

# **CITY OF LEEDS TREE PRESERVATION ORDER (No.28) 2016, (LAND AT STATION ROAD, METHLEY, MICKLETOWN)**

## **1. BACKGROUND**

Concerns were raised a Senior Nature Conservation Officer of the Council, as to the unprotected nature of the woodland group, on land owned by a developer.

The woodland had originally been included in an area of land allocated for 181 housing plots as part of the Leeds City Council Site Allocation Plan. The final planning application reduced the site and did not include the woodland. Therefore the woodland group was not considered or included in planning conditions and was subsequently left unprotected.

A site visit was undertaken by a Tree Officer, who concluded that the woodland as a whole did make a significant contribution to the amenity of the area and it was, therefore, considered appropriate to make a Tree Preservation Order ('TPO'), which was made and served on 25 October 2016.

## **2. OBJECTION**

An objection to the TPO was subsequently submitted by a planning agent, acting on behalf of the owner of the woodland, dated 24 November 2016

The points raised in the objections can be summarised as follows:

1. The protection of the woodland as a whole is not necessary to bring a reasonable degree of public benefit in the present or future. The woodland is uniformly dense and is without any form of paths or clearings. The woodland itself does not therefore contribute to 'public amenity' by virtue of access for recreation or other reason.
2. The level of visibility to the area is not enough to warrant the preservation order. The Trees to the perimeter of the area of woodland are therefore recognised to contribute to public amenity by virtue of their prominence and visibility in providing a green fringe to publicly accessible routes and developed areas. The vast majority of the area of woodland, however, (i.e. its central parts) is not visible to any public area and does no, therefore, contribute to public amenity by virtue of any aesthetic or screening function.
3. The imposition of a blanket TPO on the woodland could limit Harworth Groups ability to responsibly maintain or improve the woodland
4. The TPO may block future development of the site which is inconsistent with the fact that the site of the woodland lies within a prospective allocation for housing development in the Council's emerging Site Allocations Plan

### **3. COMMENTS OF THE TREE OFFICER IN RELATION TO THE OBJECTION**

1. The woodland can be seen from Station Road, the adjoining roundabout, Longbow Road, the west end of Main Street, the adjacent public footpaths and eventually the new development. It is not necessary for there to be direct public access in to the internal woodland, for it to be classed as a valuable amenity to the area. The trees comprising the woodland are considered to constitute an amenity to the local residents and to provide food, nest sites and cover for local wildlife.
2. Due to the unmaintained nature of the young woodland it is mainly the external trees that are a direct visual amenity in a very literal sense, but in general it is accepted that the woodland as a whole creates the amenity. The TPO has been placed on the group to preserve a cohesive and collective landscape feature rather than on the merit of particular individual trees.
3. Concerns that the TPO would stop future maintenance are unfounded. Any sensible proposals concerning improvement of the woodland including selective thinning, would be actively encouraged and readily supported by the council as an enhancement to the area. Such works may assist in facilitating public access.
4. The TPO would not necessarily stop the land being developed in the future if the benefits from the development proposal are deemed to outweigh the retention of the woodland. However, it would at least allow the trees to be considered as an asset as part of any future planning application.

### **4. CONCLUSION**

The Order is warranted on the grounds of amenity and expediency and therefore, the imposition of the Order is appropriate.

The Council would consider any sensible tree works application on its merits.

Any future development related tree issues can be considered through the Planning process, as part of which the presence of the woodland trees will be one of many considerations.

### **5.RECOMMENDATION**

That the Order be confirmed as originally as served.