

Report to Development Control Committee

Agenda
Item:
A.3

Meeting Date: 22nd November 2019
Portfolio: Economy, Enterprise and Housing
Key Decision: Not Applicable:
Within Policy and Budget Framework
Public / Private Public

Title: REVIEW OF TREE PRESERVATION ORDERS 148 & 247 AND
THE MAKING OF TREE PRESERVATION ORDERS 307 & 308,
GARLANDS, CARLISLE
Report of: CORPORATE DIRECTOR OF ECONOMIC DEVELOPMENT
Report Number: ED.38/19

Purpose / Summary:

This report updates members of the committee on matters raised following a review that has been undertaken on protected trees around the Garlands Estate, Carlisle.

Recommendations:

To confirm both new Orders TPO 307 and TPO 308 (with modifications) and revoke Orders 148 and 247.

Tracking

Executive:	
Scrutiny:	
Council:	

1. BACKGROUND

- 1.1 In March 2014, the Government published guidance on Tree Preservation Orders and Trees in Conservation areas. The Ministry of Housing, Communities and Local Government state that authorities are advised to keep their Orders under review. Indeed, the PPG in Paragraph: 051 Reference ID: 36-051-20140306 (Revision Date 06/03/2014) states:
- “Reassessing Orders helps to ensure that protection is still merited and Orders contain appropriate classifications. Authorities are advised to keep their Orders under review. For example, authorities should consider reviewing Orders protecting trees and woodlands affected by development or other change in land use since the Order was made. In addition, authorities may wish to set up a programme to review Orders that include the area classification.”*
- 1.1 TPO 148 ‘Land at the Garlands Hospital’ was confirmed in September 1999, in order to protect established trees prior to development commencing in 2001. TPO 247 ‘the Former Garlands Hospital’ was later confirmed in September 2009. Both orders and ‘statement of reasons’ are attached to this report as **Appendix A**.
- 1.2 Since making these orders, development has resulted in the original maps now bearing little resemblance to what is actually on the ground, which is the primary reason for reviewing the Orders.
- 1.3 There have been many applications to carry out tree works over the years, as well as trees failing, (the most recent being a large Beech Tree falling onto Grade II Listed Building ‘Worthington Place’).
- 1.4 A review was undertaken earlier this year on our behalf, by Amey Construction who are experienced Arboriculturalists. The exercise carried out a visual tree assessment from ground level using the Forbes-Laird Tree Evaluation Method for Preservation Orders (TEMPO). Their report was received and can be seen as **Appendix B**.
- 1.5 A summary of findings can be found on page 3 of the report. The main points to note are:
- i) 252 features (trees and tree groups) were assessed, of which, 68 were missing, 155 warranted protection, with 29 no longer worthy of protection.
 - ii) Approximate position of inspected trees was plotted on a Location Plan.
 - iii) No detailed inspection of individual trees was undertaken on private property

- iv) Any garden trees that merit protection were scored mainly on their amenity value, retention span and visibility score.
- v) In general, the site appeared to have been well managed over the past 20 years.

1.6 New Orders were drawn up to reflect the report (TPO307 and TPO308) including a recommendation to add a group of trees (G14 on TPO307) behind The Coppice NHS Building, along with 3 new trees that merit protection T56, T71A and T112A in TPO308.

1.7 A consultation period of one month, ending 14th October 2019. **Appendix C.** Representations were received from residents of Pennine View and also a tree consultant who has carries out regular work on the sites over the past 20 years.

Appendix D

The main points to note from their objections are:

- i) There are many mature trees situated in small gardens. These trees have now outgrown their position and are causing a great deal of concern to residents during high winds and storms.
- ii) The report has failed to undertake a thorough assessment of these trees and have mainly been assessed on amenity value from the kerbside.
- iii) 'other factors' such as defects, weak unions, possible disease of these garden trees have not been considered, which could be a potential safety issue.
- iv) The retention span of these trees has scored highly and could be questioned given that they are middle aged and in an exposed location.

2. PROPOSALS

2.1 Taking the above observations into account, the main area of concern is around Pennine View and Worthington Place, where some mature trees are situated in close proximity to properties and in small elevated gardens.

2.2 Further advise has been sought from Forbes-Laird Arboricultural Consultancy following individual site visits and assessments that were undertaken last month by ourselves. This has resulted in identifying 12 mature trees (7 Sycamore, 3 Beech, 1 Lime and 1 Horse Chestnut) that qualify under their TEMPO scoring model (either under Part 1b 'Amenity assessment', or d) 'other factors') as being unsuitable to be included in the Order. Reasons for this being:

- Future growth potential
- Habitat
- Crown density

- Effect on living conditions (including restrictive light into properties)
- Future management of these mature trees is becoming difficult given their close proximity to buildings

2.3 New scorings have been recorded on the following trees, resulting in them failing to achieve suitability.

- 131,132,138,142,144,146,147,171,179,180,191,192 **Appendix E**

This could result in the land owners doing works to trees or removing the trees if they so wish without consent needed from the local planning authority or having to plant a replacement tree.

2.4 As a result of these trees not qualifying for protection the draft TPO 308 would have to be confirmed with modification to exclude the 12 trees referred to above
Appendix F

3. CONCLUSION AND REASON FOR RECOMMENDATIONS

3.1 Taking the objection reasons into account along with new scorings of the 12 trees, it would be appropriate to recommend confirming TPO 308 (with modification to exclude 12 trees), confirm TPO 307 and revoke Orders 148 and 247.

Appendices attached to report:	Appendix A – Tree Preservation Orders 148 and 247
	Appendix B – Amey Construction report
	Appendix C – Tree Preservation Orders 307 and 308
	Appendix D – Objections
	Appendix E – TEMPO scorings
	Appendix F – Proposed TPO 308 as modified

Note: in compliance with section 100d of the Local Government Act 1972 the report has been prepared in part from the following papers: TPO 148 and TPO 247

CORPORATE IMPLICATIONS:

LEGAL - The validity of the tree preservation order cannot be challenged in any legal proceedings except by way of application to the High Court. An application must be made within six weeks from the date of the confirmation of the tree preservation order.

This tree preservation order needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the third party, who has made representations, has the right to a fair hearing and to this end the Committee must give full consideration to their comments.

Article 8 and Protocol 1 Article 1 confer(s) a right of respect for a person's home and a right to peaceful enjoyment of one's possessions, which could include a person's home, other land and business assets. In taking account of all material considerations, including Council policy it is considered that some rights conferred by these Articles on the residents/objectors and other occupiers and owners of nearby land that might be affected may be interfered with but that interference is in accordance with the law and justified by being in the public interest and on the basis of the restriction on these rights posed by confirmation of the tree preservation order is proportionate to the wider benefits of approval and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

FINANCE – n/a

EQUALITY – n/a

INFORMATION GOVERNANCE – n/a

Carlisle City Council**INTERNAL MEMORANDUM**

From:	City Solicitor and Secretary	Please ask for:	Mr S Halstead
To:	Director of Environment and Development	Extension:	7035
Fao:	Jillian Hale, Local Plans Section	E-mail:	
		Your ref:	
		Our ref:	SH/DS/PG.3/71
			20 December 1999

**RE: CONFIRMATION OF TREE PRESERVATION ORDER NO. 148
LAND AT GARLANDS HOSPITAL, CARLISLE**

I refer to your recent telephone call and confirm that I have today written to interested parties informing them that the above Tree Preservation Order has been **confirmed** with modifications. A copy of the amended Order is enclosed for your records.

City Solicitor and Secretary

TPO 148	
21 DEC 1999	
RECORDED	21 12 99
EXAMINED	100
PASSED TO	JCH
ACTION	N/A

Town and Country Planning Act 1990

*Insert title
of Order
(including
year)*

The City of Carlisle (Garlands Hospital)

TREE PRESERVATION ORDER, 1999 (No 148)

*Insert name
of Council*

The Council of the City of Carlisle
in exercise of the powers conferred on them by sections 198 [, 201^(a)] [and] 203 [~~and 200~~] of the Town and
Country Planning Act 1990^(b), [~~and with the consent of the~~]

*Insert name
of
appropriate
authority*

hereby make the following Order:—

Citation

*Insert title
of Order
(including
year)*

1. This Order may be cited as The City of Carlisle (Garlands Hospital)
Tree Preservation Order 1999 (No 148)

Interpretation

*Name of
Council
making the
Order*

2. In this Order "the authority" means the Council of the City of Carlisle
and unless the context otherwise requires, any reference in this Order to a numbered section is a reference
to the section so numbered in the Town and Country Planning Act 1990.

[Application of section 201

Insert date

3. The authority hereby direct that section 201 (provisional tree preservation orders) shall apply to this
Order and, accordingly, this Order shall take effect provisionally on 10 September 1999

Prohibited acts in relation to trees

4. Without prejudice to subsections (6) and (7) of section 198 (power to make tree preservation orders)^(c)
[or subsection (3) of section 200 (orders affecting land where Forestry Commissioners interested)], and
subject to article 5, no person shall—

- (a) cut down, top, lop, uproot, wilfully damage or wilfully destroy; or
- (b) cause or permit the cutting down, topping, lopping, uprooting, wilful damage or wilful
destruction of,

any tree specified in Schedule 1 to this Order or comprised in a group of trees or in a woodland so
specified, except with the consent of the authority and, where such consent is given subject to conditions,
in accordance with those conditions.

Exemptions

5. (1) Nothing in article 4 shall prevent—

- (a) the cutting down, topping, lopping or uprooting of a tree by or at the request of a statutory
undertaker, where the land on which the tree is situated is operational land^(d) of the statutory
undertaker and the work is necessary—

-
- (a) Under section 199(1), tree preservation orders generally do not take effect until confirmed, but a direction may be given under section 201
for an order to take provisional effect immediately.
 - (b) Where the Order is to be made under the sections cited *and* section 300 of the Town and Country Planning Act 1990, all those provisions
should be cited, as should the fact of the consent of the appropriate authority. As to the circumstances in which the consent of the Forestry
Commission is required (and should be cited) *see* section 200(1) of that Act.
 - (c) Subsection (6) of section 198 exempts from the application of tree preservation orders the cutting down, uprooting, topping or lopping of
trees which are dying, dead or have become dangerous, or the undertaking of those acts in compliance with obligations imposed by or
under an Act of Parliament or so far as may be necessary for the prevention or abatement of a nuisance. Subsection (7) of that section
makes section 198 subject to section 39(2) of the Housing and Planning Act 1986 (c.63) (saving for effect of section 2(4) of the Opencast
Coal Act 1958 on land affected by a tree preservation order despite its repeal) and section 15 of the Forestry Act 1967 (c.10) (licences
under that Act to fell trees comprised in a tree preservation order).
 - (d) *See* section 263 of the Town and Country Planning Act 1990.
 - (e) S.I. 1995/418.

