

**CITY OF LEEDS TREE PRESERVATION ORDER (NO.52) 2023
(CHURCH STREET, BOSTON SPA, WETHERBY LS23 6DW)**

Date: May 2024

Report of: Senior Landscape & Design Officer

Report to: Chief Planning Officer

Will the decision be open for call in? Yes No

Does the report contain confidential or exempt information? Yes No

Brief summary

A Tree Preservation Order ("the Order") was made in respect of the above site on 12 December 2023 on a provisional basis.

Under the Town and Country Planning (Tree Preservation) (England) Regulations 2012 the Order will expire if it has not been determined within 6 months of the date of making.

Two objections to the Order were submitted by: an Agent on behalf of a developer, and an Agent on behalf of the landowner.

The Chief Planning Officer is requested to determine whether or not the Order should be confirmed, or alternatively confirmed subject to modification, in light of the objection.

Recommendations

- a) That the Order be confirmed as originally served.

What is this report about?

- 1 To set out the background to the making of the provisional Tree Preservation Order and to note the fact that two objections to the Order have been submitted to the Council
- 2 To seek a determination from the Chief Planning Officer that the objections should be overruled in all the circumstances, and that the Order be confirmed as originally served.

What impact will this proposal have?

- 3 Protection of valuable and visually prominent trees between Church Street and Stable Lane Park, Boston Spa.

How does this proposal impact the three pillars of the Best City Ambition?

Health and Wellbeing Inclusive Growth Zero Carbon

- 4 Improving the resilience of the city's infrastructure and the natural environment, reducing flooding and other risks from future climate change.

What consultation and engagement has taken place?

Wards affected: Wetherby

Have ward members been consulted? Yes No

What are the resource implications?

- 5 There are no resource implications.

What are the key risks and how are they being managed?

- 6 There are no specific risks involved.

What are the legal implications?

- 7 The Chief Planning Officer is authorised to take the decision whether to determine Tree Preservation Orders under Part 3 Section 2A of the Constitution (Council non-executive functions).
- 8 The exempt appendices are exempt under Access to Information Procedure Rule 10.4(2).

Options, timescales and measuring success

What other options were considered?

- 9 N/A

How will success be measured?

- 10 N/A

What is the timetable and who will be responsible for implementation?

11 The Order must be confirmed by 11 June 2024.

Appendices

- City of Leeds Tree Preservation Order (No.52) 2023 (Church Street, Boston Spa, Wetherby LS23 6DW) dated 12 December 2023.
- Objection by way of Agent for developer received 12 January 2024. (Exempt under Access to Information Rule 10.4(2))
- Objection by way of Agent for landowner received 15 January 2024. (Exempt under Access to Information Rule 10.4(2))
- Letter of support from adjacent landowner received 12 February 2024. (Exempt under Access to Information Rule 10.4(2))
- The Landscape Officer's comments in respect of the Objection.

Background papers

None.