropolitan District Council, in exercise of the powers conferred on them by Sections 198, 201 and 203 of the Town and Country Planning Act 1990 hereby make the following Order:-

Citation

1. This Order may be cited as the land at 237 Rooley Lane, Bradford Tree Preservation Order 2005.

Interpretation

2. In this Order "the authority" means the City of Bradford Metropolitan District Council and unless the context otherwise requires, any reference in this Order to a numbered Section is a reference to the Section so numbered in the Town and Country Planning Act 1990.

Application of Section 201

3. The authority hereby direct that Section 201 (provisional tree preservation orders) shall apply to this Order and, accordingly, this Order shall take effect provisionally on 8 September 2005.

Prohibited acts in relation to trees

4. Without prejudice to Sub-Sections (6) and (7) of Section 198 (power to make tree preservation orders) and Sub-Section (3) of Section 200 (orders affecting land where Forestry Commissioners interested)], and Subject to article 5, no person shall:-
 - (a) cut down top, lop, uproot, wilfully damage or wilfully destroy; or
 - (b) cause or permit the cutting down, topping, lopping, uprooting, wilful damage or wilful destruction of

any tree specified in Schedule 1 to this Order or comprised in a group of trees or in a woodland so specified, except with the consent of the authority and, where such consent is given Subject to conditions, in accordance with those conditions.

Exemptions

5. (1) Nothing in article 4 shall prevent:-
- (a) the cutting down, topping, lopping or uprooting of a tree by or at the request of a statutory undertaker, where the land on which the tree is situated is operational land of the statutory undertaker and the work is necessary:-
 - (i) in the interests of the safe operation of the undertaking;
 - (ii) in connection with the inspection, repair or renewal of any sewers, mains, pipes, cables or other apparatus of the statutory undertaker; or
 - (iii) to enable the statutory undertaker to carry out development permitted by or under the Town and Country Planning (General Permitted Development) Order 1995;
 - (b) the cutting down, topping, lopping or uprooting of a tree cultivated for the production of fruit in the course of a business or trade where such work is in the interests of that business or trade;
 - (c) the pruning, in accordance with good horticultural practice, of any tree cultivated for the production of fruit;
 - (d) the cutting down, topping, lopping or uprooting of a tree where that work is required to enable a person to implement a planning permission (other than an outline planning permission or, without prejudice to paragraph (a)(iii), a permission granted by or under the Town and Country Planning (General Permitted Development) Order 1995) granted on an application under Part III of the Act, or deemed to have been granted (whether for the purposes of that Part or otherwise);
 - (e) the cutting down, topping, lopping or uprooting of a tree by or at the request of the Environment Agency to enable the Agency to carry out development permitted by or under the Town and Country Planning (General Permitted Development) Order 1995;
 - (f) the cutting down, topping, lopping or uprooting of a tree by or at the request of a drainage body where that tree interferes, or is likely to interfere, with the exercise of any of the functions of that body in relation to the maintenance, improvement or

construction of watercourses or of drainage works, and for this purpose "drainage body" and "drainage" have the same meanings as in the Land Drainage Act 1991; or

- (g) without prejudice to Section 198 (6)(b), the felling or lopping of a tree or the cutting back of its roots by or at the request of, or in accordance with a notice served by, a licence holder under paragraph 9 of Schedule 4 to the Electricity Act 1989.
- (2) In paragraph (1) "statutory undertaker" means any of the following:-
- (a) a person Authorised by the an enactment to carry on any railway, light railway, tramway, road transport, water transport, canal, inland navigation, dock, harbour, pier or lighthouse undertaking, or any undertaking for the supply of hydraulic power;
 - (b) a relevant airport operator (within the meaning of Part V of the Airports Act 1986);
 - (c) the holder of a licence under Section 6 of the Electricity Act 1989;
 - (d) a public gas transporter;
 - (e) the holder of a licence under Section 7 of the Telecommunications Act 1984 to whom the telecommunications code (within the meaning of that Act) is applied;
 - (f) a water or sewerage undertaker;
 - (g) the Civil Aviation Authority or a body acting on behalf of that Authority;
 - (h) the Post Office.