- (i) in the interests of the safe operation of the undertaking;
 - (ii) in connection with the inspection, repair or renewal of any sewers, mains, pipes, cables or other apparatus of the statutory undertaker; or
 - (iii) to enable the statutory undertaker to carry out development permitted by or under the Town and Country Planning (General Permitted Development) Order 1995^(a);
- (b) the cutting down, topping, lopping or uprooting of a tree cultivated for the production of fruit in the course of a business or trade where such work is in the interests of that business or trade;
- (c) the pruning, in accordance with good horticultural practice, of any tree cultivated for the production of fruit;
- (d) the cutting down, topping, lopping or uprooting of a tree where that work is required to enable a person to implement a planning permission (other than an outline planning permission or, without prejudice to paragraph (a)(iii), a permission granted by or under the Town and Country Planning (General Permitted Development) Order 1995) granted on an application under Part III of the Act, or deemed to have been granted (whether for the purposes of that Part or otherwise);
- (e) the cutting down, topping, lopping or uprooting of a tree by or at the request of the Environment Agency to enable the Agency to carry out development permitted by or under the Town and Country Planning (General Permitted Development) Order 1995;
- (f) the cutting down, topping, lopping or uprooting of a tree by or at the request of a drainage body where that tree interferes, or is likely to interfere, with the exercise of any of the functions of that body in relation to the maintenance, improvement or construction of watercourses or of drainage works, and for this purpose "drainage body" and "drainage" have the same meanings as in the Land Drainage Act 1991^(a); or
- (g) without prejudice to section 198(6)(b), the felling or lopping of a tree or the cutting back of its roots by or at the request of, or in accordance with a notice served by, a licence holder under paragraph 9 of Schedule 4 to the Electricity Act 1989^(b).

(2) In paragraph (1), "statutory undertaker" means any of the following –

- a person authorised by any enactment to carry on any railway, light railway, tramway, road transport, water transport, canal, inland navigation, dock, harbour pier or lighthouse undertaking, or any undertaking for the supply of hydraulic power,
- a relevant airport operator (within the meaning of Part V of the Airports Act 1986)^(c),
- the holder of a licence under section 6 of the Electricity Act 1989,
- a public gas transporter,
- the holder of a licence under section 7 of the Telecommunications Act 1984^(d) to whom the telecommunications code (within the meaning of that Act) is applied,
- a water or sewerage undertaker,
- the Civil Aviation Authority or a body acting on behalf of that Authority,
- the Post Office.

Applications for consent under the Order

6. An application for consent for the cutting down, topping, lopping or uprooting of any tree in respect of which his Order is for the time being in force shall be made in writing to the authority and shall–

- (a) identify the tree or trees to which it relates (if necessary, by reference to a plan);
- (b) specify the work for which consent is sought; and
- (c) contain a statement of the applicant's reasons for making the application.

Application of provisions of the Town and Country Planning Act 1990

7. (1) The provisions of the Town and Country Planning Act 1990 relating to registers, applications, permissions and appeals mentioned in column (1) of Part I of Schedule 2 to this Order shall have effect, in relation to consents under this Order and applications for such consent, subject to the adaptations and modifications mentioned in column (2)

(a) 1991 c.59, see section 72.

(b) 1989 c.29.

(c) 1986 c.31.

(d) 1984 c.12.

(2) The provisions referred to in paragraph (1), as so adapted and modified, are set out in Part II of that Schedule.

Directions as to replanting

8. (1) Where consent is granted under this Order for the felling in the course of forestry operations of any part of a woodland area, the authority may give to the owner of the land on which that part is situated ("the relevant land") a direction in writing specifying the manner in which and the time within which he shall replant the relevant land.

(2) Where a direction is given under paragraph (1) and trees on the relevant land are felled (pursuant to the consent), the owner of that land shall replant it in accordance with the direction.

(3) A direction under paragraph (1) may include requirements as to—

- (a) species;
- (b) number of trees per hectare;
- (c) the preparation of the relevant land prior to the replanting; and
- (d) the erection of fencing necessary for the protection of the newly planted trees.

Compensation

9. (1) If, on a claim under this article, a person establishes that loss or damage has been caused or incurred in consequence of—

- (a) the refusal of any consent required under this Order; or
- (b) the grant of any such consent subject to conditions,

he shall, subject to paragraphs (3) and (4), be entitled to compensation from the authority.

(2) No claim, other than a claim made under paragraph (3), may be made under this article—

- (a) if more than 12 months have elapsed since the date of the authority's decision or, where such a decision is the subject of an appeal to the Secretary of State, the date of the final determination of the appeal; or
- (b) if the amount in respect of which the claim would otherwise have been made is less than £500.

(3) Where the authority refuse consent under this Order for the felling in the course of forestry operations of any part of a woodland area, they shall not be required to pay compensation to any person other than the owner of the land and such compensation shall be limited to an amount equal to any depreciation in the value of the trees which is attributable to deterioration in the quality of the timber in consequence of the refusal.

(4) In any other case, no compensation shall be payable to a person —

- (a) for loss of development value or other diminution in the value of the land;
- (b) for loss or damage which, having regard to the statement of reasons submitted in accordance with article 6(c) and any documents or other evidence submitted in support of any such statement, was not reasonably foreseeable when consent was refused or was granted subject to conditions;
- (c) for loss or damage reasonably foreseeable by that person and attributable to his failure to take reasonable steps to avert the loss or damage or to mitigate its extent; or
- (d) for costs incurred in appealing to the Secretary of State against the refusal of any consent required under this Order or the grant of any such consent subject to conditions.

(5) Subsections (3) to (5) of section 11 (terms of compensation on refusal of licence) of the Forestry Act 1967 shall apply to the assessment of compensation under paragraph (3) as it applies to the assessment of compensation where a felling licence is refused under section 10 (application for felling licence and decision of Commissioners thereon) of that Act as if for any reference to a felling licence there were substituted a reference to a consent required under this Order and for the reference to the Commissioners there were substituted a reference to the authority.

(6) In this article—

"development value" means an increase in value attributable to the prospect of development; and, in relation to any land, the development of it shall include the clearing of it; and

"owner" has the meaning given to it by section 34 of the Forestry Act 1967.

[Application to trees to be planted pursuant to a condition]

10. ~~In relation to the tree[s] identified in the first column of Schedule 1 by the letter "C", being [a tree] [trees] to be planted pursuant to a condition (being 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 [that tree is planted] [those trees are planted].]~~

[Orders made by virtue of section 300]

11. ~~This Order takes effect in accordance with subsection (3) of section 300 (tree preservation orders in anticipation of disposal of Crown land).]~~

Dated this **10th** day of **September 1999** (month and year)

(if the Council's Standing Orders require the sealing of such documents:)

[The Common Seal of the (name of Council) The Council of the
was hereunto affixed in the presence of- City of Carlisle

John M. Egan
City Solicitor and Secretary

(if the Council's Standing Orders do not require the sealing of such documents:)

[Signed on behalf of the (name of Council)]

~~Authorised by the Council to sign in that behalf]~~

[CONFIRMATION OF ORDER]

[This Order was confirmed by the (name of Council)
without modification on the day of (month and year)] OR

[This Order was confirmed by the (name of Council)
subject to the modifications indicated by (state how indicated)

on the day of (month and year)]

~~Authorised by the Council to sign in that behalf]~~

[DECISION NOT TO CONFIRM ORDER]

A decision not to confirm this Order was taken by the (name of Council)
on the day of (month and year)

~~Authorised by the Council to sign in that behalf]~~

[VARIATION OF ORDER]

This Order was varied by the (name of Council)
on the day of (month and year) under the reference number

~~Authorised by the Council to sign in that behalf]~~

[REVOCATION OF ORDER]

This Order was revoked by the (name of Council)
on the day of (month and year) under the reference number

~~Authorised by the Council to sign in that behalf]~~

SCHEDULE 1
SPECIFICATION OF TREES
Trees specified individually
 (encircled in black on the map)

Article 4

<i>Reference on Map</i>	<i>Description</i>	<i>Situation*</i>
T1-T227	See attached sheet	Grid Reference 343230E 553880N

Trees specified by reference to an area

(within a dotted black line on the map)

<i>Reference on Map</i>	<i>Description</i>	<i>Situation*</i>
G1	Mix of holly, cypress, whitebeam and spruce	Grid Reference 343230E 553880N

Groups of Trees

(within a broken black line on the map)

<i>Reference on Map</i>	<i>Description</i>	<i>Situation*</i>
	None	

Woodlands

(within a continuous black line on the map)

<i>Reference on Map</i>	<i>Description</i>	<i>Situation*</i>
	None	

* complete if necessary to specify more precisely the position of the trees.

SCHEDULE 2

Article 7

PART I

Provisions of the Town and Country Planning Act 1990 applied with adaptations or modifications

