

# Memo

## Legal and Democratic Services

To: For Circulation See Below

Development & Regulatory Law Team  
City Hall  
Bradford  
West Yorkshire  
BD1 1HY  
DX11758 BRADFORD -1

Ref: 15/00010/IG

From: C E Barrott  
Legal Officer  
Development & Regulatory Law Team

Date: 11 August 2015

Tel: (01274) 434751  
Fax: (01274) 434242  
My Ref: LEG/DEV/CEB/00348  
Email: carole.barrott@bradford.gov.uk

---

### TOWN AND COUNTRY PLANNING ACT 1990 - SECTION 198 LAND AT HARROP FARM, LANE SIDE, WILSDEN, BRADFORD - TREE PRESERVATION ORDER

The above Tree Preservation Order was made on 11<sup>th</sup> August 2015. Please find attached a copy for your records.

*C.E. Barrott*

C E Barrott

Enc

Arboricultural Technician  
Development Services Tree Section  
Department of Regeneration  
3<sup>rd</sup> Floor, Jacobs Well

Land Charges Manager  
Local Land Charges  
6<sup>th</sup> Floor Jacobs Well

For TPO's in Shipley Area (including Bingley,  
Wilsden, Harden, Cullingworth, Baildon)  
Shipley Planning Reception  
Department of Corporate Services  
Ground Floor  
Shipley Town Hall

STDS\TP11.DOT (Revised June 2011)



**IMPORTANT THIS COMMUNICATION MAY AFFECT YOUR PROPERTY**

**TOWN AND COUNTRY PLANNING ACT 1990  
NOTICE OF MAKING A TREE PRESERVATION ORDER  
CITY OF BRADFORD METROPOLITAN DISTRICT COUNCIL  
LAND AT HARROP FARM, LANE SIDE, WILSDEN, BRADFORD  
TREE PRESERVATION ORDER 2015**

**THIS IS A FORMAL NOTICE** to let you know that on 11<sup>th</sup> August 2015 the Council made the above Tree Preservation Order.

A copy of the order is enclosed. In simple terms, no one is allowed to cut down, top or lop without the Council's permission any of the trees described in the 1st Schedule of the Order and shown on the map.

The Council has made the order because concerns have been raised by Council Officers and members of the public about tree removal and /or damage to trees on site which would have an adverse impact on public amenity. Some of the trees are considered to be under immediate threat by activities on the site currently the subject of Planning Application 15/03098/FUL which at present is still under consideration by the Council. The order also includes trees which are not under threat from the current activities because they form a collective feature along Lane Side and their protection is in the interest of public amenity. Together the trees form a distinct belt of trees to Lane Side and are collectively significant. The Order is made to ensure the continuity of tree cover is controlled in accordance with good management and to protect those treescapes which are considered significant

The order came into force, on a temporary basis, on 11<sup>th</sup> August 2015 and will remain in force for six months. During this time the Council will decide whether the order should be given permanent status. People affected by the order have a right to object or make comments on any of the trees or woodlands covered before a decision is made on whether the order should be made permanent.

If you would like to make any objections or comments, please make sure the Council receives them in writing by 9<sup>th</sup> September 2015. Your comments must meet regulation 6 of the Town and Country Planning (Tree Preservation)(England) Regulations 2012 (a copy is attached). Please send your comments to the City Solicitor at the address stated below. The Council will carefully consider all objections and comments before deciding whether to make the order permanent.

The Council will write to you again when a decision has been made. In the meantime, if you would like any more information or have any questions about this notice, please contact Simon Keenan, Department of Regeneration, Trees Section, 3<sup>rd</sup> Floor, Jacobs Well, Manchester Road, Bradford BD1 5RW. Tel: 01274 434297.

Dated: 11<sup>th</sup> August 2015

City Solicitor  
Legal and Democratic Services  
City of Bradford Metropolitan District Council  
City Hall  
Bradford BD1 1HY

**COPY OF REGULATION 6 OF THE TOWN AND COUNTRY PLANNING (TREE PRESERVATION) (ENGLAND) REGULATIONS 2012**

**Objections and representations**

**6(1) Subject to paragraph (2), objections and representations:**

- (a) shall be made in writing and:**
  - (i) delivered to the authority not later than the date specified by them under regulation 5(2)(c); or**
  - (ii) sent to the authority in a properly addressed and pre-paid letter posted at such time that, in the ordinary course of post, it would be delivered to them not later than that date;**
- (b) shall specify the particular trees, groups of trees or woodlands (as the case may be) in respect of which the objections or representations are made; and**
- (c) in the case of an objection, shall state the reasons for the objection.**

**6(2) The authority may treat as duly made objections and representations which do not comply with the requirements of paragraph (1) if, in the particular case, they are satisfied that compliance with those requirements could not reasonably have been expected.**

## **TOWN AND COUNTRY PLANNING ACT 1990**

### **THE LAND AT HARROP FARM, LANE SIDE, WILSDEN, BRADFORD**

#### **TREE PRESERVATION ORDER 2015**

The City of Bradford Metropolitan District 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 the land at Harrop Farm, Lane Side, Tree Preservation Order 2015.

