

06/00075/TRN

City of Bradford Metropolitan District Council

www.bradford.gov.uk

Memo

Legal and Democratic Services

To: ~~Simon Keenan
Trees Team
Planning Service
3rd Floor Jacobs Well~~

Development & Regulatory Law Team
City Hall
Bradford
West Yorkshire
BD1 1HY
DX11758 BRADFORD -1

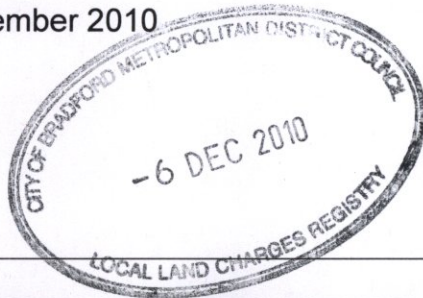


Ref: ENF/REPLANTING/2010/ZAINS

From: Kevin Haley
Legal Officer
Development & Regulatory Law Team

Date: 30 November 2010

Tel: (01274) 432232
Fax: (01274) 434242
My Ref: LEG/DEV/KH/ST/71130
Email: Kevin.haley@bradford.gov.uk



TOWN AND COUNTRY PLANNING ACT 1990 - SECTION 207 LAND AT 224-226 LEGRAMS LANE BRADFORD

I write to inform you that I have recently issued a **Tree Replacement Notice** in respect of the above site. Please find attached a copy for your records.

K Haley

Notice takes effect: 18/01/2011.

Encs

cc **The Local Land Charges Officer**
4th Floor
City Hall

The Aboriculturalist Officer
Jacob's Well

Department of Regeneration
The Area Planning Officer
3rd Floor Jacobs Well

Registered: 09/02/2011
PT563466.

*FILE WITH TPO
06/00075*

(LegramsIn224.M1)
G:\DEVELOPMENT\STDS\TRN11.DOT (Revised September 2007)

these trees are on original notice?



IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

**TOWN AND COUNTRY PLANNING ACT 1990
AS AMENDED BY**

PLANNING AND COMPENSATION ACT 1991

TREE REPLACEMENT NOTICE

**THE CITY OF BRADFORD METROPOLITAN DISTRICT COUNCIL
LAND AT 226 LEGRAMS LANE BRADFORD
TREE PRESERVATION ORDER 2006**

CITY OF BRADFORD METROPOLITAN DISTRICT COUNCIL

1. THIS NOTICE is served by the Council under Section 207 of the Town and Country Planning Act 1990 ("the Act") because it appears to them that you have not complied with conditions of consent granted under the above Tree Preservation Order to plant replacement trees.

2. THE LAND AFFECTED

Land at 224-226 Legrams Lane, Bradford shown edged red on the attached plan ("the site").

3. REASONS FOR SERVING NOTICE

- (i) On 16 July 2008 the Council granted consent to fell a Poplar tree protected by the above Tree Preservation Order subject to a condition to plant replacement trees.
- (ii) On 20 October 2009 the Council granted consent to fell three Sycamore trees, one Ash tree and one Hawthorn tree protected by the above Tree Preservation Order subject to a condition to plant replacement trees.

4. WHAT YOU ARE REQUIRED TO DO

You are now required to plant six fastigiata Hornbeam (*carpinus betulus fastigiata*) in a line to the front of the site in the locations marked "x" on plan 06/00075/TRN attached hereto. The trees should be 12-14 cm girth, rootballed and staked and tied in accordance with good arboricultural practice.

The trees should be planted within a suitable planting pit and growing medium as specified in JCA Survey 8815A/AJB dated 15 July 2009 attached hereto.

Time for compliance: 28 days from the date stated in paragraph 5 below.

5. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 18 January 2011 unless an appeal is made against it beforehand.