Provisions of the Town and Country Planning Act 1990	Adaptation or Modification
Section 69 (registers)	<p>(a) In subsection (1) –</p> <p>(i) omit –</p> <p>"in such manner as may be prescribed by a development order,"</p> <p>"such" in the second place where it appears, and</p> <p>"as may be so prescribed"; and</p> <p>(ii) substitute "matters relevant to tree preservation orders made by the authority" for "applications for planning permission".</p> <p>(b) In subsection (2) –</p> <p>(i) after "contain" insert ", as regards each such order"; and</p> <p>(ii) for paragraphs (a) and (b) substitute –</p> <p>"(a) details of every application under the order and of the authority's decision (if any) in relation to each such application, and</p> <p>(b) a statement as to the subject-matter of every appeal under the order and of the date and nature of the Secretary of State's determination of it.".</p> <p>(c) Omit subsections (3) and (4) (as required by section 198(4)).</p>
Section 70 (determination of applications: general considerations)	<p>(a) In subsection (1) –</p> <p>(i) substitute –</p> <p>"Subject to subsections (1A) and (1B), where" for "Where";</p> <p>"the authority" for "a local planning authority";</p> <p>"consent under a tree preservation order" for "planning permission" where those words first appear; and "consent under the order" for "planning permission" in both of the other places where those words appear;</p> <p>(ii) after "think fit", insert –</p> <p>"(including conditions limiting the duration of the consent or requiring the replacement of trees)"; and</p> <p>(iii) omit "subject to sections 91 and 92,".</p> <p>(b) After subsection (1) insert –</p> <p>"(1A) Where an application relates to an area of woodland, the authority shall grant consent so far as accords with the practice of good forestry, unless they are satisfied that the granting of consent would fail to secure the maintenance of the special character of the woodland or the woodland character of the area.</p> <p>(1B) Where the authority grant consent for the felling of trees in a woodland area they shall not impose conditions requiring replacement where such felling is carried out in the course of forestry operations (but may give directions for securing replanting)."</p> <p>(c) Omit subsections (2) and (3).</p>
Section 75 (effect of planning permission)	<p>(a) In subsection (1) substitute –</p> <p>(i) "Any" for the words from "Without" to "any";</p> <p>(ii) "consent under a tree preservation order" for "planning permission to develop land";</p> <p>(iii) "the consent" for "the permission"; and</p> <p>(iv) "the land to which the order relates" for "the land".</p> <p>(b) Omit subsections (2) and (3).</p>
Section 78 (right to appeal against planning decisions and failure to take such decisions)	<p>(a) In subsection (1) substitute –</p> <p>(i) "the authority" for "a local planning authority";</p> <p>(ii) "consent under a tree preservation order" for "planning permission" in the first place where those words appear;</p> <p>(iii) "consent under such an order" for "planning permission" in the second place where those words appear;</p> <p>(iv) for paragraph (c) substitute –</p> <p>"(c) give a direction under a tree preservation order, or refuse an application for any consent, agreement or approval of that authority required by such a direction; or</p> <p>(d) fail to determine any such application as is referred to in paragraphs (a) to (c) within the period of 8 weeks beginning with the date on which the application was received by the authority,".</p> <p>(b) Omit subsection (2).</p> <p>(c) In subsection (3) for "served within such time and in such manner as may be prescribed by a development order." substitute –</p> <p>"in writing addressed to the Secretary of State, specifying the grounds on which the appeal is made; and such notice shall be served –</p> <p>(a) in respect of a matter mentioned in any of paragraphs (a) to (c) of subsection (1), within the period of 28 days from the receipt of notification of the authority's decision or direction or within such longer period as the Secretary of State may allow;</p> <p>(b) in respect of such a failure as is mentioned in paragraph (d) of that subsection, at any time after the expiration of the period mentioned in that paragraph, but if the authority have informed the applicant that the application has been refused, or granted subject to conditions, before an appeal has been made, an appeal may only be made against that refusal or grant."</p> <p>(d) For subsection (4), substitute –</p> <p>"(4) The appellant shall serve on the authority a copy of the notice mentioned in subsection (3)."</p> <p>(e) For subsection (5), substitute –</p> <p>"(5) For the purposes of the application of section 79(1), in relation to an appeal made under subsection (1)(d), it shall be assumed that the authority decided to refuse the application in question."</p>
Section 79 (determination of appeals)*	<p>(a) In subsections (1) and (2), substitute "the authority" for "the local planning authority".</p> <p>(b) Omit subsection (3).</p> <p>(c) In subsection (4), substitute –</p> <p>(i) "section 70(1), (1A) and (1B)" for "sections 70, 72(1) and (5), 73 and 73A and Part I of Schedule 5";</p> <p>(ii) "consent under a tree preservation order" for "planning permission"; and</p> <p>(iii) "the authority" for "the local planning authority and a development order may apply, with or without modifications, to such an appeal any requirements imposed by a development order by virtue of section 65 or 71."</p> <p>(d) Omit subsections (6) and (6A).</p> <p>(e) In subsection (7), omit the words after "section 78".</p>

*Section 79 was amended by the Planning and Compensation Act 1991 (c. 34), section 18 and Schedule 7, paragraph 19.

PART II
PROVISIONS OF THE TOWN AND COUNTRY PLANNING ACT 1990,
AS ADAPTED AND MODIFIED BY PART I

The following provisions of the Town and Country Planning Act 1990, as adapted and modified by Part I of this Schedule, apply in relation to consents, and applications for consent, under this Order.

Section 69

(1) Every local planning authority shall keep a register containing information with respect to matters relevant to tree preservation orders made by the authority.

(2) The register shall contain, as regards each such order—

- (a) details of every application under the order and of the authority's decision (if any) in relation to each such application, and
- (b) a statement as to the subject-matter of every appeal under the order and of the date and nature of the Secretary of State's determination of it.

.....

(5) Every register kept under this section shall be available for inspection by the public at all reasonable hours.

Section 70

(1) Subject to subsections (1A) and (1B), where an application is made to the authority for consent under a tree preservation order—

- (a) they may grant consent under the order, either unconditionally or subject to such conditions as they think fit (including conditions limiting the duration of the consent or requiring the replacement of trees); or
- (b) they may refuse consent under the order.

(1A) Where an application relates to an area of woodland, the authority shall grant consent so far as accords with the practice of good forestry, unless they are satisfied that the granting of consent would fail to secure the maintenance of the special character of the woodland or the woodland character of the area.

(1B) Where the authority grant consent for the felling of trees in a woodland area they shall not impose conditions requiring replacement where such felling is carried out in the course of forestry operations (but may give directions for securing replanting).

.....

Section 75

Any grant of consent under a tree preservation order shall (except in so far as the consent otherwise provides) enure for the benefit of the land to which the order relates and of all persons for the time being interested in it.

.....

Section 78

(1) Where the authority—

- (a) refuse an application for consent under a tree preservation order or grant it subject to conditions;
- (b) refuse an application for any consent, agreement or approval of that authority required by a condition imposed on a grant of consent under such an order or grant it subject to conditions;
- (c) give a direction under a tree preservation order, or refuse an application for any consent, agreement or approval of that authority required by such a direction; or
- (d) fail to determine any such application as is referred to in paragraphs (a) to (c) within the period of 8 weeks beginning with the date on which the application was received by the authority,

the applicant may by notice appeal to the Secretary of State.

.....

(3) Any appeal under this section shall be made by notice in writing addressed to the Secretary of State, specifying the grounds on which the appeal is made; and such notice shall be served—

- (a) in respect of a matter mentioned in any of paragraphs (a) to (c) of subsection (1), within the period of 28 days from the receipt of notification of the authority's decision or direction or within such longer period as the Secretary of State may allow;
- (b) in respect of such a failure as is mentioned in paragraph (d) of that subsection, at any time after the expiration of the period mentioned in that paragraph, but if the authority have informed the applicant that the application has been refused, or granted subject to conditions, before an appeal has been made, an appeal may only be made against that refusal or grant.

(4) The appellant shall serve on the authority a copy of the notice mentioned in subsection (3).

(5) For the purposes of the application of section 79(1), in relation to an appeal made under subsection (1)(d), it shall be assumed that the authority decided to refuse the application in question.

Section 79

(1) On an appeal under section 78 the Secretary of State may—

- (a) allow or dismiss the appeal, or
- (b) reverse or vary any part of the decision of the authority (whether the appeal relates to that part of it or not),

and may deal with the application as if it had been made to him in the first instance.

(2) Before determining an appeal under section 78 the Secretary of State shall, if either the appellant or the authority so wish, give each of them an opportunity of appearing before and being heard by a person appointed by the Secretary of State for the purpose.
.....

(4) Subject to subsection (2), the provisions of section 70(1), (1A) and (1B) shall apply, with any necessary modifications, in relation to an appeal to the Secretary of State under section 78 as they apply in relation to an application for consent under a tree preservation order which falls to be determined by the authority.

(5) The decision of the Secretary of State on such an appeal shall be final.
.....

(7) Schedule 6 applies to appeals under section 78.

PLANNING & HOUSING SERVICES	
REF	TPO 247
08 SEP 2009	
RECORDED	CN
SCANNED	
PASSED TO	CB
ACTION	NR

JC 9/9/9

Carlisle City Council

INTERNAL MEMORANDUM

From: Director of Legal & Democratic Services
To: Head of Planning Services
FAO: Charles Bennett
 Landscape Architect/Tree Officer

Please ask for: Sheila Davison
Extension: 7557
E-mail: Sheilad@carlisle.gov.uk

Your ref: CB/ TPO 247
Our ref: PG3/170 TPO 247
 7 September 2009

TREE PRESERVATION ORDER 2009 NO.247 GARLANDS HOSPITAL NO 2

I enclose for your information a copy of a Tree Preservation Order, which the Carlisle City Council has confirmed without modifications in respect of trees at Garlands Hospital No 2

Director of Legal & Democratic Services

Enc



TOWN AND COUNTRY PLANNING (TREES) REGULATIONS 1999
As amended by the Town and Country Planning (Trees)(Amendment)(England)
Regulations 2008

Town and Country Planning Act 1990
The Council of the City of Carlisle (Garlands Hospital No2, Carlisle)
Tree Preservation Order 2009 No. 247

The Council of the City of Carlisle in exercise of the powers conferred on them by sections 198 [201] and 203 of the Town and Country Planning Act 1990 hereby make the following Order—

Citation

1. This Order may be cited as the City of Carlisle (Garlands Hospital No 2, Carlisle) Tree Preservation Order 2009 No. 247

Interpretation

2. In this Order "the authority" means the Council of the City of Carlisle and unless the context otherwise requires, any reference in this Order to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990.

Application of section 201

3. The authority hereby direct that section 201 (provisional tree preservation orders) shall apply to this Order and, accordingly, this Order shall take effect provisionally on 17 July 2009

Prohibited acts in relation to trees

4. Without prejudice to subsections (6) and (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners), and subject to article 5, no person shall—

- (a) cut down, top, lop, uproot, wilfully damage or wilfully destroy; or
- (b) cause or permit the cutting down, topping, lopping, uprooting, wilful damage or wilful destruction of,

any tree specified in Schedule 1 to this Order or comprised in a group of trees or in a woodland so specified, except with the consent of the authority and, where such consent is given subject to conditions, in accordance with those conditions.

Exemptions

5.—(1) Nothing in article 4 shall prevent—

- (a) the cutting down, topping, lopping or uprooting of a tree by or at the request of a statutory undertaker, where the land on which the tree is situated is operational land of the statutory undertaker and the work is necessary—
 - (i) in the interests of the safe operation of the undertaking;

- (ii) in connection with the inspection, repair or renewal of any sewers, mains, pipes, cables or other apparatus of the statutory undertaker; or
 - (iii) to enable the statutory undertaker to carry out development permitted by or under the Town and Country Planning (General Permitted Development) Order 1995;
- (aa) the cutting down, topping, lopping or uprooting of a tree where that work is required to enable the implementation of an order made or confirmed under paragraph 8(1) or paragraph 15(1) of Schedule 1 to the Highways Act 1980 (procedures for making or confirming certain orders and schemes);
 - (ab) the cutting down, topping, lopping or uprooting of a tree where that work is urgently necessary for national security purposes;
 - (b) the cutting down, topping, lopping or uprooting of a tree cultivated for the production of fruit in the course of a business or trade where such work is in the interests of that business or trade;
 - (c) the pruning, in accordance with good horticultural practice, of any tree cultivated for the production of fruit;
 - (d) the cutting down, topping, lopping or uprooting of a tree where that work is required to enable a person to implement a planning permission (other than an outline planning permission or, without prejudice to paragraph (a)(iii), a permission granted by or under the Town and Country Planning (General Permitted Development) Order 1995) granted on an application under Part III of the Act, or deemed to have been granted (whether for the purposes of that Part or otherwise);
 - (e) the cutting down, topping, lopping or uprooting of a tree by or at the request of the Environment Agency to enable the Agency to carry out development permitted by or under the Town and Country Planning (General Permitted Development Order) 1995;
 - (f) the cutting down, topping, lopping or uprooting of a tree by or at the request of a drainage body where that tree interferes, or is likely to interfere, with the exercise of any of the functions of that body in relation to the maintenance, improvement or construction of watercourses or of drainage works, and for this purpose "drainage body" and "drainage" have the same meanings as in the Land Drainage Act 1991; or
 - (g) without prejudice to section 198(6)(b), the felling or lopping of a tree or the cutting back of its roots by or at the request of, or in accordance with a notice served by, a licence holder under paragraph 9 of Schedule 4 to the Electricity Act 1989.