Applications for consent under the Order

6. An application for consent to the cutting down, topping, lopping or uprooting of any tree in respect of which this Order is for the time being in force shall be made in writing to the authority and shall:-
- (a) identify the tree or trees to which it relates (if necessary, by reference to a plan);
 - (b) specify the work for which consent is sought; and

- (c) contain a statement of the applicant's reasons for making the application.

Application of provisions of the Town and Country Planning Act 1990

7. (1) The provisions of the Town and Country Planning Act 1990 relating to registers, applications, permissions and appeals mentioned in column (1) of Part I of Schedule 2 to this Order shall have effect, in relation to consents under this Order and applications for such consent, subject to the adaptations and modifications mentioned in column (2).
- (2) The provisions referred to in paragraph (1), as so adapted and modified, are set out in Part II of that Schedule.

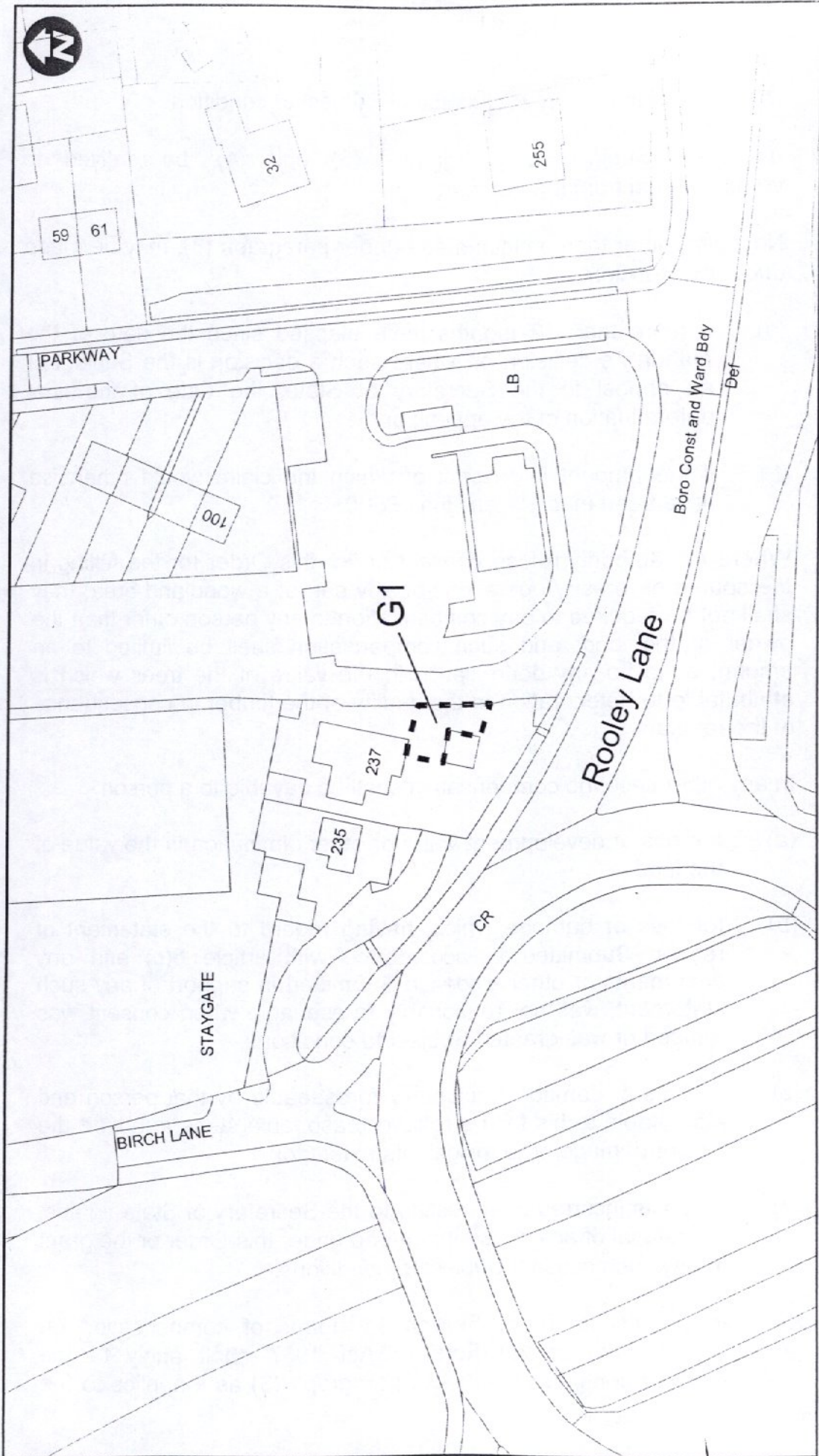
Directions as to replanting

8. (1) Where consent is granted under this Order for the felling in the course of forestry operations of any part of a woodland area, the authority may give to the owner of the land on which that part is situated ("the relevant land") a direction in writing specifying the manner in which and the time within which he shall replant the relevant land.
- (2) Where a direction is given under paragraph (1) and trees on the relevant land are felled (pursuant to the consent), the owner of that land shall replant it in accordance with the direction.
- (3) A direction under paragraph (1) may include requirements as to:-
- (a) species;
 - (b) number of trees per hectare;
 - (c) the preparation of the relevant land prior to the replanting; and
 - (d) the erection of fencing necessary for the protection of the newly planted trees.

Compensation

9. (1) If, on a claim under this article, a person establishes that loss or damage has been caused or incurred in consequence of:-
- (a) the refusal of any consent required under this Order; or

- (b) the grant of any such consent Subject to condition
- he shall, Subject to paragraphs (3) and (4), be entitled to compensation from the authority.
- (2) No claim, other than a claim made under paragraph (3), may be made under this Article:-
- (a) if more than 12 months have elapsed since the date of the authority's decision or, where such a decision is the Subject of an appeal to the Secretary of State, the date of the final determination of the appeal; or