Dated: 30 November 2010

Signed: *S. Channing*

Assistant Director Corporate Services (City Solicitor)
Legal and Democratic Services
City of Bradford Metropolitan District Council
City Hall
Bradford
BD1 1HY

ANNEX

YOUR RIGHT OF APPEAL

You can appeal to the Secretary of State for Communities and Local Government against this notice by writing to The Planning Inspectorate, Environment Team, 4/04 Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN. Your appeal must be received, or posted in time for it to be received before 18 January 2011. You can appeal on any one or more of the following grounds:-

- (1) that the provisions of the duty to replace trees or, as the case may be, the conditions of consent requiring the replacement of trees are not applicable or have been complied with;
- (2) that in all the circumstances of the case, the duty to replace trees should be dispensed with in relation to any tree;
- (3) that the requirements of the notice are unreasonable in respect of the period or the size or species of trees specified in it;
- (4) that the planting of a tree or trees in accordance with the notice is not required in the interests of amenity or would be contrary to the practice of good forestry;
- (5) that the place on which the tree is or trees are required to be planted is unsuitable for that purpose.

You must also state the facts on which your appeal is based.

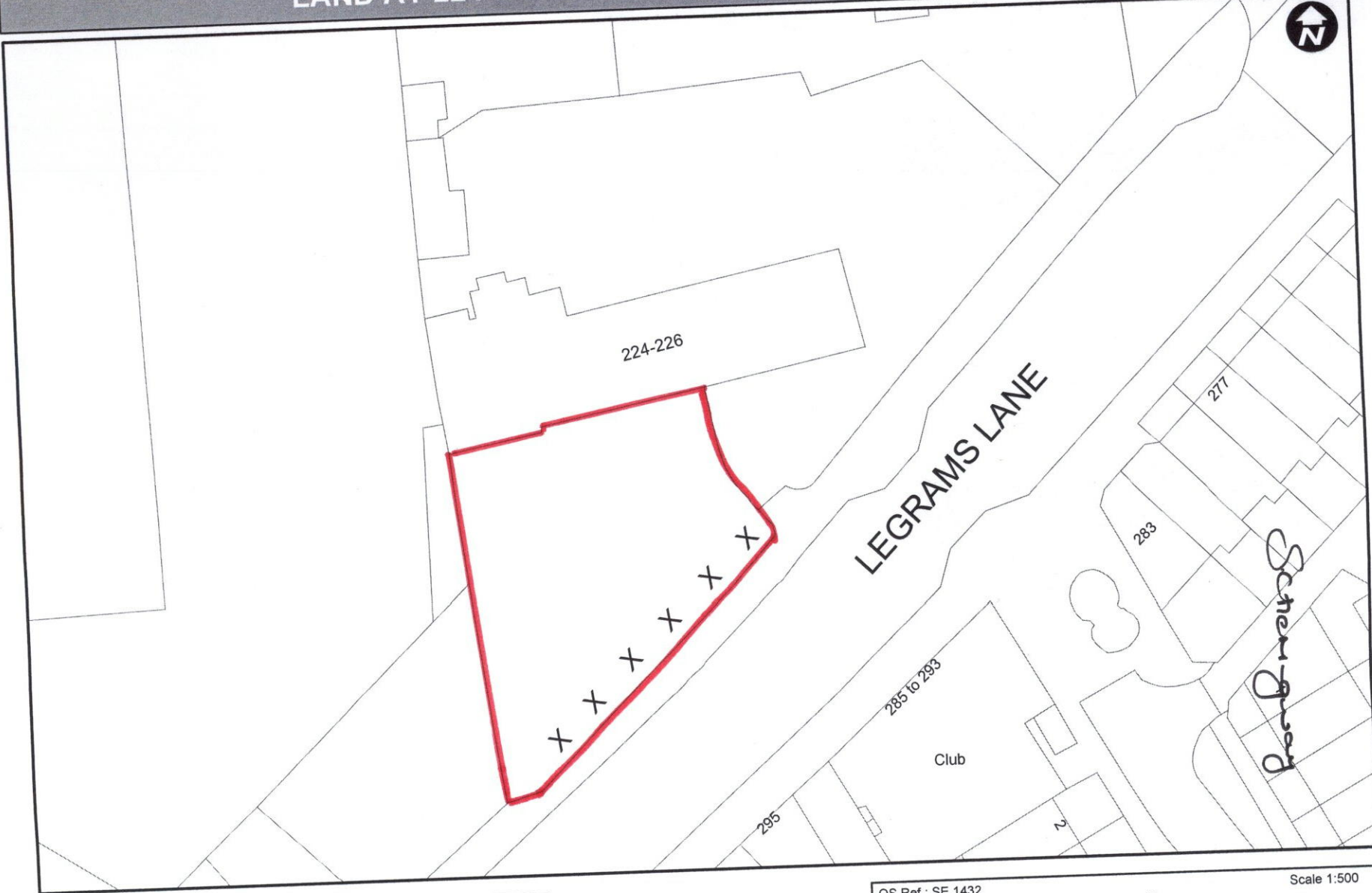
FAILURE TO COMPLY

If you do not comply with this notice, the Council may enter the land, plant the tree(s) and recover from you any reasonable expenses incurred.