(2) In paragraph (1), "statutory undertaker" means any of the following—

- a person authorised by any enactment to carry on any railway, light railway, tramway, road transport, water transport, canal, inland navigation,

dock, harbour, pier or lighthouse undertaking, or any undertaking for the supply of hydraulic power,

- a relevant airport operator (within the meaning of Part V of the Airports Act 1986),
- the holder of a licence under section 6 of the Electricity Act 1989,
- a public gas transporter,
- the holder of a licence under section 7 of the Telecommunications Act 1984 to whom the telecommunications code (within the meaning of that Act) is applied,
- a water or sewerage undertaker,
- the Civil Aviation Authority or a body acting on behalf of that Authority,
- the Post Office.

Applications for consent under the Order

6. An application for consent to the cutting down, topping, lopping or uprooting of any tree in respect of which this Order is for the time being in force shall be made in writing to the authority and shall—

- (a) identify the tree or trees to which it relates (if necessary, by reference to a plan);
- (b) specify the work for which consent is sought; and
- (c) contain a statement of the applicant's reasons for making the application.

Application of provisions of the Town and Country Planning Act 1990

7.—(1) The provisions of the Town and Country Planning Act 1990 relating to registers, applications, permissions and appeals mentioned in column (1) of Part I of Schedule 2 to this Order shall have effect, in relation to consents under this Order and applications for such consent, subject to the adaptations and modifications mentioned in column (2).

(2) The provisions referred to in paragraph (1), as so adapted and modified, are set out in Part II of that Schedule.

Directions as to replanting

8.—(1) Where consent is granted under this Order for the felling in the course of forestry operations of any part of a woodland area, the authority may give to the owner of the land on which that part is situated ("the relevant land") a direction in writing specifying the manner in which and the time within which he shall replant the relevant land.

(2) Where a direction is given under paragraph (1) and trees on the relevant land are felled (pursuant to the consent), the owner of that land shall replant it in accordance with the direction.

(3) A direction under paragraph (1) may include requirements as to—

- (a) species;
- (b) number of trees per hectare;
- (c) the preparation of the relevant land prior to the replanting; and
- (d) the erection of fencing necessary for the protection of the newly planted trees.

Compensation

9.—(1) If, on a claim under this article, a person establishes that loss or damage has been caused or incurred in consequence of—

- (a) the refusal of any consent required under this Order; or
- (b) the grant of any such consent subject to conditions,

he shall, subject to paragraphs (3) and (4), be entitled to compensation from the authority.

(2) No claim, other than a claim made under paragraph (3), may be made under this article—

- (a) if more than 12 months has elapsed since the date of the authority's decision or, where such a decision is the subject of an appeal to the Secretary of State, the date of the final determination of the appeal; or
- (b) if the amount in respect of which the claim would otherwise have been made is less than £500.

(3) Where the authority refuse consent under this Order for the felling in the course of forestry operations of any part of a woodland area, they shall not be required to pay compensation to any person other than the owner of the land; and such compensation shall be limited to an amount equal to any depreciation in the value of the trees which is attributable to deterioration in the quality of the timber in consequence of the refusal.

(4) In any other case, no compensation shall be payable to a person—

- (a) for loss of development value or other diminution in the value of the land;
- (b) for loss or damage which, having regard to the application and the documents and particulars accompanying it, was not reasonably foreseeable when consent was refused or was granted subject to conditions;
- (c) for loss or damage reasonably foreseeable by that person and attributable to his failure to take reasonable steps to avert the loss or damage or to mitigate its extent; or
- (d) for costs incurred in appealing to the Secretary of State against the refusal of any consent required under this Order or the grant of any such consent subject to conditions.

(5) Subsections (3) to (5) of section 11 (terms of compensation on refusal of licence) of the Forestry Act 1967 shall apply to the assessment of compensation under paragraph (3) as it applies to the assessment of compensation where a felling licence is refused under section 10 (application for felling licence and decision of Commissioners thereon) of that Act as if for any reference to a felling licence there were substituted a reference to a consent required under this Order and for the reference to the Commissioners there were substituted a reference to the authority.

(6) In this article—

"development value" means an increase in value attributable to the prospect of development; and, in relation to any land, the development of it shall include the clearing of it; and

"owner" has the meaning given to it by section 34 of the Forestry Act 1967.

~~[Application to trees to be planted pursuant to a condition~~

~~[10.] In relation to the tree[s] identified in the first column of Schedule 1 by the letter "C", being [a tree] [trees] to be planted pursuant to a condition (being 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 [that tree is planted] [those trees are planted].]~~

Dated this 17th day of July 2009

[if the Council's Standing Orders require the sealing of such documents:]

The Common Seal of the Council of the City of Carlisle
was hereunto affixed in the presence of -

John M. Egan
Director of Legal and Democratic Services
[if the Council's Standing Orders do not require the sealing of such documents:]

Signed on behalf of the Council of the City of Carlisle

.....
Authorised by the Council to sign in that behalf

CONFIRMATION OF ORDER

This Order was confirmed by the Council of the City of Carlisle without modification
on the [7th day of September 2009]
OR

~~This Order was confirmed by the Council of the City of Carlisle, subject to the
modifications indicated by state how indicated, on the []~~

John M. Egan *Director of Legal and Democratic Services*
.....
Authorised by the Council to sign in that behalf

DECISION NOT TO CONFIRM ORDER

A decision not to confirm this Order was taken by Council of the City of Carlisle on
the []

.....
Authorised by the Council to sign in that behalf

VARIATION OF ORDER

This Order was varied by the Council of the City of Carlisle on the []
under the reference number []

.....
Authorised by the Council to sign in that behalf

REVOCATION OF ORDER

This Order was revoked by the Council of the City of Carlisle on the []
under the reference number []

.....
Authorised by the Council to sign in that behalf

TREE PRESERVATION ORDER No. TPO 247 GARLANDS HOSPITAL N^o2

STATEMENT OF REASONS

By virtue of section 198 of the Town and Country Planning Act 1990 the local planning authority may make a tree preservation order where it appears to the authority that it is expedient in the interests of amenity to make provision for the protection of trees and woodlands in its area.

The guidance set out in the Department of the Environment Transport and the Regions document 'Tree Preservation Orders, A Guide to the Law and Good Practice' states that tree preservation orders should be used to protect selected trees and woodlands if their removal would have a significant impact on the local environment and its enjoyment by the public.

The trees, by virtue of their form and size are prominent in the landscape and form a significant element in the character of the location. They are clearly visible from the road and are considered to be of significant visual amenity and landscape value to the locality. They are potentially under threat of damage, removal and or unnecessary excessive pruning due to development proposals to the detriment of the character of the area and its enjoyment by the public.

Schedule of Trees

GROUPS

- G1 1 OAK; 6 SYCAMORE; 1 LIME; 1 BIRCH, 11 PINE;
1 HORSE CHESTNUT
G2 29 SYCAMORE; 7 HOLLY; 1 BIRCH; 2 PINE
G3 20 PINE; 2 BIRCH; 3 HORSE CHESTNUT; 2 BEECH
G4 1 SWEET CHESTNUT; 3 HORSE CHESTNUT; 3 LIME; 1 LARCH;
80 PINE; 5 BEECH; 1 HOLLY; 1 NORWAY MAPLE; 1 ELM;
1 OAK; 1 SYCAMORE
G5 1 OAK; 1 NORWAY MAPLE; 1 LIME; 3 BIRCH; 1 CYPRESS;
3 BEECH; 1 POPLAR; 2 SPRUCE
G6 17 CYPRESS; 1 HOLLY; 2 BIRCH; 1 SYCAMORE; 1 POPLAR;
14 PINE; 8 LARCH; 1 ASH
G7 11 PINE; 1 HORSE CHESTNUT; 1 CYPRESS
G8 2 NORWAY MAPLE; 1 LIME; 5 PINE; 1 HORSE CHESTNUT
G9 9 SYCAMORE; 10 PINE; 1 HORSE CHESTNUT; 1 LARCH;
3 BIRCH; 3 LIME; 1 OAK; 1 ELM
G10 19 LIME; 1 PINE
G11 11 LIME; 1 SYCAMORE
G12 7 LIME; 7 SYCAMORE; 4 PINE; 1 OAK; 2 SWEET CHESTNUT
G13 1 CHERRY; 2 LIME; 1 BIRCH; 1 HORSE CHESTNUT;
1 PINE; 1 OAK