- (b) if the amount in respect of which the claim would otherwise have been made is less than £500.
- (3) Where the authority refuse consent under this Order for the felling in the course of forestry operations of any part of a woodland area, they shall not be required to pay compensation to any person other than the owner of the land; and such compensation shall be limited to an amount equal to any depreciation in the value of the trees which is attributable to deterioration in the quality of the timber in consequence of the refusal.
- (4) In any other case, no compensation shall be payable to a person:-
- (a) for loss of development value or other diminution in the value of the land;
- (b) for loss or damage which, having regard to the statement of reason Submitted in accordance with article 6(c) and any documents or other evidence Submitted in support of any such statement, was not reasonably foreseeable when consent was refused or was granted Subject to conditions;
- (c) for loss or damage reasonably foreseeable by that person and attributable to his failure to take reasonable steps to advert the loss or damage or to mitigate its extent; or
- (d) for costs incurred in appealing to the Secretary of State against the refusal of any consent required under this Order or the grant of any such consent Subject to conditions.
- (5) Sub-Sections (3) to (5) of Section 11 (terms of compensation on refusal of licence) of the Forestry Act 1967 shall apply to the assessment of compensation under paragraph (3) as it applies to the



PD 7

OS Ref : SE4143 Scale 1:1000
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 LA076120 August 2005

BRADFORD
 one landscape many views

Tree Preservation Order
 No. 05/00050/G
 237 Rooley Lane
 Bradford

DEPARTMENT OF TRANSPORTATION
 DESIGN AND PLANNING
 Jacobs Well Bradford BD1 5RW
 Head of Service Alan Mainwaring MSc CEng MICE

assessment of compensation where a felling licence is refused under Section 10 (application for felling licence and decision of Commissioners thereon) of that Act as if for any reference to a felling licence there were Substituted a reference to a consent required under this Order and for the reference to the Commissioners there were Substituted a reference to the authority.

(6) In this article:-

"development value" means an increase in value attributable to the prospect of development; and, in relation to any land, the development of it shall include the clearing of it; and

"owner" has the meaning given to it by Section 34 of the Forestry Act 1967.