ADVICE

If you have any questions about this notice or would like some advice on how to comply with it, please contact Simon Keenan, Arboriculturalist Officer on telephone 01274 434297.

**TREE REPLACEMENT NOTICE 06/00075/TRN
LAND AT 224-226 LEGRAMS LANE, BRADFORD**



Tree Replacement Notice
No. 06/00075/TRN
224/226 Legrams Lane
Bradford
BD7 2HR

DEPARTMENT OF REGENERATION
Jacobs Well
Bradford
BD1 5RW

OS Ref : SE 1432
Reproduced from the Ordnance Survey map with
the sanction of HM Stationery Office
Crown Copyright reserved
LA076120

Scale 1:500

Aug 2010

**ARBORICULTURAL
METHOD STATEMENT
to BS 5837:2005
at
Zain Superstore
224-226 Legrams Lane
Bradford
BD7 2HR**

Client:
Ghulam Mustafa

Client Address:
Zain Superstore
224-226 Legrams Lane
Bradford
BD7 2HR

Client Telephone:
01274 577022

My Ref:
8851A/AJB

**PLANNING SERVICE
RECEIVED
15 JUL 2009**

1 Introduction

1.1 Purpose of the Method Statement

- 1.1.1 This Method Statement has been prepared to ensure good practice in the protection of trees during the proposed development at Zain Superstore.

1.2 Terms of Reference

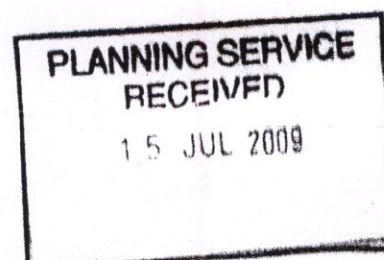
- 1.2.1 We are instructed by Ghulam Mustafa to prepare a Method Statement for proposed development based on our arboricultural report dated 9th February 2009 (Reference 8851/AJB). The survey and report conform to the most recent specifications outlined in BS 5837:2005 *Trees in Relation to Construction*.
- 1.2.2 This Method Statement relates to Planning Application number 09/00924/FUL which received by the Bradford Planning Office on the 5th January 2009.
- 1.2.3 For this purpose I have been supplied with a development layout; Drawing No. 181/08/06.

1.3 Status of the Method Statement

- 1.3.1 This Method Statement should be included as part of the specification and schedule of works issued to the building contractor, and can form part of the contract.
- 1.3.2 The Method Statement should be available on site for inspection by local authority officers, contractors and other relevant persons.

1.4 Description of The Development

- 1.4.1 It is proposed to construct new car parking bays, footpaths and tree and shrub planting beds along with tree planting pits within the grounds of the site. The site plan at Appendix 4 illustrates this proposal.



3 Tree Planting Scheme

3.1 Purpose of the Planting Scheme

- 3.1.1 All trees within the site are to be removed, some for arboricultural reasons and others at the request of the Tree Officer in order to facilitate the introduction of new planting.
- 3.1.2 Additional trees are to be planted to replace those trees protected by a Tree Preservation Order, this being the requirement of the Tree Officer, Simon Keenan.

3.2 Site Preparation

- 3.2.1 No site preparation is therefore required other than the completion of all construction and the installation of the shrub and tree planting bed, as shown on the site plan at Appendix 4.

3.3 Species Selection Criteria

- 3.3.1 The new trees are to be planted in a high amenity area which is visible by passing pedestrians and traffic through all parts of the day. As such trees which provide a high amenity at an early-mature age have been selected for this sight.
- 3.3.2 Two different species have been selected to give contrasting visual aspects at different times of the year.