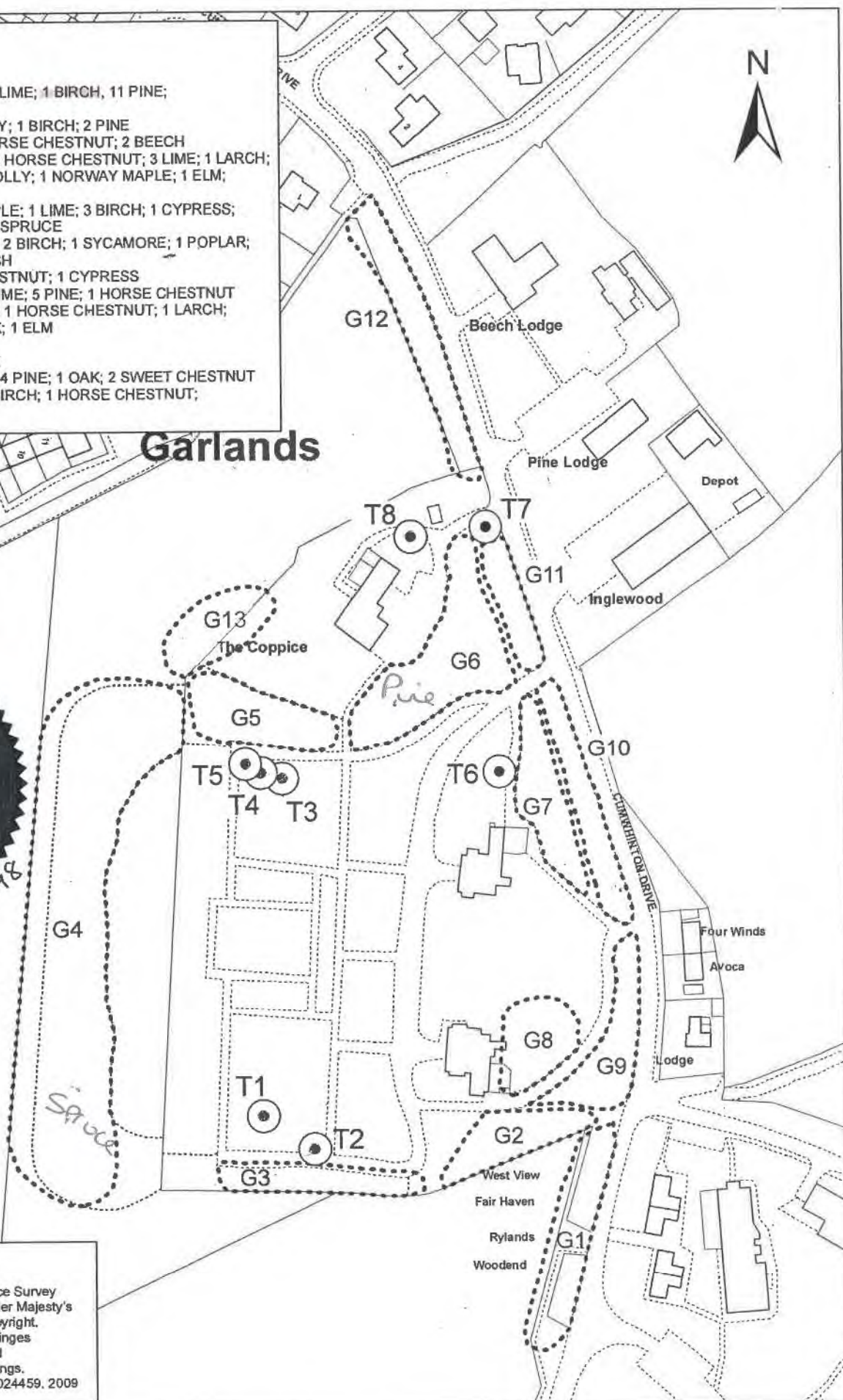
Schedule of Trees

- T1 Turkey Oak
T2 Yellow Buckeye
T3 Horse Chestnut
T4 Oak
T5 Lime
T6 Birch
T7 Sycamore
T8 Manna Ash

Garlands

*John M. Egan
Director of Legal and
Cemetary Services*

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Carlisle City Council LA 010024459. 2009



Town and Country Planning Act 1990 Sections 198(1) and 201

Tree Preservation Order Number 247
Former Garlands Hospital, Carlisle, Phase 2

Date: July 2009 1:1,250

Planning & Housing Services,
Civic Centre,
Carlisle, CA3 8QG

CARLISLE
CITY COUNCIL



www.carlisle.gov.uk

SCHEDULE 1

SPECIFICATION OF TREES

Trees specified individually (encircled in black on the map)

Reference on map	Description	Situation O.S. Grid Ref
[T1] ✓	Turkey Oak	343351 553535
[T2] ✕	Yellow Buckeye	343368 553524
[T3] ✕	Horse Chestnut	343358 553647
[T4] ✓	Oak	343351 553649
[T5] ✓	Lime	343346 553652
[T6] ✕	Birch	343430 553649
[T7] ✓	Sycamore	343426 553730
[T8] ✓	Manna Ash	343401 553727

Trees specified by reference to an area (within a dotted black line on the map)

Reference on map	Description	Situation O.S. Grid Ref
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NONE

Groups of trees (within a broken black line on the map)

Reference on map	Description (including number of trees in the group)	Situation O.S. Grid Ref
[G1]	1 Oak, 6 Sycamore 1 Lime, 1 Birch, 11 Pine 1, Horse Chestnut	343455 553498
[G2]	29 Sycamore, 7 Holly 1 Birch, 2 Pine	343425 553528
[G3]	20 Pine, 2 Birch, 3 Horse Chestnut, 2 Beech	343366 553514
[G4]	1 Sweet Chestnut 3 Horse Chestnut, 3 Lime 1 Larch, 80 Pine, 5 Beech 1 Holly, 1 Norway Maple 1 Elm, 1 Oak, 1 Sycamore	343282 553605

[G5]	1 Oak, 1 Norway Maple 1 Lime, 3 Birch, 1 Cypress, 3 Beech, 1 Poplar, 2 Spruce	343337 553673
[G6]	17 Cypress, 1 Holly, 2 Birch 1 Sycamore, 1 Oak, 1 Poplar, 15 Pine, 8 Larch, 1 Ash	343424 553690
[G7]	11 Pine, 1 Horse Chestnut 1 Cypress	343450 553643
[G8]	2 Norway Maple, 1 Lime 5 Pine, 1 Horse Chestnut	343445 553561
[G9]	9 Sycamore, 10 Pine 1 Horse Chestnut, 1 Larch 3 Birch, 3 Lime, 1 Oak 1 Elm	343469 553567
[G10]	19 Lime, 1 Pine	343459 553639
[G11]	11 Lime, 1 Sycamore	343435 553711
[G12]	7 Lime, 7 Sycamore, 4 Pine 1 Oak, 2 Sweet Chestnut	343406 553798
[G13]	1 Cherry, 2 Lime, 1 Birch 1 Horse Chestnut, 1 Pine 1 Oak	343332 553689

Woodlands

(within a continuous black line on the map)

Reference on map	Description	Situation O.S. Grid Ref
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NONE

SCHEDULE 2

PART I

PROVISIONS OF THE TOWN AND COUNTRY PLANNING ACT 1990 APPLIED WITH ADAPTATIONS OR MODIFICATIONS

Provision of the Town and Country Planning Act 1990	Adaptation or Modification
Section 69 (registers)	<p>(a) In subsection (1)—</p> <p style="padding-left: 40px;">(i) omit—</p> <p style="padding-left: 80px;">“, in such manner as may be prescribed by a development order,”,</p> <p style="padding-left: 80px;">“such” in the second place where it appears, and</p> <p style="padding-left: 80px;">“as may be so prescribed”; and</p> <p style="padding-left: 40px;">(ii) substitute “matters relevant to tree preservation orders made by the authority” for “applications for planning permission”.</p> <p>(b) In subsection (2)—</p> <p style="padding-left: 40px;">(i) after “contain” insert “, as regards each such order”; and</p> <p style="padding-left: 40px;">(ii) for paragraphs (a) and (b) substitute—</p> <p style="padding-left: 80px;">(a) details of every application under the order and of the authority's decision (if any) in relation to each such application, and</p> <p style="padding-left: 80px;">(b) a statement as to the subject-matter of every appeal under the order and of the date and nature of the Secretary of State's determination of it.”.</p> <p>(c) Omit subsections (3) and (4) (as required by section 198(4)).</p>
Section 70 (determination of applications: general considerations)	<p>(a) In subsection (1)—</p> <p style="padding-left: 40px;">(i) substitute—</p> <p style="padding-left: 80px;">“Subject to subsections (1A) and (1B), where” for “Where”;</p>

	<p>"the authority" for "a local planning authority";</p> <p>"consent under a tree preservation order" for "planning permission" where those words first appear; and</p> <p>"consent under the order" for "planning permission" in both of the other places where those words appear;</p> <p>(ii) after "think fit", insert—</p> <p>"(including conditions limiting the duration of the consent or requiring the replacement of trees)"; and</p> <p>(iii) omit "subject to sections 91 and 92,".</p> <p>(b) After subsection (1) insert—</p> <p>"(1A) Where an application relates to an area of woodland, the authority shall grant consent so far as accords with the practice of good forestry, unless they are satisfied that the granting of consent would fail to secure the maintenance of the special character of the woodland or the woodland character of the area.</p> <p>(1B) Where the authority grant consent for the felling of trees in a woodland area they shall not impose conditions requiring replacement where such felling is carried out in the course of forestry operations (but may give directions for securing replanting).".</p> <p>(c) Omit subsections (2) and (3).</p>
Section 75 (effect of planning permission)	<p>(a) In subsection (1) substitute—</p> <p>(i) "Any" for the words from "Without" to "any";</p> <p>(ii) "consent under a tree preservation order" for "planning permission to develop land";</p> <p>(iii) "the consent" for "the permission"; and</p> <p>(iv) "the land to which the order relates" for "the land".</p> <p>(b) Omit subsections (2) and (3).</p>
Section 78 (right to appeal against planning decisions)	<p>(a) In subsection (1) substitute—</p>

<p>and failure to take such decisions)</p>	<ul style="list-style-type: none"> (i) "the authority" for "a local planning authority"; (ii) "consent under a tree preservation order" for "planning permission" in the first place where those words appear; (iii) "consent under such an order" for "planning permission" in the second place where those words appear; (iv) for paragraph (c) substitute— <ul style="list-style-type: none"> "(c) give a direction under a tree preservation order, or refuse an application for any consent, agreement or approval of that authority required by such a direction; or (d) fail to determine any such application as is referred to in paragraphs (a) to (c) within the period of 8 weeks beginning with the date on which the application was received by the authority,". <p>(b) Omit subsection (2).</p> <p>(c) In subsection (3) for "served within such time and in such manner as may be prescribed by a development order." substitute—</p> <p>"in writing addressed to the Secretary of State, specifying the grounds on which the appeal is made; and such notice shall be served—</p> <ul style="list-style-type: none"> (a) in respect of a matter mentioned in any of paragraphs (a) to (c) of subsection (1), within the period of 28 days from the receipt of notification of the authority's decision or direction or within such longer period as the Secretary of State may allow; (b) in respect of such a failure as is mentioned in paragraph (d) of that subsection, at any time after the expiration of the period mentioned in that paragraph, but if the authority have informed the applicant that the application has been refused, or granted subject to conditions, before an appeal has been made, an appeal may only be made against that refusal or grant." <p>(d) For subsection (4), substitute—</p> <p>"(4) The appellant shall serve on the authority a copy of the notice mentioned in subsection (3)."</p>
--	--

	<p>(e) For subsection (5), substitute—</p> <p>“(5) For the purposes of the application of section 79(1), in relation to an appeal made under subsection (1)(d), it shall be assumed that the authority decided to refuse the application in question.”.</p>
Section 79 (determination of appeals)	<p>(a) In subsections (1) and (2), substitute “the authority” for “the local planning authority”.</p> <p>(b) Omit subsection (3).</p> <p>(c) In subsection (4), substitute—</p> <ul style="list-style-type: none"> (i) “section 70(1), (1A) and (1B)” for “sections 70, 72(1) and (5), 73 and 73A and Part I of Schedule 5”; (ii) “consent under a tree preservation order” for “planning permission”; and (iii) “the authority” for “the local planning authority and a development order may apply, with or without modifications, to such an appeal any requirements imposed by a development order by virtue of sections 65 or 71.”. <p>(d) Omit subsections (6) and (6A).</p> <p>(e) In subsection (7), omit the words after “section 78”.</p>

PART II
PROVISIONS OF THE TOWN AND COUNTRY PLANNING ACT 1990,
AS ADAPTED AND MODIFIED BY PART I

The following provisions of the Town and Country Planning Act 1990, as adapted and modified by Part I of this Schedule, apply in relation to consents, and applications for consent, under this Order.