Dated this 8th day of September 2005

**THE COMMON SEAL of CITY
OF BRADFORD METROPOLITAN
DISTRICT COUNCIL** was hereunto
affixed in the presence of:-

P D J
Authorised by the
Legal and Democratic Services Director

CONFIRMATION OF ORDER

This Order was confirmed by the City of Bradford Metropolitan District Council without modification on the 14th day of February 2006
OR

This Order was confirmed by the City of Bradford Metropolitan District Council, Subject to the modifications indicated by _____, on the _____ day of _____

**THE COMMON SEAL of CITY
OF BRADFORD METROPOLITAN
DISTRICT COUNCIL** was hereunto
affixed in the presence of:-

Susan Bittendge
Authorised by the
Legal and Democratic Services Director

DECISION NOT TO CONFIRM ORDER

A decision not to confirm this Order was taken by City of Bradford Metropolitan District Council on the _____ of _____

**THE COMMON SEAL of CITY
OF BRADFORD METROPOLITAN
DISTRICT COUNCIL** was hereunto
affixed in the presence of:-

Authorised by the
Legal and Democratic Services Director

VARIATION OF ORDER

This Order was varied by the City of Bradford Metropolitan District Council on the
day of _____ under the reference number _____

**THE COMMON SEAL of CITY
OF BRADFORD METROPOLITAN
DISTRICT COUNCIL** was hereunto
affixed in the presence of:-

Authorised by the
Legal and Democratic Services Director

REVOCATION OF ORDER

This Order was revoked by the City of Bradford Metropolitan District Council on the
day of _____ under the reference number _____

**THE COMMON SEAL of CITY
OF BRADFORD METROPOLITAN
DISTRICT COUNCIL** was hereunto
affixed in the presence of:-

Authorised by the
Legal and Democratic Services Director

SCHEDULE 1**SPECIFICATION OF TREES**

Trees specified individually
(encircled in black on the map)

Reference on map	Description	Situation
	None	

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

Reference on map	Description	Situation
	None	

Group of trees
(within a broken line on the map)

Reference on map	Description (including number of trees in the group)	Situation
G1	3 Sycamore	416694 430312

Woodlands
(within a continuous black line on the map)

Reference on map	Description	Situation
	None	

SCHEDULE 2**PART 1**

Provisions of the Town and Country Planning Act 1990 applied
with adaptations or modifications

Provision of the Town and Country Planning Act 1990	Adaptation or Modification
Section 69 (registers)	<p>(a) In Sub-Section (1):-</p> <p>(i) omit:- “, in such manner as may be prescribed by a development order,”, “such” in the second place where it appears, and “as may be so prescribed”; and</p> <p>(ii) Substitute “matters relevant to tree preservation orders made by the authority” for “applications for planning permission”.</p> <p>(b) In Sub-Section (2):-</p> <p>(i) after “contain” insert “, as regards each such order”, and</p> <p>(ii) for paragraphs (a) and (b) Substitute:- “(a) details of every application under the order and of the authority’s decision (if any) in relation to each such application, and (b) a statement as to the Subject matter of every appeal under the order and of the date and nature of the Secretary of State’s determination of it”.</p> <p>(c) Omit Sub-Sections (3) and (4) (as required by Section 198(4)).</p>
Section 70 (determination of applications:	(a) In Sub-Section (1):-

general considerations)	<p>(i) Substitute:- “Subject to Sub-Sections (1A) and (1B), where” for “Where”; “the authority” for “a local planning authority”, “consent under a tree preservation order” for “planning permission” where those words first appear; and “consent under the order” for “planning permission” in both of the other places where those words appear;</p> <p>(ii) after “think fit”, insert:- “(including conditions limiting the duration of the consent or requiring the replacement of trees)”, and</p> <p>(iii) omit “Subject to Sections 91 and 92,”,</p> <p>(b) After Sub-Section (1) insert:- “(1A) Where an application relates to an area of woodland, the authority shall grant consent so far as accords with the practice of good forestry, unless they are satisfied that the granting of consent would fail to secure the maintenance of the special character of the woodland or the woodland character of the area. (1B) Where the authority grant consent for the felling of trees in a woodland area they shall not impose conditions requiring replacement where such felling is carried out in the course of forestry operations (but may give directions for securing replanting)”.</p> <p>(c) Omit Sub-Sections (2) and (3).</p>
Section 75 (effect of planning permission)	<p>(a) In Sub-Section (1) Substitute:-</p> <p>(i) “Any” for the words from “Without” to “any”,</p> <p>(iv) “consent under a tree preservation order” for “planning permission” to develop</p>

