

**Site: 57, Thirlmere Road, Lancaster, LA1 3LL**  
**Proposed New TPO: A single mature cherry tree**

**Assessment:**

Lancaster City Council received a request from a member of the public/ owner of a mature cherry tree, growing within the curtilage of the above property to be considered for protection with a tree preservation order (TPO).

The tree is established within the rear garden of the private residential property, close to a boundary line with a neighbouring property. The owner would like the tree to be considered for protection with a TPO to prevent any unjudicial damage to either the above or below ground tree structures.

**Tree**

For the purpose of this report the tree has been identified as T1. It has been assessed for its suitability to be protected with a tree preservation order.

The tree is established to the rear of the property and as such has limited visual benefit beyond its curtilage. However, T1 is entirely in keeping with its domestic situation, making a positive contribution to greening and partial screening within this otherwise heavily urbanised locality. It offers opportunities for a potential range of wildlife.

T1 has the potential to provide habitat and foraging opportunities for protected species, including nesting birds and bats. Both groups of wildlife are protected under the Wildlife & Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010. Care must be taken to ensure that protected species are not disturbed or harmed and in so doing avoid a criminal offence from occurring; if protected species are present, work must not start and further appropriate advice must be sought.

Trees must be assessed for the presence of protected species. Where there is evidence that bats, birds or other protected species are present, the statutory nature conservation organisation must to be consulted prior to commencement of any tree work operations.

It should be noted that a tree preservation order (TPO) prevent unjudicial management of the tree, including protection to the root system, trunk and canopy. Anyone wishing to have work considered to the tree, must first obtain written authorisation from the local authority. It is an offence to lop, top, fell, uproot, prune or otherwise damage any such tree without written authorisation. Anyone found guilty of an offence on a Magistrates Court is liable to a maximum fine of £20,000.

T1 has been assessed using a Tree Evaluation Method for Preservation Orders (TEMPO). A score of 11 was achieved, this supports its protection with a tree preservation order.

**Decision**

Lancaster City Council intends to protect T1, cherry with a tree preservation order, as a precaution.

T1 will be protected with Tree Preservation Order no. 621 (2017), in the interest of amenity and wildlife benefit.

***Maxine Knagg BSc Arboriculture  
Tree Protection Officer  
Regeneration & Planning Service***

***Date: 14.08.17***