Section 69

(1) Every local planning authority shall keep a register containing information with respect to matters relevant to tree preservation orders made by the authority.

(2) The register shall contain, as regards each such order—

- (a) details of every application under the order and of the authority's decision (if any) in relation to each such application, and
- (b) a statement as to the subject-matter of every appeal under the order and of the date and nature of the Secretary of State's determination of it.

.....

(5) Every register kept under this section shall be available for inspection by the public at all reasonable hours.

Section 70

(1) Subject to subsections (1A) and (1B), where an application is made to the authority for consent under a tree preservation order—

- (a) they may grant consent under the order, either unconditionally or subject to such conditions as they think fit (including conditions limiting the duration of the consent or requiring the replacement of trees); or
- (b) they may refuse consent under the order.

(1A) Where an application relates to an area of woodland, the authority shall grant consent so far as accords with the practice of good forestry, unless they are satisfied that the granting of consent would fail to secure the maintenance of the special character of the woodland or the woodland character of the area.

(1B) Where the authority grant consent for the felling of trees in a woodland area they shall not impose conditions requiring replacement where such felling is carried out in the course of forestry operations (but may give directions for securing replanting).

.....

Section 75

Any grant of consent under a tree preservation order shall (except in so far as the consent otherwise provides) enure for the benefit of the land to which the order relates and of all persons for the time being interested in it.

Section 78

(1) Where the authority—

- (a) refuse an application for consent under a tree preservation order or grant it subject to conditions;
- (b) refuse an application for any consent, agreement or approval of that authority required by a condition imposed on a grant of consent under such an order or grant it subject to conditions;
- (c) give a direction under a tree preservation order, or refuse an application for any consent, agreement or approval of that authority required by such a direction; or
- (d) fail to determine any such application as is referred to in paragraphs (a) to (c) within the period of 8 weeks beginning with the date on which the application was received by the authority,

the applicant may by notice appeal to the Secretary of State.

.....

(3) Any appeal under this section shall be made by notice in writing addressed to the Secretary of State, specifying the grounds on which the appeal is made; and such notice shall be served—

- (a) in respect of a matter mentioned in any of paragraphs (a) to (c) of subsection (1), within the period of 28 days from the receipt of notification of the authority's decision or direction or within such longer period as the Secretary of State may allow;
- (b) in respect of such a failure as is mentioned in paragraph (d) of that subsection, at any time after the expiration of the period mentioned in that paragraph, but if the authority have informed the applicant that the application has been refused, or granted subject to conditions, before an appeal has been made, an appeal may only be made against that refusal or grant.

(4) The appellant shall serve on the authority a copy of the notice mentioned in subsection (3).

(5) For the purposes of the application of section 79(1), in relation to an appeal made under subsection (1)(d), it shall be assumed that the authority decided to refuse the application in question.

.....

Section 79

(1) On an appeal under section 78 the Secretary of State may—

- (a) allow or dismiss the appeal, or
- (b) reverse or vary any part of the decision of the authority (whether the appeal relates to that part of it or not),

and may deal with the application as if it had been made to him in the first instance.

(2) Before determining an appeal under section 78 the Secretary of State shall, if either the appellant or the authority so wish, give each of them an opportunity of appearing before and being heard by a person appointed by the Secretary of State for the purpose.

.....

(4) Subject to subsection (2), the provisions of section 70(1), (1A) and (1B) shall apply, with any necessary modifications, in relation to an appeal to the Secretary of State under section 78 as they apply in relation to an application for consent under a tree preservation order which falls to be determined by the authority.

(5) The decision of the Secretary of State on such an appeal shall be final.

.....

(7) Schedule 6 applies to appeals under section 78.

Carlisle Council

**Arboricultural report: Garlands Hospital TPO
review (No.148 & 247)**

CCCTPO01/2019

SG/MD01 Revision 0.1

March 2019

ameyconsulting

Document Control Sheet

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Project Number:	CCCTPO01/2019
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Executive summary

Amey Consulting has been instructed by Carlisle City Council to undertake a Tree Preservation Order (TPO) evaluation of TPO no's 148 and 247. These TPOs encompass the former Garlands Hospital site, Carlisle. The results of the survey have been compiled in this report.

The TPO's were placed in July 1999 and there has been extensive development of the site since then. Therefore, an evaluation of the tree's current suitability for protection has been requested. Many trees have also been removed in this time so the tree schedule requires updating.

The trees were evaluated using TEMPO: Tree Evaluation Method for Preservation Orders. TEMPO has been specifically designed as a means of justifying the validity or not of existing TPOs. Using a five-stage scoring system, the results of which are added together to equate to one of five further categories that judge the qualitative merit of the TPO. The first three of these categories state that the TPO should no longer apply, whilst the latter two justify its current validity.

See Appendix D for the TEMPO decision guide, which details more information on the methodology and development of the system and Appendix E for the TEMPO data sheet used during the survey to calculate TPO scores and validity.

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1 Introduction

1.1 Instruction

- 1.1.1 Amey Consulting has been instructed by Carlisle City Council to undertake a Tree Preservation Order (TPO) evaluation of TPO no's 148 and 247 at the former Garlands Hospital site, Carlisle CA1 3GJ and from 1999 (when the TPOs were raised) there has been extensive development. Therefore, a review was required to update the validity of the order. The findings of the survey are presented in Appendix C TPO Evaluation Results: Garlands Hospital.
- 1.1.2 The purpose of this evaluation is to determine whether the existing trees continue to merit the statutory protection provided by the TPO.

1.2 Report limitations

- 1.2.1 Visual tree assessment has been carried out only to aid the decision-making process with regard to TPO retention and does not constitute a detailed tree condition survey.
- 1.2.2 Trees are living organisms, the health and condition of which can change rapidly. The health, condition and safety of trees should be checked on a regular basis, preferably annually. The conclusions and recommendations in this report are valid for a period of one year from the date of this report. This period of validity may be reduced in the case of any change in conditions of or in proximity to the trees.

1.3 Survey methodology

- 1.3.1 This survey was carried out by arboriculturalists who have significant experience and technical knowledge within the arboricultural industry.
- 1.3.2 The methodology which was used to evaluate the trees was based on the Tree Evaluation Method for Preservation Orders (TEMPO). See Appendix D Tree survey data sheet and decision guide.
- 1.3.3 The approximate position of the trees inspected is indicated in Appendix B: Tree Location Plan.
- 1.3.4 All trees were inspected from ground level and identified as comprising a group or an individual tree. Trees in groups have been referenced by the prefix G on the tree location plan.

- 1.3.5 The findings of this survey have been recorded in tabulated format in Appendix C: TPO Evaluation Results: Garlands Hospital.
- 1.3.6 See Appendix A TEMPO – Key to terminology for an explanation of scoring and evaluation

2 Findings

2.1 Summary of findings

- 2.1.1 An evaluation of the existing trees at the former Garlands Hospital site which are included as part of TPO numbers 148 and 247 was carried out on the 18th & 19th February 2019. Recommendations have been provided based on the TEMPO method as to whether these trees still merit protection.
- 2.1.2 These results can be seen in full in appendix C. In summary 252 features (trees & tree groups) were assessed. In 68 instances no trees were found, presumably removed. Of the remaining 184 features TPO protection was considered valid in 155 instances and not valid in the the other 29 instances.
- 2.1.3 The site has a lot of mature tree cover despite historical losses to facilitate the private residential development.



Photo 1 Rear of Cherry Lane



Photo 2 Sycamore Lane

- 2.1.4 Generally, the site appears well managed and the majority of trees still merit protection. Many trees were removed to facilitate the development of private housing and some mature trees appear to have failed in recent years following adverse weather. The perceived threat from further development is unknown at this time.
- 2.1.5 Recent felling work was noted within G4 and G6 of TPO 247.



Photo 3 G6 (TPO 247) Photo 4 G2 (TPO 247)

- 2.1.6 There appears to be some potential for replanting / landscaping to the south west of Twickenham Court following recent tree failures and felling work. See below.



Photo 5 Twickenham Court

- 2.1.7 Recommendation: add a group of mature, prominent trees to the rear of The Coppice (NHS building) as they appear to have been omitted from the original TPO. This can be seen as G14 on TPO 247 site plan.



Photo 6 G14

2.1.8 Recommendation: adding three individual trees (T56A, T71A & T112A) which are of a significant size and satisfactory condition but were not included in the original TPO.

Appendix A TEMPO – Key to terminology

TEMPO: Key to Terminology			
Term	Explanation	Scores	
Amenity Score	Amenity assessment – Condition and suitability for TPO	5 – Good	Highly suitable
		3 – Fair/satisfactory	Suitable
		1 – Poor	Unlikely to be suitable
		0 – Dead/dying/dangerous	Unsuitable
Retention Score	Retention span (in years) & suitability for TPO	100+	Highly suitable
		40-100	Very suitable
		20-40	Suitable
		10-20	Just suitable
		<10	Unsuitable
Visibility Score	Relative public visibility and suitable for TPO	5 - Very large trees with some visibility or prominent large trees	Highly suitable
		4 – Large trees or medium trees clearly visible to the public	Suitable
		3 – Medium trees or large trees with limited view only	Suitable
		2 – Young, small or medium/large trees visible only with difficulty	Barely suitable
		1 – Trees not visible to the public, regardless of size	Probably unsuitable
Other Factors	*Trees must have accrued 7 or more points (with no zero score) to qualify	5 – Principal components of formal arboricultural features, or veteran trees	
		4 – Tree groups, or principal members of groups 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 (inc. those of indifferent form)	
		-1 – Trees with poor form or which are generally unsuitable for their location	
Expediency Score	*Trees must have accrued 10 or more points to qualify	5 – Immediate threat to tree including s.211 notice	
		3 – Foreseeable threat to tree	
		2 – Perceived threat to tree	
		1 – Precautionary only	
Decision		Any 0	Do not apply TPO
		1-6	TPO Indefensible
		7-11	Does not merit TPO
		12-15	TPO defensible
		16+	Definitely merits TPO