3.4 Planting Position and Selection

- 3.4.1 Please refer to the site plan at Appendix 4 for tree planting positions.
- 3.4.2 The table below details tree stock, size and quantity. Common names are listed along with the Botanical name for each tree.

Common Name	Botanical Name	Size	Number Required
Hornbeam	<i>Carpinus betulus</i>	Heavy standard root balled	12
Small leafed Lime	<i>Tilia cordata</i>	Heavy standard root balled	4

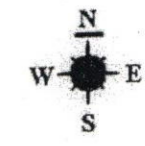
PLANNING SERVICE
RECEIVED

15 JUL 2009

Ref No.	Age & Species & Latin Name	Height (m)	Crown Height (m)	Stem Diameter (cm)	Crown Spread			Observations	Recommendations	Physiological Condition & Structural Condition	Amenity Value	Life Expectancy (yrs)	Retention Category
					W	N	E						
T1	Mature Sycamore <i>Acer pseudoplatanus</i>	16	3	Est 82	7.5	6	6	Situated on adjacent land with its crown overhanging the road. Single stemmed and vertical with a balanced crown. Multiple pruning wounds. No major visible defects.	No action required.	GOOD GOOD	H I G H	40+	A
T2	Semi-mature Sycamore <i>Acer pseudoplatanus</i>	12	2.5	36	5.5	2	2	Severely leaning and of poor form. Large vertical scar present from base contains decay and fungal growth.	Remove for arboricultural reasons.	FAIR POOR	M O D	<10	R
T3	Mature Sycamore <i>Acer pseudoplatanus</i>	3	/	70	/	/	/	Stem remaining after removal of tree crown.	Remove for arboricultural reasons.	DEAD POOR	L O W	<10	R
T4	Early-mature Beech <i>Fagus sylvatica</i>	18	2	68	6	5	5	Crown overhangs the road. Single stemmed and vertical with a balanced crown. Multiple Pruning wounds. Vertical scar from base to 3.5m. Cavity from base to 0.5m opens up within tree to hollow stem.	Remove for arboricultural reasons.	GOOD POOR	H I G H	<10	R
T5	Early-mature Sycamore <i>Acer pseudoplatanus</i>	14	4	5	4	3	2	Single stemmed and leaning with an unbalanced crown containing deadwood and dieback. Multiple Pruning wounds. Vertical scar from base to 1.5m.	Remove for arboricultural reasons.	FAIR POOR	M O D	<10	R
T6	Early-mature Hawthorn <i>Crataegus monogyna</i>	12	2	39	3	3	3	Situated in raised bed with crown overhanging the road. Single stemmed and vertical with a balanced crown. Multiple pruning wounds. No major visible defects. Branch stub at 1.5m.	Remove to facilitate the new planting bed.	GOOD GOOD	H I G H	20-40	B
T7	Mature Ash <i>Fraxinus excelsior</i>	16	3.5	Est 75	6	5	6	Situated in raised bed with crown overhanging the road. Single stemmed and vertical with a balanced crown with deadwood present. Multiple pruning wounds. No major visible defects though ivy prevented detailed inspection.	Remove to facilitate the new planting bed.	GOOD GOOD	H I G H	40+	B
T8	Mature Ash <i>Fraxinus excelsior</i>	16	3	86	6.5	6.5	6.5	Situated in raised bed with crown overhanging the road. Single stemmed and vertical with a balanced crown with deadwood and bacterial canker present. Large cavity present at base leading to hollow stem with major internal decay.	Remove for arboricultural reasons.	FAIR POOR	H I G H	<10	R
T9	Early-mature Sycamore <i>Acer pseudoplatanus</i>	9	3	44	5	4	3	Crown overhangs the road. Tree of poor form. Single stemmed and leaning with a balanced crown. No evidence of significant pruning. No major visible defects.	Remove to facilitate the new planting bed.	GOOD GOOD	M O D	20-40	C

