

**CITY OF LEEDS TREE PRESERVATION ORDER (NO.3) 2024  
(LAND OFF WHITEHALL ROAD, DRIGHLINGTON BD11 1LS)**

Date: June 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 11 January 2024 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 two Agents on behalf of the landowner.

Additional email correspondence between the landowner, landowner's Agent, Legal Officer, Landscape Officer is appended as requested by the landowner.

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

## Recommendations

- a) That the Order be confirmed as modified.

### **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 modified.

### **What impact will this proposal have?**

- 3 Protection of valuable and visually prominent trees on land at Whitehall Road, Drighlington.

### **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: Morley North

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).

### **Options, timescales and measuring success**

#### **What other options were considered?**

- 8 N/A

#### **How will success be measured?**

- 9 N/A

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

- 10 The Order must be confirmed by 11 July 2024.

## **Appendices**

- City of Leeds Tree Preservation Order (No.3) 2024 (Land Off Whitehall Road, Drighlington BD11 1LS) dated 11 January 2024.
- Modified Tree Preservation Order Map and Schedule.
- Objection by way of Agent for landowner received 1 March 2024. (Exempt under Access to Information Rule 10.4(2))
- Objection by way of Agent for landowner received 2 April 2024. (Exempt under Access to Information Rule 10.4(2))
- Email correspondence between landowner, landowner's Agent, Legal Officer, Landscape Officer between 15 March – 6 June 2024. (Exempt under Access to Information Rule 10.4(2))
- The Landscape Officer's comments in respect of the Objection.

## **Background papers**

None.