



Committee: APPEALS COMMITTEE
Date: THURSDAY, 17 MARCH 2016
Venue: LANCASTER TOWN HALL
Time: 1.00 P.M.

A G E N D A

1. **Apologies for Absence**

2. **Minutes**

Minutes of the meeting held on 18 February 2016 (previously circulated)

3. **Items of Urgent Business authorised by the Chairman**

4. **Declarations of Interest**

To receive declarations by Members of interests in respect of items on this Agenda.

Members are reminded that, in accordance with the Localism Act 2011, they are required to declare any disclosable pecuniary interests which have not already been declared in the Council's Register of Interests. (It is a criminal offence not to declare a disclosable pecuniary interest either in the Register or at the meeting.)

Whilst not a legal requirement, in accordance with Council Procedure Rule 10 and in the interests of clarity and transparency, Members should declare any disclosable pecuniary interests, which they have already declared in the Register, at this point in the meeting.

In accordance with Part B, Section 2 of the Code of Conduct, Members are required to declare the existence and nature of any other interests, as defined in paragraphs 8(1) or 9(2) of the Code of Conduct.

Matters for Decision

5. **Tree Preservation Order No. 565 (2015) - Land off Ashton Road, Lancaster** (Pages 1 - 61)

Report of the Chief Executive

6. **Tree Preservation Order No. 567 (2015) - Long Plantation, Ashton Hall Estate, Ashton Road, Lancaster** (Pages 62 - 87)

Report of the Chief Executive

ADMINISTRATIVE ARRANGEMENTS

(i) Membership

Councillors Claire Cozler (Chairman), Helen Helme (Vice-Chairman), Jon Barry, Janice Hanson, Joan Jackson, Karen Leytham and Roger Sherlock

(ii) Substitute Membership

Councillors Susie Charles, Brett Cooper, Tim Hamilton-Cox, Terrie Metcalfe and Margaret Pattison

(iii) Queries regarding this Agenda

Please contact Jane Glenton, Democratic Services: telephone (01524) 582068 or email jglenton@lancaster.gov.uk.

(iv) Changes to Membership, substitutions or apologies

Please contact Democratic Support, telephone (01524) 582170, or email democraticsupport@lancaster.gov.uk.

MARK CULLINAN,
CHIEF EXECUTIVE,
TOWN HALL,
DALTON SQUARE,
LANCASTER LA1 1PJ

Published on Monday, 7 March 2016

APPEALS COMMITTEE

Tree Preservation Order No. 565 (2015) Land adjacent to Ashton Road, Lancaster 17 March 2016

Report of the Chief Executive

PURPOSE OF REPORT

To enable Members to consider the objection received to Tree Preservation Order No. 565 (2015) relating to an area of trees established on land adjacent to Ashton Road, Lancaster, and thereafter whether or not to confirm the Order.

This matter will be dealt with in accordance with the adopted procedure for considering matters relating to individual applications, that is, the relevant matters for consideration by the Committee will be presented in the public part of the meeting, and the decision will be made after the exclusion of the press and public, on the basis that, in making its decision, the Committee will receive exempt information in the form of legal advice on possible legal proceedings arising from the decision (Paragraph 5A of Schedule 12A of the Local Government Act 1972) as amended by the Local Government (Access to Information) (Variation) Order 2006.

RECOMMENDATIONS

That Members consider the objection to Tree Preservation Order No. 565 (2015) relating to an area of trees established on land adjacent to Ashton Road, Lancaster, and decide whether:

- (1) To confirm Tree Preservation Order No. 565 (2015) -
 - (a) without modification;
 - (b) subject to such modification as is considered expedient.
- (2) Not to confirm Tree Preservation Order No. 565 (2015).

1.0 Introduction

- 1.1 Under Section 198 of the Town and Country Planning Act 1990, the Local Planning Authority may make an Order in respect of a tree or group of trees if it appears that it is expedient in the interests of amenity to make provision for the protection of trees in their area.
- 1.2 In accordance with the Town and Country Planning (Tree Preservation Order) Regulations 2012, an objection has been received to Tree Preservation Order No. 565 (2015), which has been made in relation to an area of trees established adjacent to Ashton Road, Lancaster.
- 1.3 In accordance with the Regulations, it is necessary to consider the objection, and in order for the objection to be considered objectively, the matter is referred to the Appeals Committee.

1.4 The report of the City Council's Tree Protection Officer is attached (pages 3 to 7).

Appended to the report are:

- Appendix 1 - *Copy of the original Tree Preservation Order No. 565 (2015) (pages 8 to 11);*
- Appendix 2 – *The Tree Protection Officer's initial report (pages 12 to 13);*
- Appendix 3 – *Aerial photograph of the trees (page 14);*
- Appendix 4 - *Tree Evaluation Method for Preservation Orders (TEMPO) (page 15);*
- Appendix 5 – *Letter of objection from Mr. Craig Barnes (pages 16 to 59);*
- Appendix 6 – *Lancaster City Council's letter of response (pages 60 to 61).*

2.0 Proposal Details

2.1 The purpose of the report is to provide Members with details to enable them to decide whether or not to confirm Tree Preservation Order No. 565 (2015).

3.0 Details of Consultation

3.1 Tree Preservation Order No. 565 (2015) was made and advertised in the usual way, and one objection was received.

4.0 Options

- (1) To confirm Tree Preservation Order No. 565 (2015) -
 - (a) Without modification;
 - (b) Subject to such modification as is considered expedient.
- (2) Not to confirm Tree Preservation Order No. 565 (2015).

5.0 Conclusion

5.1 In the light of information contained within the report and its appendices, together with legal advice given at Committee and a site visit, Members are requested to determine whether or not to confirm Tree Preservation Order No. 565 (2015).

CONCLUSION OF IMPACT ASSESSMENT (including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing) Not applicable.

LEGAL IMPLICATIONS A Legal Officer will be present at the meeting to advise the Committee

FINANCIAL IMPLICATIONS Not applicable.
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BACKGROUND PAPERS Tree Preservation Order No. 565 (2015)
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Contact Officer: Jane Glenton Telephone: (01524) 582068 Email: jglenton@lancaster.gov.uk Ref: JEG
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Contact: Maxine Knagg
Telephone: 01524 582381
FAX: 01524 582323
Email: mknagg@lancaster.gov.uk
Website: www.lancaster.gov.uk
Our Ref: TPO470/2010/MK

Regeneration & Policy Service
Development Management
PO Box 4
Town Hall
Lancaster
LA1 1QR

Date: 25th February 2016

Appeals Committee (TPO)

Trees subject of the Appeals Committee – An area of trees established on land adjacent to Ashton Road, Lancaster, subject of **Tree Preservation Order no. 565 (2015)**.

This report has been produced by Maxine Knagg (BSc Hons Arboriculture), Tree Protection Officer, Lancaster City Council.

1.0 Purpose of Report

1.1 This report relates to an area of trees established on land off Ashton Road, Lancaster with respect to the above tree preservation order. The Appeals Committee are to consider whether the TPO should be confirmed without modification, confirmed with modifications or not confirmed. A copy of Tree Preservation Order no.565 (2015) is available at **appendix 1**.

2.0 Background

2.1 The site is lies immediately adjacent to Lancaster Canal which is recognised for its biological importance with the designation of a Biological Heritage Site (BHS). Whilst trees are not expressly protected under the terms of a BHS, trees are recognised for their contribution to the value of the BHS where they exist.