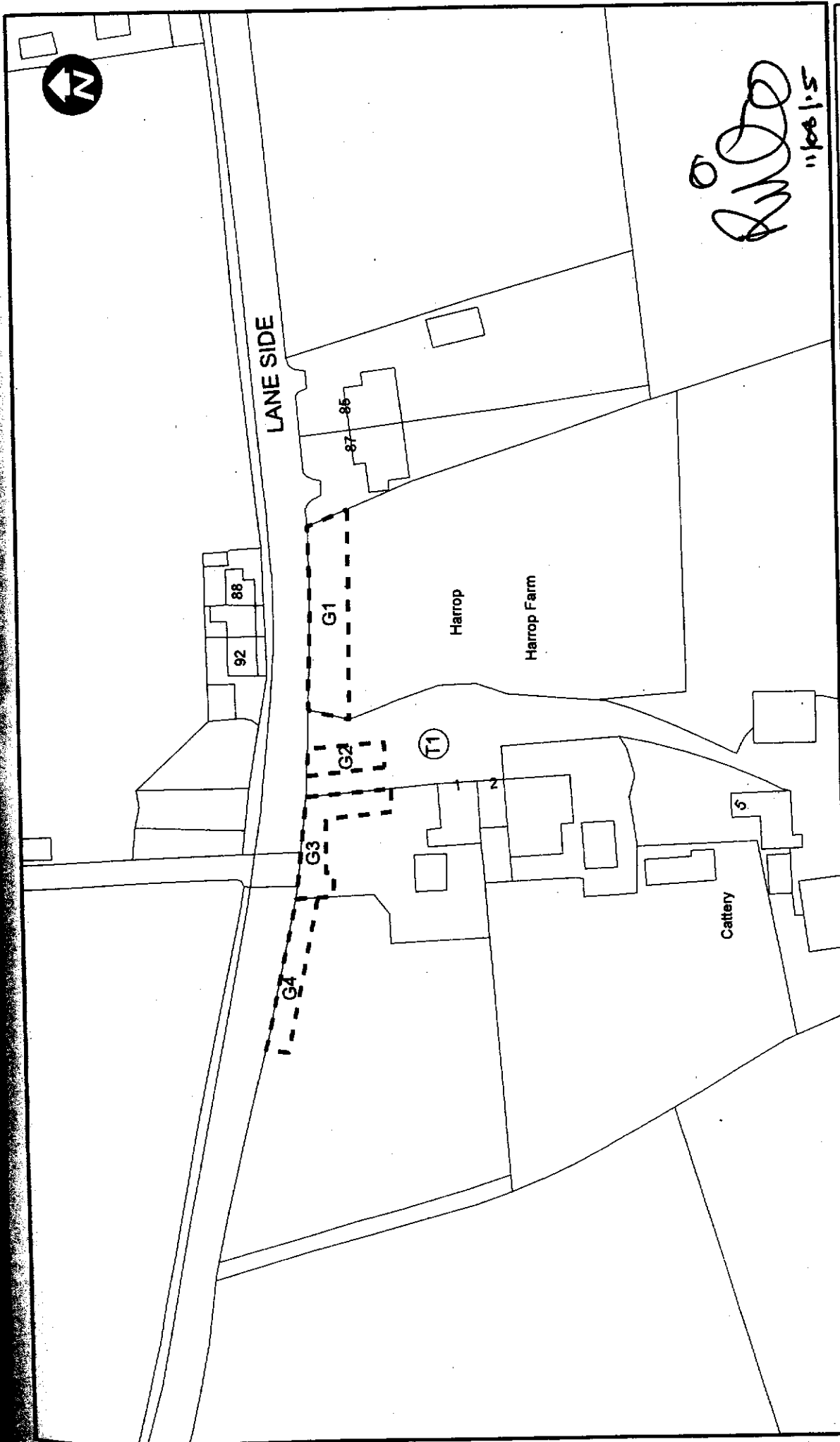
#### **Interpretation**

2. (1) In this Order "the authority" means City of Bradford Metropolitan District 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 Act (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 exception 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



Scale 1: 1,000  
 OS Ref : SE0835  
 Reproduced from the Ordnance Survey map with  
 the sanction of HM Stationery Office  
 Crown Copyright reserved  
 LA076 120

DEPARTMENT OF REGENERATION & CULTURE  
 Jacobs Well  
 Bradford  
 BD1 5RW

TREE PRESERVATION ORDER  
 15/00010/IG  
 LAND AT HARROP FARM,  
 LANE SIDE,  
 WILSDEN

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 take effect as from the time when the tree is planted.

Dated this 11<sup>th</sup> day of August 2015.

97197

**EXECUTED AS A DEED** by affixing  
**THE COMMON SEAL** of **THE CITY**  
**OF BRADFORD METROPOLITAN**  
**DISTRICT COUNCIL** in the presence of:-



Authorised by the City Solicitor

**CONFIRMATION OF ORDER**

This Order was confirmed by the City of Bradford Metropolitan District Council without modification on the            day of

OR

The Order was confirmed by the City of Bradford Metropolitan District Council subject to the modification indicated by            on the            day of

**EXECUTED AS A DEED** by affixing  
**THE COMMON SEAL** of **THE CITY**  
**OF BRADFORD METROPOLITAN**  
**DISTRICT COUNCIL** in the presence of:-

Authorised by the City Solicitor



**REVOCATION OF ORDER**

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

**EXECUTED AS A DEED** by affixing  
**THE COMMON SEAL** of **THE CITY**  
**OF BRADFORD METROPOLITAN**  
**DISTRICT COUNCIL** in the presence of:-

Authorised by the City Solicitor



**SCHEDULE**  
**Specification of Trees**

**Trees specified individually**

(encircled in black on the map)

Reference on map	Description	Situation
T1 435502	Sycamore	408670

**Trees specified by reference to an area**

(within a dotted black line on the map)

Reference on map	Description	Situation
NONE		

**Groups of trees**

(within a broken black line on the map)

Reference on map	Description	Situation
G1	11 Sycamore	408697 435521
G2	3 Sycamore	408668 435579
G3	8 Sycamore, 2 Beech	408650 435524
G4	6 Sycamore	408627 435529

**Woodlands**

(within a continuous black line on the map)

Reference on map	Description	Situation
NONE		