

CITY OF LEEDS TREE PRESERVATION ORDER (No.9) 2019, (COMMERCE HOUSE, WADE LANE, LEEDS 2)

1. BACKGROUND

A pre-application enquiry was received by the Council in relation to proposed re-development of Commerce House, Wade Lane, Leeds 2 (PREAPP/18/00025). Concerns were subsequently raised by the planning officer concerning unprotected trees growing in close proximity to the proposed redevelopment.

The Tree Officer conducted a site visit and observed that inappropriate pruning of trees that had taken place along Wade Lane. Some trees were consequently too damaged to warrant protection, whilst others situated on Wade Lane are already protected by an existing Preservation Order.

Two London Plane trees, situated on the Commerce House site itself, were considered to be of such nature and condition to possess sufficient amenity value to warrant protection.

A Tree Preservation Order ('TPO') was originally made and served on 26 October 2018 (No.23 2018), which expired prior to determination. Therefore, an identical replacement TPO was made and served on 1 August 2019 (No.9 2019).

2. OBJECTION

An objection to the expired TPO No.23.2018 was submitted by the planning consultant, on behalf of the landowner and its agent, on 23 November 2018.

In response to the serving of the replacement Order TPO No.9 2019, a further letter of objection was submitted by the planning consultant dated 28 August 2019.

The points raised in the objection raised in both letters taken together, can be summarised as follows:

1. The trees are of to be of limited amenity and common place, and so not worthy of protection by way of a TPO.
2. It is intended to carry out sensitive pruning to these trees, and re-pollarding .As such the trees are, and will continue to be, managed sensitively, and so a TPO is unnecessary.

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

1. The majority of the trees in this area of Wade Lane have been heavily topped and inappropriately pruned in the past. Some are so badly that they do not warrant protection, whilst others have recovered through attempting to re-establish crowns should be retained. The two London Plane trees on site fall into this latter category.

Leeds City Centre has minimal tree cover and all viable specimens should be valued. Plane trees are particularly suitable for city centres as they deal well with pollution and restricted rooting areas and develop resilient wood, less prone to branch failure.

In the circumstances, both trees subject to the Order, are considered to possess sufficient amenity value to warrant protection.

2. The placing of a TPO on the trees does not stop them from being inspected or having arboricultural work carried out, subject to a prior application for tree works being approved by the Council.

A 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 trees. However, it would at least allow the trees to be considered as part of the overall planning application process.

The intended pruning works included pruning and re-pollarding. The historical works carried out to the two trees subject to the TPO, would be classed as topping rather than re-pollarding.

Pollarding is carried out to encourage multiple regrowth of shoots arising from the same height on a main stem or scaffold branch. This form of cyclic management is carried out from an early age to allow the tree to adapt. Even when carried out correctly, this type of management would not be classed as sensitive by the Tree Officer

The observations of the Tree Officer are that the two trees in question were significantly reduced in middle age. This type of limb removal is likely to have caused the trees stress, especially if the tree works in the active growing season.

Topping usually severely damages the trees defences, causing large wounds which are then prone to degrade. At present, both London Plane trees appear to have responded well after this type of unsuitable pruning and are successfully redeveloping crowns.

However, it is accepted that due to their position they will need to be managed in a responsible manner. LCC would support any reasonable applications in the future.

4. CONCLUSION

The protection of the trees is warranted on the grounds of amenity and expediency and therefore, the imposition of the TPO is considered appropriate.

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

Any future development proposals will be considered through the Planning process, as part of which the presence of the two trees will be one of many considerations.

5. RECOMMENDATION

That the Order be confirmed as originally as served.