2.2 Trees to the north of the canal are clearly seen from the public domain and form a significant backdrop to the canal when viewed from the north, north-west, east and south-east.

2.3 The land in question is dissected into two compartments by residential dwellings established within Pinewood Close. Immediately to the north-west land is in use for agricultural purposes.

- 2.4 The land in question is currently subject of an outline planning application to develop the site, referenced as no.15/01342/OUT. This outline application was validated on 9th November 2015. At the time of writing the application has not as yet been determined.
- 2.5 Development has significant potential to adversely impact upon existing trees through a number of means, including direct tree removals, in order to accommodate the proposed design. Also indirect means, as a result of construction works and practices, or where tree protection measures are either not fully implemented or not maintained correctly throughout the course of any given construction phase until completion.
- 2.6 Trees across the site are important for their cohesion and contribution in forming significant arboriculture and landscape features. The majority of trees are clearly visible from a range of public vantage points. Their loss would have significant potential to adversely impact upon the character and appearance of the site and wider locality.
- 2.7 Trees within the site create important green corridors for wildlife, with the potential to support a range of wildlife communities, including protected species, such as nesting birds and bats, both groups are protected under the Wildlife & Countryside Act 1981 (as amended 2010).

3.0 Threat to Trees & Woodland

- 3.1 In the view of the Secretary of State, a TPO should be used to protect selected trees and woodland, if their removal would have a significant impact on the local environment and its enjoyment by the public. LPAs should be able to show that a reasonable degree of public benefit would accrue before the TPOs are made or confirmed. The trees or at least part of them should therefore normally be visible from a public place, such as a road or footpath, although the inclusion of other trees maybe justified. The benefit may be present or future: trees may be worthy of preservation for their intrinsic beauty or for their contribution to the landscape or because they serve to screen an eyesore, or future development: the value of trees may be enhanced by their scarcity; and the value of a group of trees or woodland maybe collective only. Other factors such as importance as a wildlife habitat may be taken into account which alone would not be sufficient to warrant a TPO. A tree that is dead or in a dangerous condition is exempt from a TPO.
- 3.2 With this in mind, LPAs are advised to develop ways of assessing the 'amenity value' of trees in a structured and consistent way, taking into account the visibility of trees from a public vantage point: the individual impact of a tree or the collective impact of a group of trees: in addition to the wider impact of trees, their significance to their local surroundings taking into account their suitability to their particular setting, as well as the presence of other trees in the vicinity.
- 3.3 Expediency must also be assessed. The Secretary of State considers that it may be expedient to make a TPO, if the LPA believe there is a risk of the tree or woodland being cut down or pruned in ways which would have a significant impact on the amenity of the area. Importantly, it is not necessary for the risk to be immediate. In some cases, the LPA may believe that certain trees are at

risk from development pressures. The LPA may have some other reason to believe that trees are at risk: changes in property ownership are widely recognised as potential threats to trees and woodlands, particularly as intentions to fell trees are not always known in advance and so the protection of selected trees by a precautionary TPO might be considered expedient.

- 3.4 The trees in question were protected with TPO no.565 (2015) when it became apparent through a Pre- Application request for advice for development was submitted to Lancaster City Council. Planning application no. 15/01342/OUT was subsequently submitted and validated.
- 3.5 It is important to note a Tree Preservation Order does not prevent or obstruct development, it does however ensure that trees subject of the order are a material consideration within any existing or future planning application.

4.0 Assessment

- 4.1 A copy of my initial report is available at **appendix 2**.
- 4.2 An aerial photograph detailing the composition and extent of trees within the site and wider locality has been included at **appendix 3**. This plan shows a number of locations within the public domain in which a great many of the trees within the site can be seen from public vantage points.
- 4.3 A copy of the Tree Evaluation Method for Preservation Orders (TEMPO) is available at **appendix 4**. A cumulative score of 15+ was achieved, indicating that at the time of the initial assessment the trees in question “Definitely Merit” protection within a TPO.
- 4.4 Lancaster City Council uses a Tree Evaluation Method for Preservation Orders (TEMPO) to demonstrate a structured and consistent approach to the assessment of trees and woodlands in relation to their suitability for inclusion within a TPO. This system when used by an individual suitably trained and experienced in the assessment of trees can be a useful tool to demonstrate key elements of the decision making process, resulting in a final total score and outcome indicator. The system in itself is not a decision making process.
- 4.5 In addition to their amenity value. Trees within the site are an important resource for wildlife providing essential habitat and foraging opportunities, including significant potential to provide important resources for protected species, such as nesting birds and bats, both of which are protected under the Wildlife & Countryside Act 1981. The presence of Lancaster Canal to the south-east increases the wildlife potential of the site trees and hedgerows, particularly for birds and bats.

5.0 Tree Preservation Order no.565 (2015)

- 5.1 Tree Preservation Order no. 565(2015) was made on 20th October 2015, following the site being identified for potential development. Trees within the site were unprotected and threatened by any potential development of the site, now or in the future.

- 5.2 Trees subject of TPO no.565 (2015) include a group of ash (**G1**) and two woodland compartments identified as **W1** and **W2**, comprised of a range of tree species.

Objection to TPO no.565 (2015)

- 6.1 Lancaster City Council has received one letter of objection to Tree Preservation Order no.565 (2015).
- 6.2 A letter of objection was received from Mr Craig Barnes, of Barton Willmore, acting on behalf of the applicant. A copy of the letter, dated 23.11.15 can be seen in full, at **appendix 5**. A copy of Lancaster City Council's letter of response, dated 18th December 2015, is available at **appendix 6**.
- 6.3 There are two principal points for objection.
- i) The submitted planning application would not result in the loss of any trees of any quality or value in or around the site and therefore a TPO is not required; and
 - ii) Not all of the area identified within the TPO are considered necessary for inclusion to safeguard the existing tree belt along Lancaster Canal for reasons of amenity, wildlife or quality as outlined by the Council in the Order. We believe that if the TPO is deemed to be necessary (to which we disagree), the area defined as G56 as well as T43 and G44 within the attached AIA submitted as Appendix 1 should be omitted.
- 6.4 Lancaster City has addressed the issues raised, to summarise:
- i) Whilst an outline application has been received by the local authority reference 15/01342/OUT, it has not been determined. There is no current permission to develop the land in question. As such, there is no formal written agreement to retain and protect existing trees and woodland, other than through the controls of a TPO.
 - ii) Lancaster City Council has a duty to protect trees where development is proposed. The local authority would be failing in its duty, if a tree preservation order was not made and confirmed, particularly given the significance of the trees in question. Particularly, given the biologically sensitive nature of the area.
 - iii) The trees in question form a highly visible landscape feature, clearly visible from the public domain. They are also an important resource for a potential range of wildlife, including protected species.
 - iv) A TPO ensures that existing trees are a material consideration within a planning application, and importantly continues their protection through the post development phase and future use.
 - v) The applicant has indicated that the prospective developer Storey Homes has no intention to remove trees of "any value" important trees, as such then the TPO should have little relevance.
 - vi) Trees are threatened by the potential development of the site and by the future change of use of the wider landscape, should planning consent be granted. This only serves to support the need to maintain the existing protection status of the trees, in line with TPO 565 (2015). Trees identified as G56, T43 and G44 should remain subject of the Order, to ensure their full consideration within the existing and or any future planning application.

- vii) Planning permission overrides the powers of a TPO, where trees would be required to be removed in order to implement any given planning consent. As such, the existence of the Order will not prevent or obstruct development should full planning consent be granted in the future.