Appendix C TPO Evaluation Results: Garlands Hospital

TPO Ref Number	Tree/Group Number	Species	Amenity Score	Retention Score	Visibility Score	Other Factors	Expediency Score	Total Score	Decision	Condition	Comments
148	1	Oak (<i>Quercus spp.</i>)	5	5	4	3	1	18	Definitely merits TPO	Good / Highly Suitable	Large, prominent tree
148	2	Lime (<i>Tilia spp.</i>)	1	2	3	-	-	6	TPO <i>inde defensible</i>	Poor / Unlikely to be suitable	Close proximity to residential property. Potential for future conflict
148	3	Oak (<i>Quercus spp.</i>)	5	4	4	2	1	16	Definitely merits TPO	Good / Highly Suitable	Limited access. Dead wood in crown
148	4	Oak (<i>Quercus spp.</i>)	5	5	3	1	1	15	TPO defensible	Good / Highly Suitable	Limited access
148	5	Oak (<i>Quercus spp.</i>)	5	5	3	1	1	15	TPO defensible	Good / Highly Suitable	Limited access
148	6	Lime (<i>Tilia spp.</i>)	3	4	3	1	1	12	TPO defensible	Fair/Satisfactory / Suitable	Limited access
148	7	Austrian Pine (<i>Pinus nigra</i>)	5	4	3	1	1	14	TPO defensible	Good / Highly Suitable	Large, prominent evergreen tree
148	8	Lime (<i>Tilia spp.</i>)	3	4	3	1	1	12	TPO defensible	Fair/Satisfactory / Suitable	Minor dead wood in crown
148	9	Horse Chestnut (<i>Aesculus hippocastanum</i>)	3	2	3	3	1	12	TPO defensible	Fair/Satisfactory / Suitable	Woodpecker hole on stem
148	10	Lime (<i>Tilia spp.</i>)	3	4	3	1	1	12	TPO defensible	Fair/Satisfactory / Suitable	Minor dead wood in crown
148	11	N/A						0	No tree		
148	12	N/A						0	No tree		

TPO Ref Number	Tree/Group Number	Species	Amenity Score	Retention Score	Visibility Score	Other Factors	Expediency Score	Total Score	Decision	Condition	Comments
148	13	Lime (<i>Tilia spp.</i>)	5	4	3	2	1	15	TPO defensible	Good / Highly Suitable	Good form
148	14	Lime (<i>Tilia spp.</i>)	5	4	3	1	1	14	TPO defensible	Good / Highly Suitable	Good form
148	15	Horse Chestnut (<i>Aesculus hippocastanum</i>)	3	5	3	1	1	13	TPO defensible	Fair/Satisfactory / Suitable	Ivy covered stem
148	16	Wellingtonia (<i>Sequoiadendron giganteum</i>)	5	5	4	4	1	19	Definitely merits TPO	Good / Highly Suitable	Large, unusual species. Relatively prominent
148	17	Wellingtonia (<i>Sequoiadendron giganteum</i>)	5	5	4	4	1	19	Definitely merits TPO	Good / Highly Suitable	Large, unusual species. Relatively prominent
148	18	N/A						0	No tree		
148	19	N/A						0	No tree		
148	20	N/A						0	No tree		
148	21	N/A						0	No tree		
148	22	N/A						0	No tree		
148	23	Norway Maple (<i>Acer platanoides</i>)	3	2	3	1	-	9	Does not merit TPO	Unsuitable	Small tree, probably a replacement
148	24	Horse Chestnut (<i>Aesculus hippocastanum</i>)	5	4	3	1	1	14	TPO defensible	Good / Highly Suitable	Minor bacterial canker present
148	25	Red Horse Chestnut (<i>Aesculus x carnea</i>)	1	2	3	-	-	6	TPO indefensible	Poor / Unlikely to be suitable	Stem canker / bark necrosis around graft point

TPO Ref Number	Tree/Group Number	Species	Amenity Score	Retention Score	Visibility Score	Other Factors	Expediency Score	Total Score	Decision	Condition	Comments
148	26	Norway Maple (<i>Acer platanoides</i>)	3	5	3	1	1	13	TPO defensible	Fair/Satisfactory / Suitable	Tree forms part of significant linear group
148	27	Horse Chestnut (<i>Aesculus hippocastanum</i>)	3	4	3	1	1	12	TPO defensible	Fair/Satisfactory / Suitable	Minor dead wood in crown
148	28	N/A						0	No tree		
148	29	Sweet Chestnut (<i>Castanea sativa</i>)	5	5	3	1	1	15	TPO defensible	Good / Highly Suitable	Large mature tree
148	30	Lime (<i>Tilia spp.</i>)	4	5	3	1	1	14	TPO defensible	Fair/Satisfactory / Suitable	Minor dead wood in crown
148	31	Beech (<i>Fagus sylvatica</i>)	3	2	3	1	1	10	Does not merit TPO	Fair/Satisfactory / Suitable	Poor form. Somewhat suppressed
148	32	Sycamore (<i>Acer pseudoplatanus</i>)	3	4	3	1	1	12	TPO defensible	Fair/Satisfactory / Suitable	Tree forms part of significant linear group
148	33	Lime (<i>Tilia spp.</i>)	5	5	3	2	1	16	Definitely merits TPO	Good / Highly Suitable	Tree forms part of significant linear group

TPO Ref Number	Tree/Group Number	Species	Amenity Score	Retention Score	Visibility Score	Other Factors	Expediency Score	Total Score	Decision	Condition	Comments
148	34	Norway Maple (<i>Acer platanoides</i>)	3	4	3	1	1	12	TPO defensible	Fair/Satisfactory / Suitable	Tree forms part of significant linear group
148	35	Silver Birch (<i>Betula pendula</i>)	3	4	3	1	1	12	TPO defensible	Fair/Satisfactory / Suitable	Tree in communal grassed area
148	36	N/A						0	No tree		
148	37	N/A						0	No tree		
148	38	N/A						0	No tree		
148	39	Sycamore (<i>Acer pseudoplatanus</i>)	3	5	3	2	1	14	TPO defensible	Fair/Satisfactory / Suitable	Tree in communal grassed area

TPO Ref Number	Tree/Group Number	Species	Amenity Score	Retention Score	Visibility Score	Other Factors	Expediency Score	Total Score	Decision	Condition	Comments
148	40	Sycamore (<i>Acer pseudoplatanus</i>)	1	4	3	1	-	9	Does not merit TPO	Poor / Unlikely to be suitable	Tree in communal grassed area
148	41	Red Horse Chestnut (<i>Aesculus x carnea</i>)	3	4	4	2	1	14	TPO defensible	Fair/Satisfactory / Suitable	Compact form
148	42	N/A						0	No tree		
148	43	N/A						0	No tree		
148	44	N/A						0	No tree		
148	45	N/A						0	No tree		
148	46	N/A						0	No tree		
148	47	N/A						0	No tree		
148	48	Lime (<i>Tilia spp.</i>)	5	5	4	2	1	17	Definitely merits TPO	Good / Highly Suitable	Tree in communal grassed area
148	49	N/A						0	No tree		Windblown tree

TPO Ref Number	Tree/Group Number	Species	Amenity Score	Retention Score	Visibility Score	Other Factors	Expediency Score	Total Score	Decision	Condition	Comments
148	50	Sycamore (<i>Acer pseudoplatanus</i>)	3	4	3	1	1	12	TPO defensible	Fair/Satisfactory / Suitable	Tree in communal grassed area
148	51	Beech (<i>Fagus sylvatica</i>)	3	2	3	1	-	9	Does not merit TPO	Fair/Satisfactory / Suitable	Fungal bracket @ 3m. Limited safe useful life expectancy
148	52	Sycamore (<i>Acer pseudoplatanus</i>)	1	2	3	-	-	6	TPO indefensible	Poor / Unlikely to be suitable	Appears in poor vigour - salt bin @ base
148	53	Sycamore (<i>Acer pseudoplatanus</i>)	3	5	3	2	1	14	TPO defensible	Fair/Satisfactory / Suitable	Tree in communal grassed area
148	54	Aspen (<i>Populus tremula</i>)	3	2	2	1	-	8	Does not merit TPO	Fair/Satisfactory / Suitable	Dead wood in crown. Previous branch failures
148	55	Lawson Cypress (<i>Chamaecyparis lawsoniana</i>)	3	4	3	1	1	12	TPO defensible	Fair/Satisfactory / Suitable	Typical form for species
148	56	Common Fir (<i>Abies spp.</i>)	3	4	3	1	1	12	TPO defensible	Fair/Satisfactory / Suitable	Typical form for species
148	56A	Lawson Cypress (<i>Chamaecyparis lawsoniana</i>)	1	2	3	-	-	6	TPO indefensible	Poor / Unlikely to be suitable	Previous limb failure
148	57	N/A						0	No tree		
148	58	Sycamore (<i>Acer pseudoplatanus</i>)	3	5	2	1	1	12	TPO defensible	Fair/Satisfactory / Suitable	Tree in communal grassed area
148	59	Horse chestnut (<i>Aesculus hippocastanum</i>)	5	4	4	2	1	16	Definitely merits TPO	Good / Highly Suitable	Good form. Large prominent tree
148	60	Holly (<i>Ilex spp.</i>)	1	5	2	1	-	9	Does not merit TPO	Poor / Unlikely to be suitable	Tree within hedgerow

TPO Ref Number	Tree/Group Number	Species	Amenity Score	Retention Score	Visibility Score	Other Factors	Expediency Score	Total Score	Decision	Condition	Comments
148	61	Beech (<i>Fagus sylvatica</i>)	5	5	4	1	1	16	Definitely merits TPO	Good / Highly Suitable	Large prominent tree
148	62	Lime (<i>Tilia spp.</i>)	3	5	3	1	1	13	TPO defensible	Fair/Satisfactory / Suitable	Roadside tree
148	63	Horse Chestnut (<i>Aesculus hippocastanum</i>)	3	4	3	1	1	12	TPO defensible	Fair/Satisfactory / Suitable	Roadside tree
148	64	N/A						0	No tree		
148	65	Oak (<i>Quercus spp.</i>)	3	5	3	2	1	14	TPO defensible	Fair/Satisfactory / Suitable	Roadside tree
148	66	Beech (<i>Fagus sylvatica</i>)	5	5	3	1	1	15	TPO defensible	Good / Highly Suitable	Roadside tree
148	67	N/A						0	No tree		
148	68	Lime (<i>Tilia spp.</i>)	5	5	3	2	1	16	Definitely merits TPO	Good / Highly Suitable	Roadside tree
148	69	N/A						0	No tree		
148	70	Horse Chestnut (<i>Aesculus hippocastanum</i>)	5	4	3	1	1	14	TPO defensible	Good / Highly Suitable	Roadside tree
148	71	Holly (<i>Ilex spp.</i>)	3	5	3	1	1	13	TPO defensible	Fair/Satisfactory / Suitable	Significant size for species
148	71A	Holly (<i>Ilex spp.</i>)	3	5	3	1	1	13	TPO defensible	Fair/Satisfactory / Suitable	Significant size for species
148	72	Holly (<i>Ilex spp.</i>)	3	5	3	1	1	13	TPO defensible	Fair/Satisfactory / Suitable	Significant size for species
148	73	Whitebeam (<i>Sorbus aria</i>)	1	4	2	1	-	8	Does not merit TPO	Poor / Unlikely to be suitable	Small/medium tree
148	74	N/A						0	No tree		
148	75	N/A						0	No tree		