	<p>land”,</p> <p>(v) “the consent” for “the permission”; and</p> <p>(vi) “the land to which the order relates” for “the land”.</p>
<p>Section 78 (right to appeal against planning decisions and failure to take such decisions)</p>	<p>(b) Omit Sub-Sections (2) and (3).</p> <p>(a) In Sub-Section (1) Substitute:-</p> <p>(i) “the authority” for “a local planning authority”;</p> <p>(ii) “consent under a tree preservation order” for “planning permission” in the first place where those words appear;</p> <p>(iii) “consent under such an order” for “planning permission” in the second place where those words appear;</p> <p>(iv) for paragraph (c) Substitute:-</p> <p>“(c) give a direction under a tree preservation order, or refuse an application for any consent, agreement or approval of that authority required by such a direction; or</p> <p>(d) fail to determine any such application as is referred to in paragraphs (a) to (c) within the period of 8 weeks beginning with the date on which the authority was received by the authority”.</p> <p>(b) Omit Sub-Section (2).</p> <p>(c) In Sub-Section (3) for “served within such time and in such manner as may be prescribed by a development order.” Substitute:-</p> <p>“in writing addressed to the Secretary of State, specifying the grounds on which the appeal is made; and such notice shall be served:-</p>

	<p>(a) in respect of a matter mentioned in any of paragraphs (a) to (c) of Sub-Section (1), within the period of 28 days from the receipt of notification of the authority's decision or direction or within such longer period as the Secretary of State may allow;</p> <p>(b) in respect of such a failure as is mentioned in paragraph (d) of that Sub-Section, at any time after the expiration of the period mentioned in that paragraph, but if the authority have informed the applicant that the application has been refused, or granted Subject to conditions, before an appeal has been made, an appeal may only be made against that refusal or grant."</p> <p>(d) For Sub-Section (4), Substitute:- “(4) The appellant shall serve on the authority a copy of the notice mentioned in Sub-Section (3).”.</p> <p>(e) For Sub-Section (5), Substitute:- “(5) For the purpose of the application of Section 79(1), in relation to an appeal made under Sub-Section (1)(d), it shall be assumed that the authority decided to refuse the application in question.”.</p>
Section 79 (determination of appeals) (a)	<p>(a) In Sub-Sections (1) and (2), Substitute “the authority” for “the local planning authority”.</p> <p>(b) Omit Sub-Section (3).</p> <p>(c) In Sub-Section (4), Substitute:- (i) “Section 70(1), (1A) and (1B)” for “Sections 70, 72(1) and (5), 73 and 73A and Part I of Schedule 5”;</p> <p>(ii) “consent under a tree preservation order” for “planning permission”; and</p>

	<p>(iii) "the authority." for "the local planning authority and a development order may apply, with or without modifications, to such an appeal any requirements imposed by a development order by virtue of Section 65 or 71."</p> <p>(d) Omit Sub-Sections (6) and (6A).</p> <p>(e) In Sub-Section (7), omit the words after "Section 78".</p>
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PART II

PROVISIONS OF THE TOWN AND COUNTRY PLANNING ACT 1990, AS ADAPTED AND MODIFIED BY PART I

The following provisions of the Town and Country Planning Act 1990, as adapted and modified by Part I of this Schedule, apply in relation to consents, and applications for consent, under this Order.

Section 69

- (1) Every local planning authority shall keep a register containing information with respect to matters relevant to tree preservation orders made by the authority.
- (2) The register shall contain, as regards each such order:-
 - (a) details of every application under the order and of the authority's decision (if any) in relation to each such application, and
 - (b) a statement as to the Subject matter of every appeal under the order and of the date and nature of the Secretary of State's determination of it.

-
- (5) Every register kept under this Section shall be available for inspection by the public at all reasonable hours.

Section 70

- (1) Subject to Sub-Sections (1A) and (1B), where an application is made to the authority for consent under a tree preservation order:-

- (a) they may grant consent under the order, either unconditionally or Subject to such conditions as they think fit (including conditions limiting the duration of the consent of requiring the replacement of trees); or
 - (b) they may refuse consent under the order.
- (1A) Where an application relates to an area of woodland, the authority shall grant consent so far as accords with the practice of good forestry, unless they are satisfied that the granting of consent would fail to secure the maintenance of the special character of the woodland or the woodland character of the area.
- (1B) Where the authority grant consent for the felling of trees in a woodland area they shall not impose conditions requiring replacement where such felling is carried out in the course of forestry operations (but may give directions for securing replanting).
-

Section 75

Any grant of consent under a tree preservation order shall (except in so as consent otherwise provides) ensure for the benefit of the land to which the order relates and of all persons for the time being interested in it.