6.0 Decision to Serve TPO no.565 (2015)

- 7.1 Lancaster City Council considers it expedient in the interests of amenity to make provision for the preservation of trees identified as **G1, W1 & W2** under sections 198 of the Town & Country Planning Act 1990. It is recommended that the TPO is confirmed without modifications.

Lancaster City Council cite the following reasons.

- important visual amenity shared from the public domain
- significant contribution to the character and appearance of the site and wider locality, also immediately adjacent to Lancaster Canal, designated a biologically important site (BHS)
- significant potential to provide important habitat and resources for a range of protected and unprotected wildlife communities
- under threat from removal or inappropriate management associated with the proposed development of the site

The trees in question have sufficient amenity value and importance within the landscape and are under threat from removal or inappropriate management to justify their protection with TPO no.565 (2015).

- 7.2 Lancaster City Council recommends that TPO no.565 (2015) be confirmed without modification in the interest of public amenity value and wildlife benefit.

It remains the view of Lancaster City Council that TPO 565 (2015) is an entirely appropriate and justified course of action given the existing amenity and wildlife value of the trees and woodland compartments. Particularly, given the existing threat from development and associated change of use of the wider landscape.

Maxine Knagg BSc (Hons) Arboriculture

Tree Protection Officer, Regeneration & Planning Service

On behalf of Lancaster City Council

CITY COUNCIL OF LANCASTER
TREE PRESERVATION ORDER NO. 565(2015)

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RELATING TO:

Tree Preservation Order no.565 (2015), Land off Ashton Road, Lancaster

PO BOX 4
TOWN HALL
LANCASTER
LA1 1QR

TOWN AND COUNTRY PLANNING ACT 1990

**LANCASTER CITY COUNCIL
TREE PRESERVATION ORDER NO. 565(2015)**

The City Council of Lancaster, in exercise of the powers conferred on them by section 198 of the Town and Country Planning Act 1990 hereby make the following Order:

Citation

1. This Order may be cited as Tree Preservation Order No. 565(2015), "Tree Preservation Order no.565 (2015), Land off Ashton Road, Lancaster", 27th October 2015.

Interpretation

2. (1) In this Order "the authority" means the Lancaster City Council.

(2) In this Order any reference to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990 and any reference to a numbered regulation is a reference to the regulation so numbered in the Town and Country Planning (Tree Preservation)(England) Regulations 2011.

Effect

3. (1) Subject to article 4, this Order takes effect provisionally on the date on which it is made.

(2) Without prejudice to subsection (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners) and, subject to the exceptions in regulation 14, no person shall—
(a) cut down, top, lop, uproot, wilfully damage, or wilfully destroy; or
(b) cause or permit the cutting down, topping, lopping, wilful damage or wilful destruction of,
any tree specified in the Schedule to this Order except with the written consent of the authority in accordance with regulations 16 and 17, or of the Secretary of State in accordance with regulation 23, and, where such consent is given subject to conditions, in accordance with those conditions.

Application to trees to be planted pursuant to a condition

4. In relation to any tree identified in the first column of the Schedule by the letter "C", being a tree to be planted pursuant to a condition imposed under paragraph (a) of section 197 (planning permission to include appropriate provision for preservation and planting of trees), this Order takes effect as from the time when the tree is planted.

Dated this 27TH October 2015

Signed on behalf of the Lancaster City Council:



A. Dobson

**Andrew Dobson DipEP MRTPI PDDMS
CHIEF OFFICER (REGENERATION AND PLANNING)**

Authorised by the Council to sign in that behalf

SCHEDULE

Specification of Trees

TREE PRESERVATION ORDER NO. 565(2015)

Tree Preservation Order no.565 (2015), Land off Ashton Road, Lancaster

TREES SPECIFIED INDIVIDUALLY

(Encircled in a solid black line on map)

TREES SPECIFIED BY REFERENCE TO AN AREA

(Shown within a dotted black line on map)

GROUP OF TREES

(Shown within a broken black line on map)

Reference on Map	Description	Situation		
G1	Ash	Centred grid ref:	on (E) 347199	(N) 458937

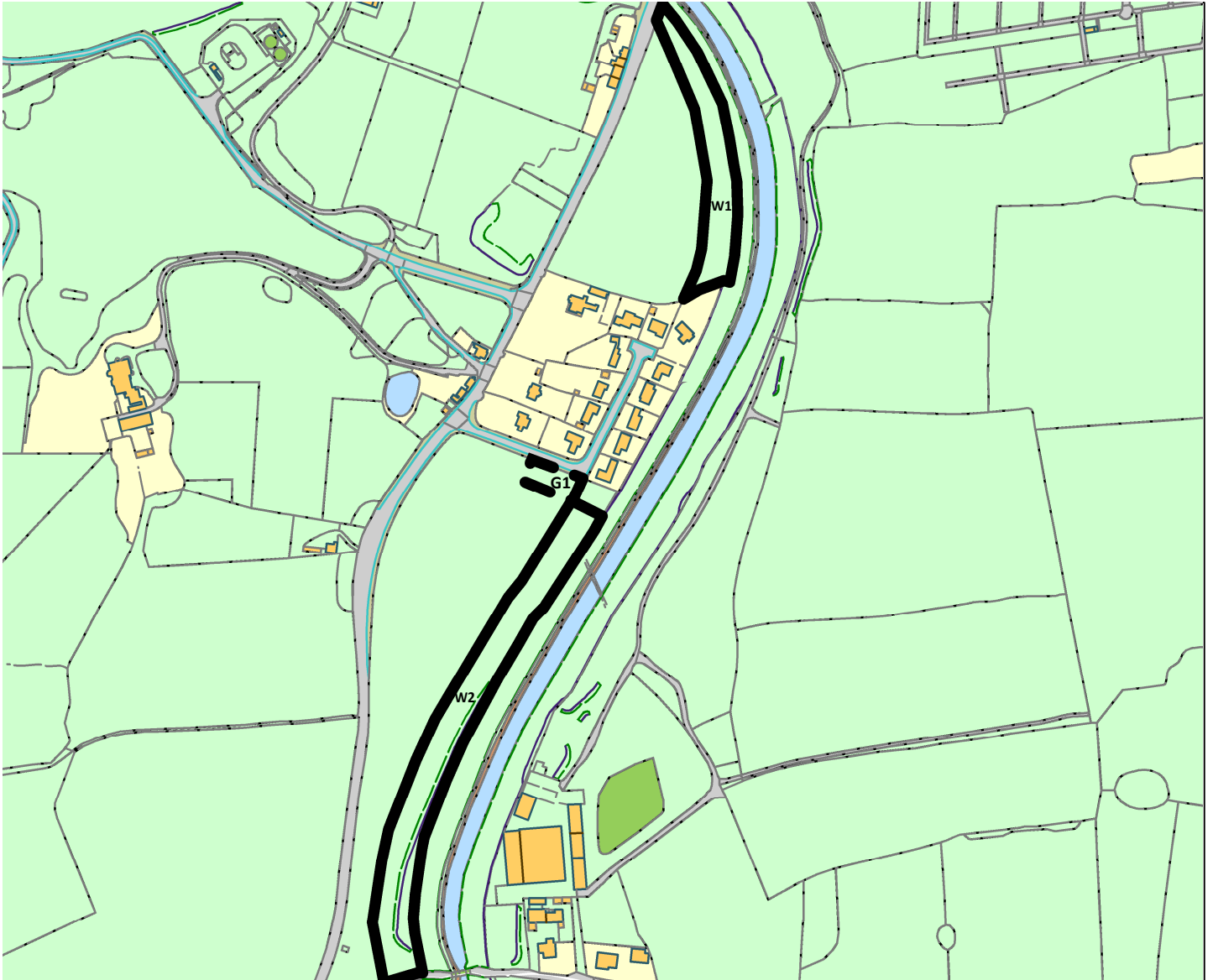
WOODLAND

(Shown within a solid black line on map)

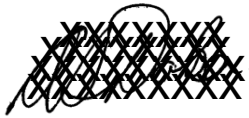
Reference on Map	Description	Situation		
W1	Various	Centred grid ref:	on (E) 347149	(N) 458737
W2	Various	Centred grid ref:	on (E) 347310	(N) 459189

TPO No. 565(2015)

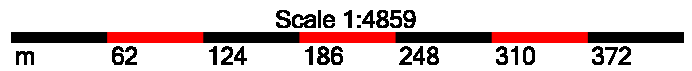
Land East Of Ashton Road, Lancaster



Legend



A. Dobson



Reproduced from the Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright 2000.