TPO Ref Number	Tree/Group Number	Species	Amenity Score	Retention Score	Visibility Score	Other Factors	Expediency Score	Total Score	Decision	Condition	Comments
148	76	N/A						0	No tree		
148	77	N/A						0	No tree		
148	78	N/A						0	No tree		
148	79	N/A						0	No tree		
148	80	Lime (<i>Tilia spp.</i>)	3	5	4	1	1	14	TPO defensible	Fair/Satisfactory / Suitable	Prominent tree
148	81	N/A						0	No tree		
148	82	N/A						0	No tree		
148	83	N/A						0	No tree		
148	84	Lime (<i>Tilia spp.</i>)	5	5	3	2	1	16	Definitely merits TPO	Good / Highly Suitable	Tree forms part of significant linear group
148	85	Sycamore (<i>Acer pseudoplatanus</i>)	5	5	3	2	1	16	Definitely merits TPO	Good / Highly Suitable	Tree forms part of significant linear group
148	86	Norway Maple (<i>Acer platanoides</i>)	3	4	3	1	1	12	TPO defensible	Fair/Satisfactory / Suitable	Tree forms part of significant linear group
148	87	N/A						0	No tree		
148	88	Norway Maple (<i>Acer platanoides</i>)	3	4	3	1	1	12	TPO defensible	Fair/Satisfactory / Suitable	Tree forms part of significant linear group
148	89	Lime (<i>Tilia spp.</i>)	5	5	3	1	1	15	TPO defensible	Good / Highly Suitable	Tree forms part of significant linear group
148	90	N/A						0	No tree		
148	91	N/A						0	No tree		
148	92	N/A						0	No tree		
148	93	N/A						0	No tree		
148	94	N/A						0	No tree		
148	95	Sweet Chestnut (<i>Castanea sativa</i>)	1	5	2	1	-	9	Does not merit TPO	Unlikely to be suitable	Semi-mature tree in centre of turning circle with residential cul de sac

TPO Ref Number	Tree/Group Number	Species	Amenity Score	Retention Score	Visibility Score	Other Factors	Expediency Score	Total Score	Decision	Condition	Comments
148	96	N/A						0	No tree		
148	97	N/A						0	No tree		
148	98	N/A						0	No tree		
148	99	Sycamore (<i>Acer pseudoplatanus</i>)	3	5	3	1	1	13	TPO defensible	Fair/Satisfactory / Suitable	Compact form
148	100	Sycamore (<i>Acer pseudoplatanus</i>)	3	5	3	1	1	13	TPO defensible	Fair/Satisfactory / Suitable	Compact form
148	101	Lime (<i>Tilia spp.</i>)	5	5	4	1	1	16	Definitely merits TPO	Good / Highly Suitable	Tall tree
148	102	Oak (<i>Quercus spp.</i>)	3	4	3	1	1	12	TPO defensible	Fair/Satisfactory / Suitable	Recent branch failures
148	103	Oak (<i>Quercus spp.</i>)	5	5	3	2	1	16	Definitely merits TPO	Good / Highly Suitable	Tall trees
148	104	N/A						0	No tree		
148	105	Sycamore (<i>Acer pseudoplatanus</i>)	3	5	2	1	1	12	TPO defensible	Fair/Satisfactory / Suitable	Part of roadside shelterbelt
148	106	Beech (<i>Fagus sylvatica</i>)	5	5	5	2	1	18	Definitely merits TPO	Good / Highly Suitable	Part of roadside shelterbelt
148	107	Norway Spruce (<i>Picea abies</i>)	3	4	3	2	1	13	TPO defensible	Fair/Satisfactory / Suitable	Part of roadside shelterbelt
148	108	Lime (<i>Tilia spp.</i>)	5	5	3	2	1	16	Definitely merits TPO	Good / Highly Suitable	Part of roadside shelterbelt
148	109	Sycamore (<i>Acer pseudoplatanus</i>)	5	5	3	1	1	15	TPO defensible	Good / Highly Suitable	Part of roadside shelterbelt
148	110	Sycamore (<i>Acer pseudoplatanus</i>)	3	5	3	1	1	13	TPO defensible	Fair/Satisfactory / Suitable	Part of roadside shelterbelt

TPO Ref Number	Tree/Group Number	Species	Amenity Score	Retention Score	Visibility Score	Other Factors	Expediency Score	Total Score	Decision	Condition	Comments
148	111	Sycamore (<i>Acer pseudoplatanus</i>)	3	5	3	1	1	13	TPO defensible	Fair/Satisfactory / Suitable	Part of roadside shelterbelt
148	112	Lime (<i>Tilia spp.</i>)	3	5	3	1	1	13	TPO defensible	Fair/Satisfactory / Suitable	Part of roadside shelterbelt
148	112A	Yew (<i>Taxus baccata</i>)	3	5	3	1	1	13	TPO defensible	Fair/Satisfactory / Suitable	Requires plotting
148	113	N/A						0	No tree		
148	114	N/A						0	No tree		
148	115	Sycamore (<i>Acer pseudoplatanus</i>)	3	5	3	2	1	14	TPO defensible	Fair/Satisfactory / Suitable	Part of roadside shelterbelt
148	116	Oak (<i>Quercus spp.</i>)	3	5	3	1	1	13	TPO defensible	Fair/Satisfactory / Suitable	Part of roadside shelterbelt
148	117	Lawson Cypress (<i>Chamaecyparis lawsoniana</i>)	3	4	2	2	1	12	TPO defensible	Fair/Satisfactory / Suitable	Part of roadside shelterbelt
148	118	Cherry Laurel (<i>Prunus laurocerasus</i>)	1	2	2	-	-	5	TPO indefensible	Poor / Unlikely to be suitable	Small shrub
148	119	Silver Birch (<i>Betula pendula</i>)	3	4	3	1	1	12	TPO defensible	Fair/Satisfactory / Suitable	Part of roadside shelterbelt
148	120	N/A						0	No tree		
148	121	Cherry Laurel (<i>Prunus laurocerasus</i>)	3	4	2	2	1	12	TPO defensible	Fair/Satisfactory / Suitable	Good form and size for species
148	122	Silver Birch (<i>Betula pendula</i>)	3	4	3	1	1	12	TPO defensible	Fair/Satisfactory / Suitable	Part of roadside shelterbelt

TPO Ref Number	Tree/Group Number	Species	Amenity Score	Retention Score	Visibility Score	Other Factors	Expediency Score	Total Score	Decision	Condition	Comments
148	123	Holly (<i>Ilex</i> spp.)	3	5	3	1	1	13	TPO defensible	Fair/Satisfactory / Suitable	Ornamental garden tree
148	124	N/A						0	No tree		
148	125	N/A						0	No tree		
148	126	Oak (<i>Quercus</i> spp.)	3	5	3	1	1	13	TPO defensible	Fair/Satisfactory / Suitable	Front garden tree
148	127	Austrian Pine (<i>Pinus nigra</i>)	3	5	3	1	1	13	TPO defensible	Fair/Satisfactory / Suitable	Good form for species
148	128	Beech (<i>Fagus sylvatica</i>)	1	5	2	1	-	9	Does not merit TPO	Poor / Unlikely to be suitable	Poor form
148	129	Oak (<i>Quercus</i> spp.)	5	5	3	2	1	16	Definitely merits TPO	Good / Highly Suitable	Front garden tree
148	130	Oak (<i>Quercus</i> spp.)	3	4	3	1	1	12	TPO defensible	Fair/Satisfactory / Suitable	Front garden tree
148	131	Horse Chestnut (<i>Aesculus hippocastanum</i>)	5	4	3	1	1	14	TPO defensible	Good / Highly Suitable	Corner of churchyard
148	132	Sycamore (<i>Acer pseudoplatanus</i>)	3	5	3	1	1	13	TPO defensible	Fair/Satisfactory / Suitable	Medium sized tree
148	133	Sycamore (<i>Acer pseudoplatanus</i>)	1	2	3	-	-	6	TPO indefensible	Poor / Unlikely to be suitable	Medium sized tree
148	134	N/A						0	No tree		
148	135	Sycamore (<i>Acer pseudoplatanus</i>)	3	5	3	1	1	13	TPO defensible	Fair/Satisfactory / Suitable	Rear garden tree
148	136	Sycamore (<i>Acer pseudoplatanus</i>)	3	4	3	1	1	12	TPO defensible	Fair/Satisfactory / Suitable	Rear garden tree
148	137	N/A						0	No tree		

TPO Ref Number	Tree/Group Number	Species	Amenity Score	Retention Score	Visibility Score	Other Factors	Expediency Score	Total Score	Decision	Condition	Comments
148	138	Sycamore (<i>Acer pseudoplatanus</i>)	3	4	3	1	1	12	TPO defensible	Fair/Satisfactory / Suitable	Rear garden tree
148	139	Sycamore (<i>Acer pseudoplatanus</i>)	0	0	2	-	-	2	Do not apply TPO	Dead/Dying/Dangerous / Unsuitable	In decline/dead
148	140	N/A						0	No tree		
148	141	N/A						0	No tree		
148	142	Sycamore (<i>Acer pseudoplatanus</i>)	3	5	3	1	1	13	TPO defensible	Fair/Satisfactory / Suitable	Rear garden tree
148	143	N/A						0	No tree		
148	144	Beech (<i>Fagus sylvatica</i>)	3	4	3	1	1	12	TPO defensible	Fair/Satisfactory / Suitable	Rear garden tree
148	145	Sycamore (<i>Acer pseudoplatanus</i>)	3	4	3	1	1	12	TPO defensible	Fair/Satisfactory / Suitable	Rear garden tree
148	146	Lime (<i>Tilia spp.</i>)	3	4	3	1	1	12	TPO defensible	Fair/Satisfactory / Suitable	Rear garden tree
148	147	Sycamore (<i>Acer pseudoplatanus</i>)	3	4	3	1	1	12	TPO defensible	Fair/Satisfactory / Suitable	Rear garden tree
148	148	Scots Pine (<i>Pinus sylvestris</i>)	5	5	4	2	1	17	Definitely merits TPO	Good / Highly Suitable	Rear garden tree
148	149	N/A						0	No tree		
148	150	N/A						0	No tree		
148	151	Horse Chestnut (<i>Aesculus hippocastanum</i>)	5	4	4	2	1	16	Definitely merits TPO	Good / