

**CITY OF LEEDS TREE PRESERVATION ORDER (NO.16) 2018  
(LAND ADJACENT TO BAYTON LANE HORSFORTH LEEDS 18)**

**BACKGROUND**

A planning submission was made on 13 July 18 by Horsforth Golf Club Ltd (application number 18/04467/FU). The proposals included a large engineering “land fill” operation that would raise the ground levels up to 4-5 m above existing levels over a large area. This operation required the removal of almost 1 hectare of woodland type maturing trees as well as individual specimens. The plans also posed a risk of damage to further trees (marked as retained) especially to the prominent trees along Bayton lane.

The woodland and specimen trees are clearly visible from the surrounding locale. They provide public amenity and are important in terms of the character of the landscape. To lose trees on this scale and block views with a landfill embankment would have devastating consequences in both respects.

The submitted Arboricultural Report by JCA (ref 14094/AJB) confirmed the high value of the trees. All the trees within the site boundary were, almost without exception, given a high value Category B rating.

The main belt of trees (west side) provides a N-S green corridor with a stream running through a large part of it. The belt forms part of the Leeds Habitat Network which is covered by LCC policy G9 therefore this proposal would be in contraction to this policy due to loss of bio-diversity and culverting an open stream.

It was noted that the proposals did provide for new tree planting but even if they survived these trees would take many decades to attain the size and stature of those proposed for removal. In other words these trees are not replaceable and the new planting would do little to mitigate the harm.

Given the above there was a risk that the trees could be removed at any time to enable works to begin. The Council considered it to be expedient in the circumstances to serve a TPO. This would allow the trees to be fully considered in any planning negotiations and prevent any pre-emptive removals taking place.

A Tree Preservation Order was therefore made and served on 7 September 2018.

**OBJECTION TO THE ORDER**

A letter of objection from AWA tree consultants dated 5<sup>th</sup> Oct 2018 on behalf of Horsforth Golf Club. The objection can be summarised as follows:

1. The plans will not result in a significant loss of trees. There is a revised plan dated 26 September 2018. The TPO was therefore unnecessary
2. Ash trees T1-T4 and G1 are poor specimens and could be dangerous

3. The trees are generally set back some distance from Bayton Lane, which reduces their relative public amenity.
4. Revised landscape plans negate the need for the TPO
5. There are other potential options for dealing with the trees, including transplanting trees as well as proposing to carry out a revised tree survey.

## **COMMENTS ON THE OBJECTIONS**

### **Response point 1.**

There is a significant loss of trees. The removal of almost 1 hectare of woodland type maturing trees combined with individual specimens that have public amenity value and are of high quality cannot be described as insignificant. There isn't a revised landscape plan on the public access system dated 5<sup>th</sup> Oct 2018 but there is a sketch attached to the letter. The sketch has long been superseded and negotiations are still underway. It is understood that revised plans are currently awaited by the Planning Officer

### **Response point 2.**

The claim that the Ash trees T1-T4 and G1 in the TPO are poor specimens is at odds with the submitted Arboricultural Report by JCA (ref 14094/AJB). In this report all these trees are categorised as B quality with a safe life of at least a further 40 years. As such, there appears to be a potential conflict between the Arboricultural Consultants working for the same client.

An updated Arboricultural Survey has not been submitted. If the claims are however correct, then the owner is advised to submit a Tree Works Application to carry out maintenance or removal under the TPO regulations. A TPO does not restrict management and the Council welcomes applications for such work.

### **Response point 3.**

The individual trees in the TPO actually run alongside Bayton lane. The North end of TPO area W1 is up against the road. Whilst the tree belt does taper away from the road as it goes south but the trees are still clearly visible, in full public view and contribute to the character of the area.

### **Response point 4.**

Revised plans are still awaited so it is not possible to comment at the present time.

### **Response point 5.**

A revised Arboricultural survey has not yet been submitted nor have any revised proposals been submitted, referring to the alternate suggestions described in the

letter such as transplanting of trees. Any forthcoming survey will be considered in due course.

### **CONCLUSION**

It is understood that positive negotiations with the Planning Officer are continuing and that any planning approval has the capacity to override a TPO. Given the fact that the final planning position is not determined at the present time. It is, therefore, appropriate to continue to protect it by way of a Tree Preservation Order.

### **RECOMMENDATION**

That the Order be confirmed as originally served