PLANNING SERVICE
RECEIVED

15 JUL 2006



Appendix 4: Site Plan

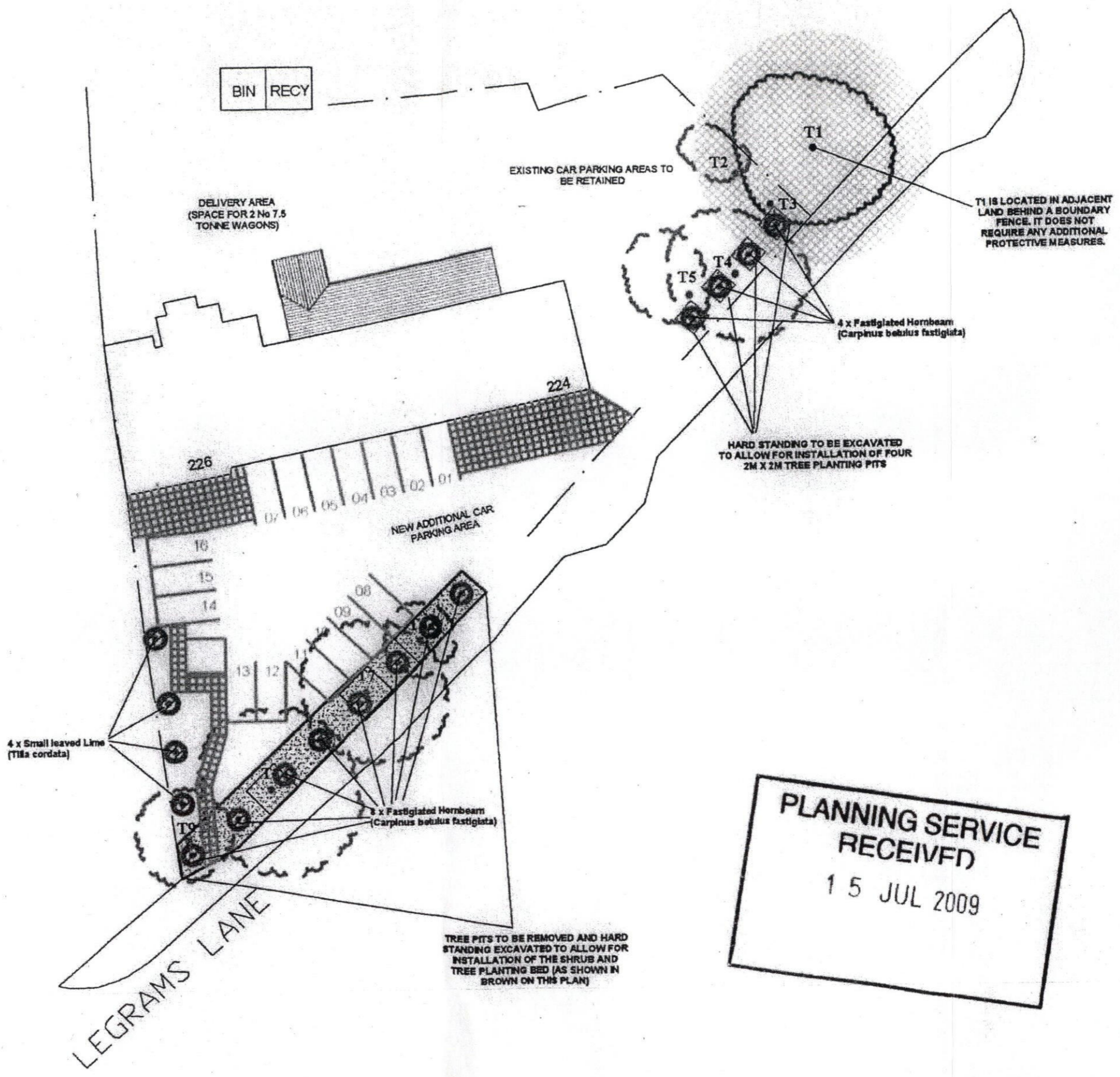
TITLE:
224-226 Legrams Lane, Bradford, West Yorkshire.
JCA Ref: 8851A/AJB.

SCALE: 1:500 PAPER SIZE: A4

	TREE TO BE RETAINED
	TREES TO BE REMOVED
	CENTRE OF TREE TO BE RETAINED
	CENTRE OF TREE TO BE REMOVED
	ROOT PROTECTION AREA (RPA)
	PROPOSED NEW DEVELOPMENT
	PROPOSED NEW PLANTING

JCA LTD
Arboricultural & Forestry Consultants

Arboricultural Association
Consultant



PLANNING SERVICE RECEIVED
15 JUL 2009