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Our Ref: TPO NO. 397 (2006)  
Your Ref:

**Planning Services**

See attached names and addresses

**Andrew Dobson**  
**Head of Planning Services**

Palatine Hall  
Dalton Square  
LANCASTER LA1 1PW

23 November 2006

Dear Sir/Madam

**IMPORTANT - THIS COMMUNICATION MAY AFFECT YOUR PROPERTY**

TOWN AND COUNTRY PLANNING ACT 1990  
TOWN AND COUNTRY PLANNING (TREES) REGULATIONS 1999

**Tree Preservation Order: 397 (2006)**  
**Lancaster City Council:- LAND BETWEEN LANCASTER BOYS CLUB AND**  
**Nos. 9-17 VILLAS COURT, DALLAS ROAD, LANCASTER**

**THIS IS A FORMAL NOTICE** to let you know that on 14 November 2006 the Council made the above tree preservation order.

A copy of the order is enclosed. In simple terms, it prohibits anyone from cutting down, topping or lopping any of the trees described in the First Schedule and shown on the map without the Council's consent.

Some explanatory guidance on tree preservation orders is given in the enclosed leaflet, *Protected Trees: a guide to Tree Preservation Orders*, produced by the Department of the Environment, Transport and the Regions.

THE COUNCIL HAVE MADE THE ORDER BECAUSE:-

**The trees are of significant importance to the amenity of the area.**

The Order took effect, on a provisional basis, from 15 November 2006. It will continue in force on this basis for a further 6 months or until the order is confirmed by the Council, whichever first occurs.

The Council will consider whether the order should be confirmed, that is to say, whether it should take effect formally. Before this decision is made, the people affected by the order have a right to make objections or other representations about any of the trees, groups of trees or woodlands covered by the Order.

If you would like to make any objections or other comments, please make sure we receive them in writing within 28 days of receiving this notice. Your comments must comply with regulations 4 of the Town and Country Planning (Trees) Regulations 1999, a copy of which is enclosed. Send your comments to Lancaster City Council, Planning and Building Control, Palatine Hall, Dalton Square, Lancaster LA1 1PW. All valid objections or representations are carefully considered before a decision on whether to confirm the Order is made.

The Council will write to you again when that decision has been made. In the meantime, if you would like any further information or have any questions about this letter, please contact Anne Shepherd at Lancaster City Council, Planning Services, Palatine Hall, Dalton Square, Lancaster LA1 1PW or telephone (01524) 582346.

Yours faithfully

A handwritten signature in black ink, appearing to read 'A. Dobson', written in a cursive style.

**ANDREW DOBSON**  
**HEAD OF PLANNING SERVICES**

COPY OF REGULATION 4 OF THE TOWN AND COUNTRY PLANNING (TREES)  
REGULATIONS 1999-12-02

*Objections and representations*

4(1) *Subject to paragraph (2), objections and representations*

(a) *shall be made in writing and*

- (i) *delivered to the authority not later than the date specified by them under regulation 3(2)c; or*
- (ii) *sent to the authority in a properly addressed and pre-paid letter posted at such time that, in the ordinary course of post, it would be delivered to them not later than that date;*

(b) *shall specify the particular trees, groups of trees or woodlands (as the case may be) in respect of which the objections or representations are made; and*

(c) *in the case of an objection, shall state the reasons for the objection.*

4(2) *The authority may treat as duly made objections and representations which do not comply with the requirements of paragraph (1) if, in the particular case, they are satisfied that compliance with those requirements could not reasonably have been expected.*

Contact: Planning Services  
Telephone: 01524 582381  
FAX: 01524 582323  
Email: [mknagg@lancaster.gov.uk](mailto:mknagg@lancaster.gov.uk)  
Website: [www.lancaster.gov.uk](http://www.lancaster.gov.uk)

**Planning Services**  
**Maxine Knagg**  
**Tree Protection Officer**

Palatine Hall  
Dalton Square  
LANCASTER LA1 1PW

Date: 9<sup>th</sup> November 2006

**Re: Proposed New Tree Preservation Order – land between Lancaster Boys Club and nos. 9-17 Villas Court, Dallas Road, Lancaster.**

## **1.0 Introduction**

1.1 **Site:** The land in question is established between the main building of Lancaster Boys Club and nos. 9-17 Villas Court, Dallas Road, and is under the control of Lancaster Boys Club. The locality is a popular residential area characterised by terraced and semi-detached properties. There are also, occasional commercial premises, a school and public car park close by.

