

# Memo

Department of Legal and  
Democratic Services

Legal Services  
City Hall  
Bradford  
BD1 1HY



**From:** Stephen Nelson  
Legal Officer  
Development & Regulatory Law  
Team

Tel: (01274) 432083  
Fax: (01274) 434242  
My Ref: LEG/DEV/SPN/ST/28968  
Email: Stephen.nelson@bradford.gov.uk

To: For circulation see below

Your Ref: 07/00003/1W

Date: 31 July 2007

**TOWN AND COUNTRY PLANNING ACT 1990 - SECTION 201  
LAND ADJACENT TO FERNCLIFFE ROAD AND KINGSWAY BINGLEY - TREE  
PRESERVATION ORDER**

The above Tree Preservation Order was confirmed on 31<sup>st</sup> July 2007. Please find attached a copy for your records.

S P Nelson

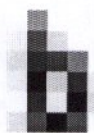
Enc

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

Land Charges Manager  
Local Land Charges Unit Team  
4<sup>th</sup> Floor, City Hall

Shirley Nicholls (Area Clerk)  
Transportation, Design and Planning  
Shipley Town Hall

(28968.M2)  
N:\DEVELOPMENT\STDS\TP11.DOT(Revised October 2006)



**BRADFORD**  
one landscape many views



## TOWN AND COUNTRY PLANNING ACT 1990

### LAND ADJACENT TO FERNCLIFFE ROAD AND KINGSWAY BINGLEY

### TREE PRESERVATION ORDER 2007

### 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 adjacent to Ferncliffe Road and Kingsway Bingley Tree Preservation Order 2007".

#### 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<sup>th</sup> February 2007.

#### 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 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 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 conditionhe 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 avert 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 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:-

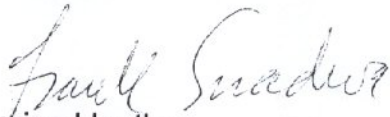
"development value" means an increase in value attributable to the prospect of development; and, in relation to any land, the development of it shall include the clearing of it; and

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

89482

Dated this 8<sup>th</sup> day of February 2007.

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



Authorised by the  
Interim Head of Legal Services

#### CONFIRMATION OF ORDER

This Order was confirmed by the City of Bradford Metropolitan District Council  
without modification on the 31<sup>st</sup> day of July 2007

~~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:-



Authorised by  
Head of Legal Services

90030

**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  
Head of Legal Services

**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  
Head of Legal Services

**REVOCATION OF ORDER**

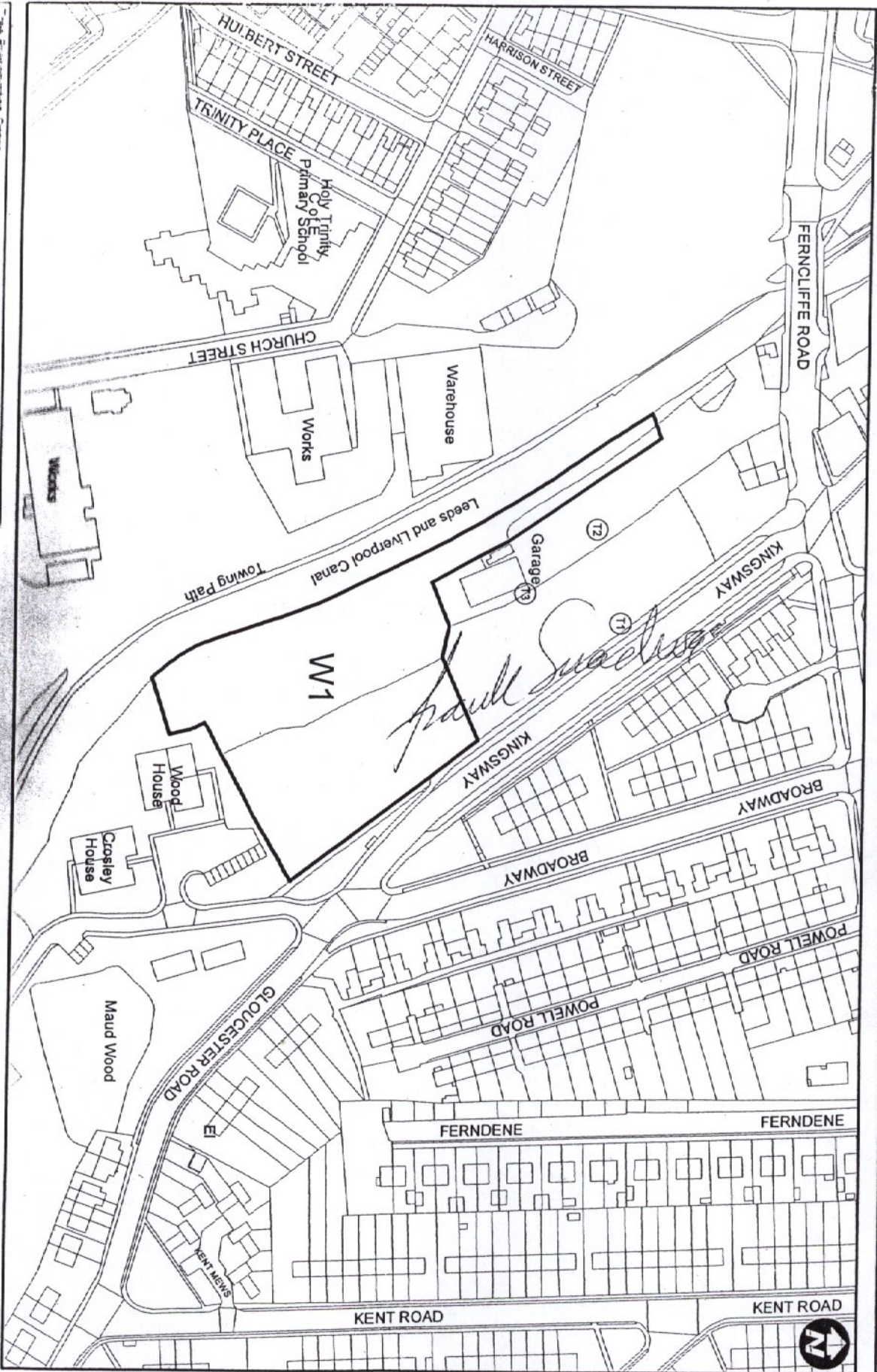
This Order was revoked by the City of Bradford Metropolitan District Council on the            day of            under the reference number