.....

Section 78

- (1) Where the authority:-
- (a) refuse an application for consent under a tree preservation order or grant it Subject to conditions;
 - (b) refuse an application for any consent, agreement or approval of that authority required by a condition imposed on a grant of consent under such an order or grant it Subject to conditions;
 - (c) give a direction under a tree preservation order, or refuse an application for any consent, agreement or approval of that authority required by such a direction; or
 - (d) fail to determine any such application as is referred to in paragraphs (a) to (c) within the period of 8 weeks beginning with the date on which the application was received by the authority,

the applicant may by notice appeal to the Secretary of State.

-
- (3) Any appeal under this Section shall be made by notice in writing addressed to the Secretary of State, specifying the grounds on which the appeal is made; and such notice shall be served:-
 - (a) in respect of a matter mentioned in any of paragraphs (a) to (c) of Sub-Section (1), within the period of 28 days from the receipt of notification of the authority's decision or direction or within such longer period as the Secretary of State may allow;
 - (b) in respect of such a failure as is mentioned in paragraph (d) of that Sub-Section, at any time after the expiration of the period mentioned in that paragraph, but if the authority have informed the applicant that the application has been refused, or granted Subject to conditions, before an appeal has been made, an appeal may only be made against that refusal or grant.
 - (4) The appellant shall serve on the authority a copy of the notice mentioned in Sub-Section (3).
 - (5) For the purposes of the application of Section 79(1), in relation to an appeal made under Sub-Section (1)(d), it shall be assumed that the authority decided to refuse the application in question.

Section 79

- (1) On an appeal under Section 78 the Secretary of State may:-
 - (a) allow or dismiss the appeal, or
 - (b) reverse or vary any part of the decision of the authority (whether the appeal relates to that part of it or not),and may deal with the application as if it had been made to him in the first instance.
 - (2) Before determining an appeal under Section 78 the Secretary of State shall, if either the appellant or the authority so wish, give each of them an opportunity of appearing before and being heard by a person appointed by the Secretary of State for the purpose.
-

- (4) Subject to Sub-Section (2), the provisions of Section 70(1), (1A) and (1B) shall apply, with any necessary modifications, in relation to an appeal to the Secretary of State under Section 78 as they apply in relation to an application for consent under a tree preservation order which falls to be determined by the authority.
- (5) The decision of the Secretary of State on such an appeal shall be final.

.....

- (7) Schedule 6 applies to appeals under Section 78.

Memo

To: Carole Barrott

Your Ref: 28130

COPY

Department of Transportation,
Design and Planning

Minerals, Waste and Trees

3rd Floor
Jacobs Well
BRADFORD BD1 5RW

From: Daniel Speedy

Tel: (01274) 434297
Fax: (01274) 722840
E-Mail: daniel.speedy@bradford.gov.uk
My Ref: TDP/EW/TPO 05/00050/G

SUBJECT: Tree Preservation Order – Land at 237 Rooley Lane Bradford

As you should be aware we have received an objection to the making of this order from the owners agents. This objection has now been considered by Keith Stones (Group Planning Manager) under the scheme of delegated powers and he has resolved that the objection be overruled and that the order be confirmed.

Please can you arrange this.

A copy of the officer's report signed by Keith has been attached for your records.

Regards

Daniel Speedy
Trees Team

DATE:8th February 2006

COPY

WARD: Little Horton

**SUBJECT:CONSIDERATION OF AN OBJECTION TO TREE
PRESERVATION ORDER 05/00050/G
SECTION 201 TOWN AND COUNTRY PLANNING ACT 1990**

SITE: Land at 237 Rooley Lane Bradford.

RECOMMENDATION: TO OVER-RULE THE OBJECTIONS AND CONFIRM THE
TREE PRESERVATION ORDER WITHOUT MODIFICATION

A Tree Preservation Order for the above was made on 8th September as a result of a planning application(05/04978/OUT) which resulted in tree loss and increased pressure on other trees affecting the character of the group of trees.