1.2 **Scope and limitation of this report:** This is an arboriculture report restricted to the trees subject to the proposed new Tree Preservation Order. The information provided within this report has been gathered by means of a preliminary visual tree assessment restricted to ground level observations and inspection at the time of the site visit. An objective appraisal of the amenity value of the trees in question has also been undertaken using a *Tree Evaluation Method for Preservation Orders (TEMPO)*. It should be noted that trees are dynamic, living organisms subject to changes in weather, climate, pest and disease, development activities and site conditions.

## **2.0 Site Visit**

2.1 **Date:** Undertaken 09<sup>th</sup> November 2006.

2.2 **Brief Site Description:** There is a railway line established close to the western boundary of the site with the public highway of Dallas Road to the east.

**2.3 Identification and condition of the trees:** There are 33 trees subject of this report, referenced as G1, G2 and G3. Species include Italian Alder, Common Alder, Sycamore, Norway Maple, Goat Willow, Ornamental Cherry, Lime and Larch.

**G1** is a group formed along the eastern boundary of the site adjacent to Dallas Road. This group includes a line of 11x Ornamental Cherry; 1x Common Alder; 1x Larch and 1x Sycamore. Trees within this group are of a good overall condition, health and vigour status. Branches from these trees overhang the public highway.

**G2** is group formed along the southern boundary of the site, and includes 3x Common Alder; 1x Italian Alder; 1x Lime; 2x Sycamore and 4x Norway Maple. Trees within this group are of a good overall condition, health and vigour status. Branches from these trees overhang the rear boundary of residential properties nos. 10-17 Villas Court. A number of these trees have been pruned in the past; brash (pruned branches) has accumulated beneath the canopy of a number of trees. In addition, there is 1x Sycamore and 1x Lime opposite the rear of no.9 Villas Court, both of these trees have been pruned very heavily (topped) in the past, because of their poor overall condition they will not be the subject of any future Tree Preservation Order.

**G3** is group formed along the western boundary of the site at the base of a steep railway embankment. This group is comprised of 3x Sycamore; 2x Italian Alder; 2x Common Alder and 1x Cockspur Thorn.

### **3.0 Tree Preservation Order**

3.1 The amenity value of the trees in question has been assessed using an objective and systematic approach; the *Tree Evaluation Method for Tree Preservation Orders (TEMPO)* system) has been used. A score of 15+ was accumulated, supporting the use of a Tree Preservation Order.

3.2 Lancaster City Council consider it expedient in the interests of amenity to make provision for the preservation of the trees in question **under sections 198 (201) and 203 of the Town & Country Planning Act 1990**. Lancaster City Council cite the following reasons:

- All trees are clearly visible from Lancaster Boys Club, the public highway, a large number of residential properties, and railway.
- The trees are important landscape features in terms of their form, size and contribution to local amenity.
- Important wildlife value in an inner city centre area with few other opportunities for large groups of trees to grow to maturity.

#### **4.0 Recommendation**

**4.1 Serve a Tree Preservation Order under sections 198 (201) and 203 of the Town & Country Planning Act 1990.**

**Maxine Knagg BSc (Hons) Arboriculture  
Tree Protection Officer  
Planning Services  
Lancaster City Council**

R:

Returned

Tree Preservation Order No. 397 (2006)

Villas Court, Dallas Road, Lancaster LA1 1TR

Nos.	Names
9	<del>Imayat &amp; Marian Munshi</del>
10	<del>Farzana &amp; Mustaq A. Khoda</del>
11	<del>Martin Wyeth</del>
12	The Owner/Occupier R 6/12/06
14	The Owner/Occupier R 6/12/06
15	The Owner/Occupier
16	<del>Bilal, Ikram, Salma &amp; Wajmunnisha Dela</del>
17	<del>Abdulla, Bilkish &amp; Riaz Munshi</del>

No Number 13.

12, 14 and 15 – Names not registered in the electoral file.

And:

Lancaster Boys Club  
Dallas Road  
Lancaster  
LA1 1TR

For the attention of Colin Hewitt - Manager