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

Authorised by  
Head of Legal Services



Tree Preservation Order 07/00003/IW



The Corporation of Bradford  
 and the City of Bradford  
 Planning Department  
 Planning Services  
 100, Victoria Road, Bradford, West Yorkshire

DEPARTMENT OF TRANSPORTATION  
 DESIGN AND PLANNING  
 BRADFORD  
 BRADFORD  
 BRADFORD

**BRADFORD**

Scale 1:2000  
 Prepared from the Ordnance Survey map with  
 the assistance of the Surveying Office

**SCHEDULE 1****SPECIFICATION OF TREES****Trees specified individually**  
(encircled in black on the map)

Reference on map	Description	Situation	
T1	Ash	411395	438965
T2	Sycamore	411361	438956
T3	Ash	411384	438929

**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
	None	

**Woodlands**  
(within a continuous black line on the map)

Reference on map	Description	Situation	
W1	Mixed deciduous and coniferous species	411413	438864

**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: general considerations)	<p>(a) In Sub-Section (1):-</p> <p>(i) Substitute:- “Subject to Sub-Sections (1A) and (1B), where” for “Where”;</p>

	<p>“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>
<p>Section 75 (effect of planning permission)</p>	<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 land”,</p> <p>(v) “the consent” for “the permission”; and</p> <p>(vi) “the land to which the order relates” for</p>

	<p style="text-align: center;">"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 style="padding-left: 40px;">(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 style="padding-left: 40px;">(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 style="padding-left: 40px;">"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</p>

	<p>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>
<p>Section 79 (determination of appeals)</p>	<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:-</p> <p>(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>

	(e) In Sub-Section (7), omit the words after "Section 78".
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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

COPY

Department of Regeneration

Minerals, Waste and Trees

3<sup>rd</sup> Floor

Jacobs Well

BRADFORD BD1 5RW

To: **Stephen Nelson**

Development & Regulatory Law Team

Legal Services

2<sup>d</sup> Floor City Hall

From: **Daniel Speedy**

Wednesday, 25 July 2007

Tel: (01274) 434297

Fax: (01274) 431302

E-Mail: [Daniel.speedy@bradford.gov.uk](mailto:Daniel.speedy@bradford.gov.uk)

My Ref: TPO 07/00003/IW

Your ref: 28968

## TOWN & COUNTRY PLANNING ACT 1990 – SECTION 201

### TREE PRESERVATION ORDER NO 07/00003/IW

#### Land adjacent to Ferncliffe Road and Kingsway Bingley

As you will be aware two objections to the making of this order have been received and have now been considered by Mohammed Yousuf, Area Planning Manager, under the councils scheme of delegated powers. Yousuf resolved that the objections be overruled and the TPO be confirmed without modification, please can you arrange this.

Two copies of the signed authority and report on the objections are attached.