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Organisation	Not Set
Department	Not Set
Comments	Not Set
Date	27 October 2015
SLA Number	Not Set

Proposed New Tree Preservation Order No: 565 (2015)**Site: Land off Ashton Road, Lancaster****Location of Trees: x2 woodland compartments and x1 group of three ash trees****Assessment:**

I have assessed trees established on land off Ashton Road, Lancaster, and immediately adjacent to Lancaster Canal, with regard to their suitability and the appropriateness of serving them with a Tree Preservation Order (TPO).

Background

The site lies immediately adjacent to Lancaster Canal. The canal is designated a Biological Heritage Site (BHS). Trees whilst not expressly protected under the terms of the BHS, they are recognised as key component of the BHS. The site does not lie within a conservation area and existing trees are not already subject of a TPO.

The site in question is established to the south-eastern aspect of Lancaster city and is dissected by the residential area known as Pinewood Close. Immediately to the north-west, land is currently in use for agricultural purposes.

The trees in question form along a linear woodland compartment dissected by residential dwellings within Pinewood Close. There are a number of large mature woodland trees that have become significant landscape features. Many are clearly visible from a range of location within the public domain and from the canal and its associated tow paths.

Trees in question provide important habitat and foraging opportunities for wildlife. Certain habitats and species, including nesting birds and bats are subject to protection as laid out in the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010.

Lancaster City Council has received a Pre Application Advice request detailing a proposal to develop the land immediately adjacent to the woodland trees for residential purposes. Development of land has significant potential to threaten existing trees through a range of direct and indirect means. Loss of tree in this location have significant potential to harm important landscape trees.

Trees

For the purpose of this report the trees and woodlands in question have been identified as woodland compartments **W1 – W2** and a single group **G1**, comprised of x3 early-mature, multi-stemmed ash trees. Woodland tree species include ash, sycamore, oak, hawthorn, elder, and elm. Other species may also be present and included within the woodland designation.

G1 is a small group of three ash tree, established along the boundary of the site, adjacent to Pinewood Close. These trees are clearly seen from the public domain. Whilst not important trees individually, collectively they make a positive contribution to the character and appearance of the wider locality.

Generally the trees in question are in good overall condition with long remaining period of useful remaining life potential.

The loss of trees identified as **W1**, **W2** and **G1** would have significant potential for long term harm, adversely impacting local amenity value and wildlife value.

Threat

Lancaster City Council considers the future potential threat to existing woodland and trees to be sufficient to justify their protection with a tree preservation order.

The amenity value of trees contained within **W1 – W2 and G1** have been assessed using a Tree Evaluation Method for Preservation Orders (TEMPO). TEMPO Assessment Score: 15+ was achieved – Definitely Merits a TPO.

A TPO does not prevent maintenance from being undertaken, to include pruning works to alleviate existing conflicts with adjacent structures. It does however, mean that all works with the exception of removal of deadwood must be agreed in writing by the local authority prior to undertaking work. All work must be undertaken in compliance to BS 3998 (2010) Tree Work.

Decision: To serve Tree Preservation Order no.565 (2015) under sections 198 of the Town & Country Planning Act 1990, in the interests of public amenity; affecting x2 Woodland compartments and x1 group comprised of x3 ash trees.

The trees in question have important amenity value. They are an important resource for wildlife.

Title	Tree Preservation Order no.565 (2015), Land off Ashton Road, Lancaster
Grounds	In the interest of public amenity and wildlife benefit
Designation	W1 – W2 and G1

Maxine Knagg BSc (Hons) Arboriculture
Tree Protection Officer
Regeneration & Planning Service

23.10.15



Lancaster Canal

Site identified by red edge

Ashton Road

Pinewood close

TREE EVALUATION METHOD FOR PRESERVATION ORDERS (TEMPO):

SURVEY DATA SHEET & DECISION GUIDE

Date: 23.10.15	Surveyor: M Knagg
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Tree details	
TPO Ref: 565 (2015)	Tree/Group No: Woodland
compartments x2; Group x1	
Species: Sycamore, Hawthorn, beech, ash, oak, elm and others	

Part 1: Amenity assessment

a) Condition & suitability for TPO:

Refer to Guidance Note for definitions

- 5) Good Highly suitable
- 3) Fair Suitable
- 1) Poor Unlikely to be suitable
- 0) Unsafe Unsuitable
- 0) Dead Unsuitable

<p>Score & Notes 5 – In keeping with the locality, generally good condition, long periods of remaining life potential</p>
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b) Remaining longevity (in years) & suitability for TPO:

Refer to 'Species Guide' section in Guidance Note

- 5) 100+ Highly suitable
- 4) 40-100 Very suitable
- 2) 20-40 Suitable
- 1) 10-20 Just suitable
- 0) <10 Unsuitable

<p>Score & Notes 4 – Many of the trees have the potential to live in excess of 40 years, including ash, alder, willow; yew and horse chestnut has the potential to live in excess of 100 years</p>

c) Relative public visibility & suitability for TPO:

Consider realistic potential for future visibility with changed land use; refer to Guidance Note

- 5) Very large trees, or large trees that are prominent landscape features Highly suitable
- 4) Large trees, or medium trees clearly visible to the public Suitable
- 3) Medium trees, or larger trees with limited view only Just suitable
- 2) Small trees, or larger trees visible only with difficulty Unlikely to be suitable
- 1) Young, v. small, or trees not visible to the public, regardless of size Probably unsuitable

<p>Score & Notes 4 – Includes many large trees clearly visible within the landscape, visible from the public domain</p>
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d) Other factors

Trees must have accrued 7 or more points (with no zero score) to qualify

- 5) Principal components of arboricultural features, or veteran trees
- 4) Members of groups of trees important for their cohesion
- 3) Trees with identifiable historic, commemorative or habitat importance
- 2) Trees of particularly good form, especially if rare or unusual
- 1) Trees with none of the above additional redeeming features

<p>Score & Notes 5 – Form a green canal corridor within BHS</p>
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Part 2: Expediency assessment

Trees must have accrued 9 or more points to qualify; refer to Guidance Note

- 5) Known threat to tree
- 3) Foreseeable threat to tree
- 2) Perceived threat to tree
- 1) Precautionary only
- 0) Tree known to be an actionable nuisance

<p>Score & Notes 3 – Site to be proposed for development</p>

Part 3: Decision guide

- Any 0 Do not apply TPO
- 1-6 TPO indefensible
- 7-10 Does not merit TPO
- 11-14 TPO defensible
- 15+ Definitely merits TPO

<p>Add Scores for Total:</p>

<p>Decision: Definitely</p>

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Document is Restricted

APPEALS COMMITTEE

**Tree Preservation Order No. 567 (2015)
Ashton Hall Estate, Off Ashton Road, Lancaster
17 March 2016**

Report of the Chief Executive

PURPOSE OF REPORT

To enable Members to consider the objections received to Tree Preservation Order No. 567 (2015) relating to a woodland area known as Long Plantation, established within Ashton Hall Estate, Off Ashton Road, Lancaster, and thereafter whether or not to confirm the Order.

This matter will be dealt with in accordance with the adopted procedure for considering matters relating to individual applications, that is, the relevant matters for consideration by the Committee will be presented in the public part of the meeting, and the decision will be made after the exclusion of the press and public, on the basis that, in making its decision, the Committee will receive exempt information in the form of legal advice on possible legal proceedings arising from the decision (Paragraph 5A of Schedule 12A of the Local Government Act 1972) as amended by the Local Government (Access to Information) (Variation) Order 2006.

RECOMMENDATIONS

That Members consider the objection to Tree Preservation Order No. 565 (2015) relating to an area of trees established on land adjacent to Ashton Road, Lancaster, and decide whether:

- (1) To confirm Tree Preservation Order No. 567 (2015) -**
 - (a) without modification;**
 - (b) subject to such modification as is considered expedient.**
- (2) Not to confirm Tree Preservation Order No. 567 (2015).**

1.0 Introduction

- 1.1 Under Section 198 of the Town and Country Planning Act 1990, the Local Planning Authority may make an Order in respect of a tree or group of trees if it appears that it is expedient in the interests of amenity to make provision for the protection of trees in their area.
- 1.2 In accordance with the Town and Country Planning (Tree Preservation Order) Regulations 2012, objections have been received to Tree Preservation Order No. 567 (2015), which has been made in relation to a woodland area known as Long Plantation, established within Ashton Hall Estate, Off Ashton Road, Lancaster.
- 1.3 In accordance with the Regulations, it is necessary to consider the objection, and in order for the objection to be considered objectively, the matter is referred to the Appeals Committee.

1.4 The report of the City Council's Tree Protection Officer is attached at pages 64 to 68.

Appended to the report are:

- Appendix 1 - *Copy of the original Tree Preservation Order No.567 (2015) (pages 69 to 72);*
- Appendix 2 – *Tree Protection Officer's initial report (pages 73 to 74);*
- Appendix 3 – *Aerial photograph (page 75);*
- Appendix 4 – *Tree Evaluation Method for Preservation Orders (TEMPO) (page 76);*
- Appendices 5 and 6 – *Letters of objection from Roger. Clark of Stodday Land Ltd and Sarah Clark of Ripway Properties Ltd, both dated 22 January 2016 (pages 77 to 80 and 81 to 82, respectively);*
- Appendices 7 and 8 – *Lancaster City Council's letters of response, both dated 24 February 2016 (pages 83 to 84 and 85 to 87, respectively).*

2.0 Proposal Details

2.1 The purpose of the report is to provide Members with details to enable them to decide whether or not to confirm Tree Preservation Order No. 567 (2015).

3.0 Details of Consultation

3.1 Tree Preservation Order No. 567 (2015) was made and advertised in the usual way, and two objections were received.

4.0 Options

- (1) To confirm Tree Preservation Order No. 567 (2015) -
 - (a) Without modification;
 - (b) Subject to such modification as is considered expedient.
- (2) Not to confirm Tree Preservation Order No. 567 (2015).

5.0 Conclusion

5.1 In the light of information contained within the report and its appendices, together with legal advice given at Committee and a site visit, Members are requested to determine whether or not to confirm Tree Preservation Order No. 567 (2015).

CONCLUSION OF IMPACT ASSESSMENT
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(including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)

Not applicable.

LEGAL IMPLICATIONS

A Legal Officer will be present at the meeting to advise the Committee
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FINANCIAL IMPLICATIONS

Not applicable.

BACKGROUND PAPERS

Tree Preservation Order No. 567 (2015)
--

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Ref: JEG

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Website: www.lancaster.gov.uk
Our Ref: TPO470/2010/MK

Regeneration & Policy Service
Development Management
PO Box 4
Town Hall
Lancaster
LA1 1QR

Date: 2nd March 2016

Appeals Committee (TPO)

Trees subject of the Appeals Committee – A woodland area known as Long Plantation, established within Ashton Hall Estate off Ashton Road, Lancaster, Tree Preservation Order no. 567 (2015).

This report has been produced by Maxine Knagg (BSc Hons Arboriculture), Tree Protection Officer, Lancaster City Council.

1.0 Purpose of Report

1.1 This report relates to a woodland established within Ashton Hall Estate, off Ashton Road, Lancaster with respect to the above tree preservation order. The Appeals Committee are to consider whether the TPO should be confirmed without modification, confirmed with modifications or not confirmed. A copy of Tree Preservation Order no.567 (2015) is available at **appendix 1**.

2.0 Background

2.1 The site is a mixed species woodland formed within the wider Ashton Hall Estate and immediately to the south of Ashton Hall Golf Club. The site lies appropriately 500m to the east of the River Lune; an important landscape feature and wildlife resource designated a Biological Heritage Site (BHS). Trees along the river bank and within the wider landscape form an important backdrop to this biologically sensitive landscape feature.

2.2 In addition, Meldham Wood lies approximately 200m to the west and north-west of Long Plantation. This woodland has been identified as Ancient Woodland, and as such is designated a BHS. Ancient woodland is a descriptive term for the group of native woodland habitats. These special areas have remained as woodland for many centuries and their soils are relatively undisturbed by people. Each ancient wood is unique with its own

local soil, environment, wildlife and cultural history. For this reason ancient woodland is irreplaceable.

- 2.3 Trees within the woodland are generally in good overall condition with long periods of useful remaining life potential. The presence of the woodland is clearly apparent from the wider public domain, including the public highway A588 located to the east and south-east of the woodland and the public footpath along the River Lune, to the west of the woodland. There is also another woodland further to the west, in effect equidistant between Long Plantation and the River Lune, helping to form essential green corridors for wildlife and further cementing the important presence of woodlands within the wider landscape and public domain.
- 2.4 Lancaster City Council received a complaint from a member of the public in October 2015, expressing concerns that trees were being felled within Long Plantation, Ashton Hall Estate.
- 2.5 Lancaster City Council visited the site and found that an informal access track had been created into the woodland, Long Plantation and a circular area had been clear felled and was devoid of trees at that time. Works had also been carried to remove the felled tree stumps.
- 2.6 The land owner, Mr Clark presented a Felling Licence which he had been issued by the Forestry Commission. The licence detailed the size, species and quantity of trees authorised to be felled as part of thinning operations granted under a Forestry Commission Felling Licence, reference no.010/220/10-11 (issued January 2011).The work listed included the felling of x30 sycamore, up to 15 cubic metres of timber. The Licence expired on 16th January 2016.
- 2.7 Anyone who wishes to fell more than 5 cubic metres of timber during any calendar quarter is required by law to obtain a Felling License from the Forestry Commission. If a licence is granted it stipulates the time period for which the licence is valid, and the volume, quantity, species, location and nature of the works agreed. Less than 5 cubic meters of timber can be felled from within any given woodland each and every calendar quarter without the requirement of a felling licence. Trees not protected by virtue of a conservation area or tree preservation order could be legitimately removed without consultation or the requirement of authorisation from either the local authority or Forestry Commission. Important woodland areas may be vulnerable to gradual erosion over time, or areas of woodland felled prior to the submission of a planning application for development.
- 2.8 The Forestry Commission confirmed in due course that the works that had been undertaken was compliant with the existing Felling Licence at that time.
- 2.9 The Forestry Commission encourage land owners to commission the develop Management Plan for their woodlands, spanning a minimum of a 5 year period. Whilst Mr Clark, has stated he is currently in the process of doing so, the local authority has not received a copy of a long term Management Plan for Long Plantation, it is now over 5 years since the Felling Licence was granted.
- 2.10 Trees within the site create important green corridors for wildlife, with the potential to support a range of wildlife communities, including protected

species, such as nesting birds and bats, both groups are protected under the Wildlife & Countryside Act (as amended 2010) 1981.

3.0 Threat to Trees & Woodland

- 3.1 In the view of the Secretary of State, a TPO should be used to protect selected trees and woodland, if their removal would have a significant impact on the local environment and its enjoyment by the public. LPAs should be able to show that a reasonable degree of public benefit would accrue before the TPOs are made or confirmed. The trees or woodland or at least part of them should therefore normally be visible from a public place, such as a road or footpath, although the inclusion of other trees maybe justified. The benefit may be present or future: trees may be worthy of preservation for their intrinsic beauty or for their contribution to the landscape or because they serve to screen an eyesore, or future development: the value of trees may be enhanced by their scarcity; and the value of a group of trees or woodland maybe collective only. Other factors such as importance as a wildlife habitat may be taken into account which alone would not be sufficient to warrant a TPO. A tree that is dead or in a dangerous condition is exempt from a TPO.
- 3.2 With this in mind, LPAs are advised to develop ways of assessing the 'amenity value' of trees in a structured and consistent way, taking into account the visibility of trees from a public vantage point: the individual impact of a tree or the collective impact of a group of trees: in addition to the wider impact of trees, their significance to their local surroundings taking into account their suitability to their particular setting, as well as the presence of other trees in the vicinity.
- 3.3 Expediency must also be assessed. The Secretary of State considers that it may be expedient to make a TPO, if the LPA believe there is a risk of the tree or woodland being cut down or pruned in ways which would have a significant impact on the amenity of the area. Importantly, it is not necessary for the risk to be immediate. In some cases, the LPA may believe that certain trees are at risk from development pressures. The LPA may have some other reason to believe that trees are at risk: changes in property ownership are widely recognised as potential threats to trees and woodlands, particularly as intentions to fell trees are not always known in advance and so the protection of selected trees by a precautionary TPO might be considered expedient.
- 3.4 The creation of the clearing to the northern aspect of Long Plantation following the removal of trees and their associated tree stumps remains unclear to the local authority.
- 3.5 Given the creation of an informal access route, clearing or trees and removal of all associated tree stumps, within the northern aspect of Long Plantation through the execution of the authorised Felling Licence no.010/220/10-11. It would be entirely justifiable to maintain the protection of the woodland under the terms of TPO 567 (2015), as a precaution, given that just under 20 cubic metres of timber could be removed annually over four quarterly periods without the requirement of authorisation. Particularly, in the event that there may be some future consideration of development in relation to the woodland or the wider Ashton Hall Site or the associated business interests of either Stodday Land Ltd or Ripway Properties Ltd, with the potential to affect trees within Long Plantation.

4.0 Assessment

- 4.1 A copy of my initial report is available at **appendix 2**.
- 4.2 An aerial photograph detailing the composition and extent of trees that form Long Plantation, their relationship to other woodland areas, the River Lune and wider public domain has been included at **appendix 3**. This plan shows a number of locations within the public domain in which parts of the woodland can be seen. This includes the A588 to the east and south-east and the public footpath along the River Lune to the west. Importantly, the aerial photograph does not show any open areas within the woodland canopy to the northern aspect.
- 4.3 A copy of the Tree Evaluation Method for Preservation Orders (TEMPO) is available at **appendix 4**. A cumulative score of 21+ was achieved, indicating that at the time of the initial assessment the trees in question “Definitely Merit” protection within a TPO. Even if the level of threat was reduced to one of ‘Precautionary’ the TEMPO score would still support the protection of Long Plantation with TPO 567 (2015), as ‘Defensible’.
- 4.4 Lancaster City Council uses a Tree Evaluation Method for Preservation Orders (TEMPO) to demonstrate a structured and consistent approach to the assessment of trees and woodlands in relation to their suitability for inclusion within a TPO. This system when used by an individual suitably trained and experienced in the assessment of trees can be a useful tool to demonstrate key elements of the decision making process, resulting in a final total score and outcome indicator. The system in itself is not a decision making process.
- 4.5 In addition to their amenity value. Trees within the site are an important resource for wildlife providing essential habitat and foraging opportunities, including significant potential to provide important resources for protected species, such as nesting birds and bats, both of which are protected under the Wildlife & Countryside Act 1981. The presence of the River Lune further to the north potentially increases the wildlife potential of the site trees and hedgerows, particularly for birds and bats.

5.0 Tree Preservation Order no.567 (2015)

- 5.1 Tree Preservation Order no. 567(2015) was made on 29th October 2015 following an assessment of trees and potential threats. Trees within the site were unprotected.
- 5.2 Works have been completed in relation to felling Licence no 010/20/10-11, issued by the Forestry Commission, January 2011. Trees had been removed to create a clearing within the woodland and all associated tree stumps dug out and removed. An informal access track had been created into the woodland to the northern aspect. Any future intentions for the site are unclear.
- 5.3 Lancaster City Council is unaware of a Management Plan for the long term management of the woodland, an action encouraged by the Forestry Commission and local authority.

- 5.4 Trees within Long Plantation identified within TPO 567 (2015) are designated as woodland 'W1'. This designation protects the trees present at the time the order was made and importantly also protects all future natural regeneration of the woodland.

Objections to TPO no.567 (2015)

- 6.1 Lancaster City Council has received an objection to Tree Preservation Order no.567 (2015) from Mr Clark, Stodday Land Limited, and Sarah Clark, Ripway Properties Ltd. A copy of their respective letters of objection (dated 22.01.16) can be read in full at **appendix 5** and **6** respectively.
- 6.2 A copy of Lancaster City Council's letters of response, dated 24.02.16, can be read in full at **appendix 7** and **appendix 8**, respectively.

6.0 Decision to Serve TPO no.567 (2015)

- 7.1 Lancaster City Council considers it expedient in the interests of amenity to make provision for the preservation of trees identified as **W1** under sections 198, 201 and 203 of the Town & Country Planning Act 1990. It is recommended that the TPO is confirmed without modifications.

Lancaster City Council cite the following reasons.

- important visual amenity shared from the public domain
- significant contribution to the character and appearance of the site and wider locality, also within 200m and 500m of two biologically important sites (BHS)
- significant potential to provide important habitat and resources for a range of protected and unprotected wildlife communities
- potential threat from removal or inappropriate management in the future which may relate to the wider development of Ashton Hall Estate, associated with the business interests of either Stodday Land Limited or Ripway properties Limited.

The trees in question have sufficient amenity value and importance within the landscape and are under potential threat from removal or inappropriate management to justify their protection with TPO no.567 (2015).

- 7.2 As such, Lancaster City Council recommends that TPO no.567 (2015) be confirmed without modification as a precaution.

Maxine Knagg BSc (Hons) Arboriculture

Tree Protection Officer, Regeneration & Planning Service
On behalf of Lancaster City Council

CITY COUNCIL OF LANCASTER
TREE PRESERVATION ORDER NO. 567(2015)

----ooOoo----

RELATING TO:

LONG PLANTATION
ASHTON HALL ESTATE
ASHTON ROAD
ASHTON WITH STODDAY
LANCASHIRE

PO BOX 4
TOWN HALL
LANCASTER
LA1 1QR

TOWN AND COUNTRY PLANNING ACT 1990

**LANCASTER CITY COUNCIL
TREE PRESERVATION ORDER NO. 567(2015)**

The City Council of Lancaster, in exercise of the powers conferred on them by section 198 of the Town and Country Planning Act 1990 hereby make the following Order:

Citation

1. This Order may be cited as Tree Preservation Order No. 567(2015), in relation to trees at Long Plantation, Ashton Hall Estate, Ashton Road, Ashton with Stodday, Lancashire, 29th October 2015.

Interpretation

2. (1) In this Order “the authority” means the Lancaster City Council.

(2) In this Order any reference to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990 and any reference to a numbered regulation is a reference to the regulation so numbered in the Town and Country Planning (Tree Preservation)(England) Regulations 2011.

Effect

3. (1) Subject to article 4, this Order takes effect provisionally on the date on which it is made.


(2) Without prejudice to subsection (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners) and, subject to the exceptions in regulation 14, no person shall—
(a) cut down, top, lop, uproot, wilfully damage, or wilfully destroy; or
(b) cause or permit the cutting down, topping, lopping, wilful damage or wilful destruction of,
any tree specified in the Schedule to this Order except with the written consent of the authority in accordance with regulations 16 and 17, or of the Secretary of State in accordance with regulation 23, and, where such consent is given subject to conditions, in accordance with those conditions.

Application to trees to be planted pursuant to a condition

4. In relation to any tree identified in the first column of the Schedule by the letter “C”, being a tree to be planted pursuant to a condition imposed under paragraph (a) of section 197 (planning permission to include appropriate provision for preservation and planting of trees), this Order takes effect as from the time when the tree is planted.

Dated this 29th day of October 2015

Signed on behalf of the Lancaster City Council:

 A. Dobson

**Andrew Dobson DipEP MRTPI PDDMS
CHIEF OFFICER (REGENERATION AND PLANNING)**
Authorised by the Council to sign in that behalf

SCHEDULE

Specification of Trees

TREE PRESERVATION ORDER NO. 567(2015)

In relation to trees at Long Plantation, Ashton Hall Estate, Ashton Road, Ashton with Stodday, Lancashire

TREES SPECIFIED INDIVIDUALLY

(Encircled in a solid black line on map)

TREES SPECIFIED BY REFERENCE TO AN AREA

(Shown within a dotted black line on map)

GROUP OF TREES

(Shown within a broken black line on map)

WOODLAND

(Shown within a solid black line on map)

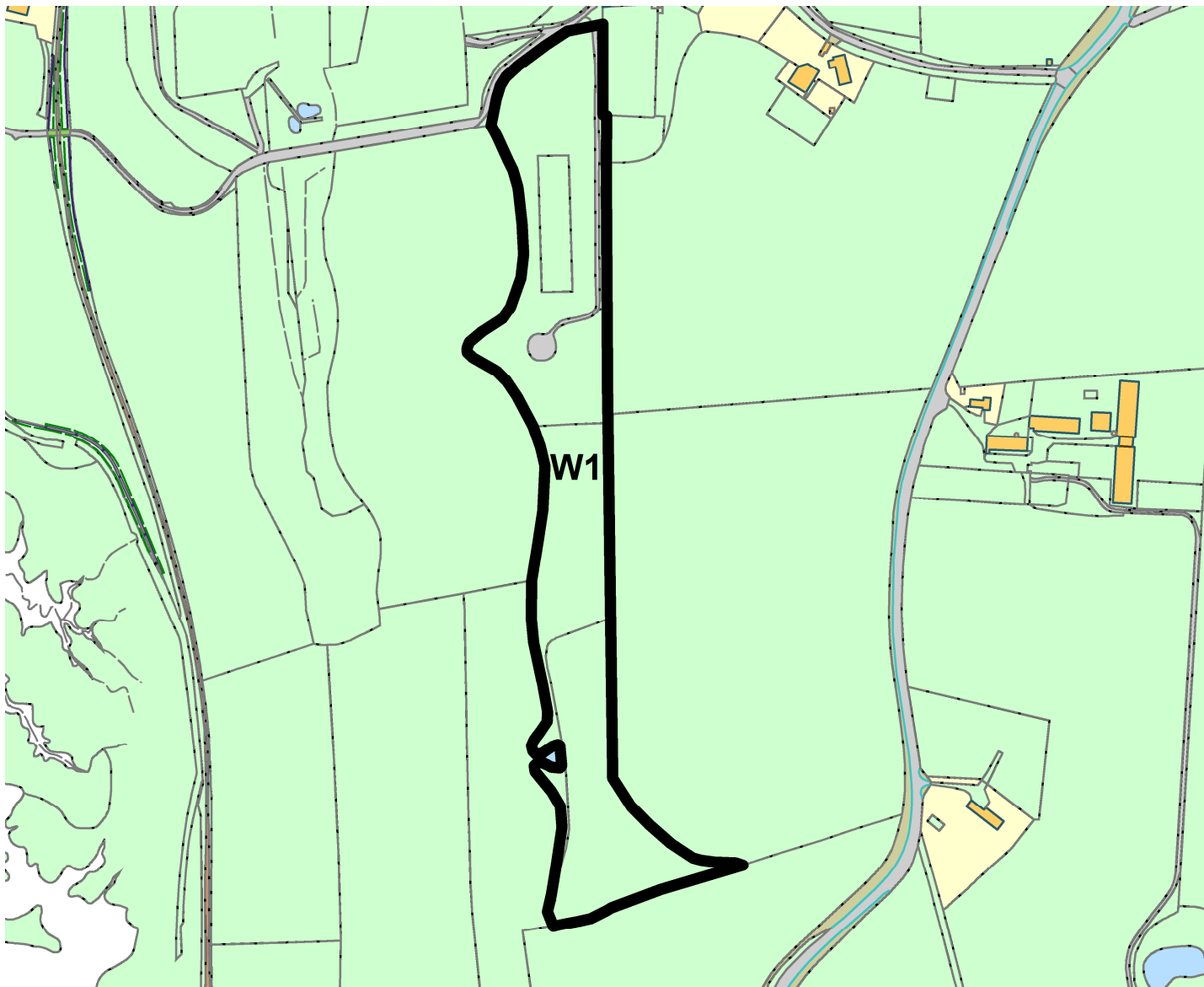
Reference on Map	Description	Situation
W1	Mixed broadleaf and coniferous species including sycamore, beech, ash, hawthorn, elm and pine trees along with any other species present.	Centred on (E) 345995 (N) 456773 grid ref:

Tree Preservation Order 567(2015)


Long Plantation Ashton Hall Estate Ashton with Stodday



GIS by ESRI (UK)



Legend



A. Dobson



Reproduced from the Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright 2000.

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Organisation	Not Set
Department	Not Set
Comments	Not Set
Date	29 October 2015
SLA Number	Not Set

Proposed New Tree Preservation Order No: 567 (2015)
Site: Long Plantation, Ashton Hall Estate, Ashton Road, Lancaster
Location of Trees: Woodland x1

Assessment:

I have assessed an area of woodland, known as “Long Plantation”, established within the Ashton Hal Estate, Lancaster, with regard to the suitability and the appropriateness of serving the woodland with a Tree Preservation Order.

The woodland does not lie within an Area of Outstanding Natural Beauty (AONB), or within a Conservation Area. As such, the woodland is not currently protected in law.

Background

Lancaster City Council was informed by a member of the public that trees were being felled within a woodland area, known as Long Plantation, within the wider Ashton Hall Estate.

Lancaster City Council’s Tree Protection Officer, visited the site. It was confirmed that trees had been removed from within Long Plantation, creating a significant open, clearing within the plantation, stumps had been removed with an excavator. Trees felled, and still in leaf included sycamore and elm. Most of the timber and tree stumps had been removed from the plantation and/or burned onsite.

We can confirm that authorisation was granted by the Forestry Commission, for the landowner to thin a total of x30 sycamore trees, equal to 15 cubic meters volume of timber, over the 5 year period. This was agreed under the terms of Felling License no. 010/220/10-11, issued January 2011, with an expiry date of 16.01.16. We understand from the FC that the current license had been issued to allow completion of works authorised under an earlier Felling License, issued by the Forestry Commission.

The current license was limited to “thinning” works only. We understand that the Forestry Commission will consider whether a breach in the aforementioned Felling License has occurred.

The land owner was advised not to carry out any further tree work operations within Long Plantation, until the matter had been consider duly by the Forestry Commission.

Trees within the plantation include a range of young, semi-mature, early-mature and mature trees, mainly broadleaf species including ash, sycamore, beech, hawthorn, elm and oak. There are also a range of coniferous species, including pine. The woodland forms a significant landscape feature, visible from a range of locations frequented by the general public. The plantation is also an important resource for a range of wildlife species, including the potential to provide habitat and foraging opportunities for protected species, such as nesting birds and bats. Certain habitats and species, including nesting birds and bats are subject to protection as laid out in the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010.

The intentions of the land owner are unclear, following the establishment of a significant clearly, devoid of trees within the heart of the plantation. Any level of land development has the potential to adversely impact upon trees and woodlands, through a range of direct and

indirect means. Whilst, a tree preservation order does not prevent or obstruct development, it does however, mean that existing trees and woodlands must be a material consideration within any future planning application that may affect the site.

Trees

For the purpose of this report the woodland in question, Long Plantation has been identified as **W1**. The woodland includes mixed species deciduous and coniferous species. It links to other similar areas of woodland nearby, helping to maintain important wildlife corridors and maintain significant landscape features.

The woodland can be clearly seen from the public domain, it is entirely in keeping with the character and appearance of this rural location. It forms a significant landscape feature.

Where trees are proposed for removal in excess of 5 cubic meters per calendar quarter, an application for a Felling License must be made to the Forestry Commission and authorisation granted prior to any such works being undertaken. A Felling License contains information and conditions relating to the work authorised.

Threat

Lancaster City Council considers the woodland to be under threat, sufficient to justify their protection with a tree preservation order at this time.

The amenity value of trees contained within **W1** have been assessed using a Tree Evaluation Method for Preservation Orders (TEMPO). TEMPO Assessment Score: 21+ - definitely merits a TPO.

A TPO does not prevent maintenance from being undertaken, subject to an agreed Woodland Management Plan, it does however, mean that all works with the exception of removal of deadwood must be agreed in writing by the local authority prior to undertaking work. All work must be undertaken in compliance to BS 3998 (2010) Tree Work.

Decision: To serve Tree Preservation Order no.567 (2015) under sections 198 of the Town & Country Planning Act 1990, in the interests of public amenity; affecting x1 area of woodland, comprised of mixed species broadleaf and deciduous species, including young, early-mature and mature trees.

The woodland in question has important amenity value. It represent a valuable wildlife resource and make links to other similar woodland within the wider locality.

Title	Tree Preservation Order no.567 (2015), Long Plantation, Ashton Hall estate, Ashton Road, Lancaster
Grounds	In the interest of public amenity and wildlife benefit. Potential threat from development and tree removal.
Designation	W1

Maxine Knagg BSc (Hons) Arboriculture
 Tree Protection Officer
 Regeneration & Planning Service

29.10.15

Arrows indicate public footpath and highway Public

Vantage
Points



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SURVEY DATA SHEET & DECISION GUIDE

Date: 29.10.15	Surveyor: M Knagg
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Woodland details TPO Ref (if applicable): 567 (2015)	Location: /OSGR: Long Plantation, Ashton Hall estate, Ashton Road, Lancaster	Owner (if known): Mr Roger Clarke	Composition: Mixed deciduous and coniferous species present
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REFER TO GUIDANCE NOTE FOR ALL DEFINITIONS

Part 1: Amenity assessment

a) Condition & suitability for TPO

- 10) Unmanaged – good/fair condition Highly suitable
- 8) Unmanaged – poor condition Very suitable
- 5) Excessively managed Suitable
- 2) Under good management Barely suitable
- 1) Derelict Unlikely to be suitable
- 0) Dead/dying/dangerous* Unsuitable

<p>Score & Notes 8. Fair to poor condition, some good conditions elements</p>
--

* Relates to existing context and is intended to apply to majority of main stand trees having severe irremediable defects

b) Naturalness & suitability for TPO

- 10) Ancient / ASN Highly suitable
- 8) Recent semi-natural Very suitable
- 5) Replanted ancient Suitable*
- 2) Recent native plantation Barely suitable
- 1) Pioneer dominant Unlikely to be suitable
- 0) Recent exotic plantation Unsuitable

<p>Score & Notes 8</p>

* If few old growth trees present & little or no regen consider TEMPO tree/group assessment

c) Size (ha) & suitability for TPO

- 10) 100 + Extremely suitable
- 8) 10 - <100 Highly suitable
- 5) 5 - <10 Very Suitable
- 2) 0.25 to <5 Suitable
- 1) 0.1 – <0.25 Barely suitable
- 0) < 0.1 Unsuitable (consider TEMPO tree/group assessment)

<p>Score & Notes 2 – up to 4 hectares</p>
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d) Cultural factors

Woodland must have accrued 13 or more points (with no zero score) to qualify

- 10) Historical record / vital landscape feature / ≥10% veteran tree population present
- 8) SSSI or other national designation; significant landscape / habitat importance
- 5) Woodland with local designation / high public use / identifiable habitat value
- 2) Woodland with internal public access (use light or unknown) / some habitat value
- 1) Woodland adjacent to highway or with external public access / low habitat value
- 0) Woodland with none of the above additional features inc. minimal habitat value

<p>Score & Notes: 2. Important wildlife and habitat value, important landscape feature</p>

Part 2: Expediency assessment

Woodland must have accrued 15 or more points to qualify

- 5) Immediate threat to overall woodland
- 4) Immediate risk of significant loss / severe fragmentation
- 3) Foreseeable risk of significant loss / severe fragmentation
- 2) Foreseeable risk of partial loss / fragmentation
- 1) Precautionary only

<p>Score & Notes: 2.</p>

Part 3: Decision guide

- Any 0 Do not apply TPO
- 1-12 TPO indefensible
- 13-15 Does not merit TPO
- 16-20 TPO defensible
- 21 + Definitely merits TPO

<p>Add Scores for Total: 21+</p>

<p>Decision: Definitely merits TPO</p>

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