These trees are visibly prominent in an area where tree cover is sparse.

The planning application was subsequently refused on 8th September 2005 one of the reasons for refusal being trees.

It is considered expedient to confirm the order as further planning applications may be submitted and the trees are under threat if the protection is removed.

An application was received on 4th January 2006 under TPO management to remove the tree which was subsequently denied on 18th January 2006.

It is considered that the tree is still under threat for the above reasons and therefore it is expedient to confirm the order.

There has been an objection made by the owners agent on the following grounds -

T1 is the Sycamore we wish to fell to allow the site to be cleared and developed in a proper manner.

The tree is the oldest tree on the site however it is surrounded by many other much younger Sycamore and whilst in good condition is very ordinary as Sycamores go with nothing special to recommend it or protect it.

If its removal was allowed we would be prepared to plant 2 new Sycamores the size and position to be agreed with the council.

Officer comments in relation to the points of objection -

The tree preservation order does not prevent redevelopment of the site however it does affect siting of development.

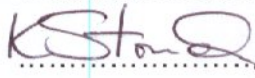
The Sycamore T1 to which the objection is made is a good quality mature specimen, the most prominent in the group being highly visible from Rooley lane which is a prominent artery road around and into the city.

As the tree is protected replacement could be required on a like for like basis under TPO management if the tree had to be removed due to its condition in the future.

Recommendation -

It is requested that the objection be over-ruled and the Tree Preservation Order be confirmed without modification.

I Keith Stones(Group Planning Manager)under the scheme of delegated powers resolve that the objection to this tree preservation order should be overruled and that the Tree Preservation Order should be confirmed without modification.

 8th February 2006

RETPOZ

**TOWN AND COUNTRY PLANNING ACT, 1990
TOWN AND COUNTRY PLANNING (APPLICATIONS) REGULATIONS 1988**

Mr Richard Lau
C/o Charles D Grant Building Services
35 Keilder Oval
Harrogate
HG2 7HQ

Department of Transportation,
Design and Planning

Trees Section

3rd Floor
Jacobs Well
BRADFORD BD1 5RW

Tel: (01274) 434297
Fax: (01274) 722840
Minicom: (01274) 392613
E-Mail: eric.waterworth@bradford.gov.uk
Case Officer: Mr Eric Waterworth
TPO No: 05/00050/G
Application No: 06/00168/TPO

COPY

Wednesday, 18 January 2006

Dear Sirs,

TREE PRESERVATION ORDER - 237 Rooley Lane Bradford West Yorkshire BD5 8JY

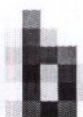
Thank you for your application to carry out tree works at the above address. Unfortunately consent is denied to carry out the following works for the following reasons:

T1 Sycamore - Consent is denied as the proposed works are considered to be detrimental to the health and visual amenity value of the tree and the adjoining area

If you are aggrieved by this decision you may appeal to the Secretary of State for the Environment within 28 days of receipt of this letter. Correspondence should be sent to:

**Government Office for Yorkshire and the Humber
Local Planning Team
People and Communities Group
PO Box 213
City House
New Station Street
LEEDS LS1 4US**

Should you have any query regarding this letter please contact Mr Eric Waterworth on the above phone number.



Yours sincerely

Keith Stones
Group Planning Manager

Officer Report for Tree Works Application for Trees Protected by a Tree Preservation Order

Site Address: 237 Rooley Lane Bradford

TPO No. 05/00050/G

Application No. 06/00168/TPO

Proposal:

Removal of a mature Sycamore to aid development.

Officer assessment on the tree.

The tree is a good quality mature specimen of high visual amenity value prominent from the adjoining ring road.

Recent applications on the site have been refused.

Officer assessment on the impact of the proposed works.

The case officer considers that the works **would** have a detrimental affect to the visual amenity value of the area due to the loss of the tree.

The case officer recommends that the works are refused.

Officer recommendation

To refuse: It is recommended that the following reasons are given for refusing the application:

The proposed works are considered to be detrimental to the health and visual amenity value of the tree and the adjoining area

Resolved by^{CH}..... (Carole Howarth) under delegated powers (SP16) on this ..18..... day of^{Jan}..... 2006,

to refuse the application for the reasons set out above.