Many thanks

Daniel Speedy  
Trees Team

COPY

DATE: 24th July 2007

WARD: Bingley

**SUBJECT: CONSIDERATION OF TWO OBJECTIONS TO TREE PRESERVATION ORDER 07/00003/IW SECTION 201 TOWN AND COUNTRY PLANNING ACT 1990**

**SITE:** Land Adjacent to Ferncliffe Road and Kingsway Bingley

**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 February 2007 as a result of surveying the site after an original area order the result of pre application enquiries. The trees are of significant amenity value and form an important element within this brown field site on the edge of the Leeds Liverpool Canal Conservation area. Pre application enquiries have indicated proposed tree loss. The order covers an area of woodland and 3 individual trees. Some tree loss will be accepted in developing the site however at this point no formal planning application has been submitted. It is considered expedient to confirm the order as these are prominent significant amenity value trees within a residential area. If this order is not confirmed planning applications may be submitted that may result in the loss of these trees as they will not be protected.

<sup>BEEN</sup>  
There has Two objections on the following grounds –

The Classification in the order should only be used in an emergency and there are a large number of self seeded poor specimens that do not warrant a Tree Preservation Order. If the council confirms this order this will make the site undevelopable and deprive the local community of essential investment.

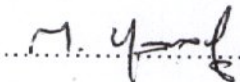
Officer comments in relation to the points of objection –

The tree preservation order is not intended to prevent development of the site and to this extent Meetings have taken place with the Area Planning Manager, Senior Planner and Tree Officer to discuss pre application enquiries in relation to the healthcare proposals. The type of order made is the most practical for the site and within government guidelines.

Recommendation -

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

I (Area 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.

 24th July 2007

GRPTPOZ

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

Dorian Randall  
Barry Chinn Associates  
Harbury Road  
Deppers Bridge  
Southam  
Warwickshire  
CV47 2SV

COPY

Department of Regeneration

**Trees Section**

3<sup>rd</sup> Floor  
Jacobs Well  
BRADFORD BD1 5RW

Tel: (01274) 434297  
Fax: (01274) 722840  
Minicom: (01274) 392613  
E-Mail: trees@bradford.gov.uk  
Case Officer: Eric Waterworth  
TPO No:  
Application No: 07/05627/TPO

Friday, 06 July 2007

Dear Sir/Madam,

**TREE PRESERVATION ORDER - Land At Ferncliffe Road Bingley West Yorkshire**

Thank you for your application to carry out tree works at the above address.

Consent is granted to carry out the works below.

**G1 Hawthorn, Elder & Salix scrub - Remove.**

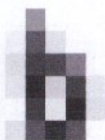
1. This work should be carried out in accordance with BS3998 1989 (British Standard for Tree Work).

Reason: Tree Work Condition - To comply with good practice and ensure that the work is undertaken in a competent manner.

2. 7 Days notice of commencement of works is required to enable the tree officer to discuss the proposed works with you or your appointed contractor on site.

Reason: To ensure that the consent is understood and detailed works clarified.

This consent for tree work from the Local Planning Authority is valid for two years from the date of issue.



INVESTOR IN PEOPLE



Please note that to ensure that the tree works are carried out correctly the Trees section photographs the trees during the site visit and inspects a random number of sites to ensure that the work has been carried out with accordance to the conditions of the consent and that any replanting has been carried out by the specified deadline.

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  
Lateral  
First Floor, Nidd Wing  
8 City Walk  
LEEDS  
LS11 9AT**

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

Yours sincerely

Keith Stones  
Interim Head of Service

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

Site Address: Ferncliffe Road/Kingsway Bingley

TPO No. 07/00003/IW

Application No. 07/05627/TPO

Proposal:

Removal of a small area of scrub for site investigation.

Officer assessment on the trees.

This small area of scrub is of low amenity value.

Officer assessment on the impact of the proposed works.

The case officer considers that the proposed works **would not** have a detrimental affect to the trees health and visual amenity value. The case officer recommends that the proposed works only are approved:

Officer recommended conditions to be attached to the consent

**This work should be carried out in accordance with BS3998 1989 (British Standard for Tree Work).**

Reason: Tree Work Condition - To comply with good practice and ensure that the work is undertaken in a competent manner.

**7 Days notice of commencement of works is required to enable the tree officer to discuss the proposed works with you or your appointed contractor on site.**

Reason: To ensure that the consent is understood and detailed works clarified.

Officer recommendation

To approve: It is recommended that the following reasons are given for approving the application:

The proposed works are in the interests of site investigation and do not impact on the visual amenity value of the area.

Resolved by *alt* .....  
on this ..... *6* day of *July* 2007,

under delegated powers (A16)

to approve the application subject to the above conditions for the reasons set out above.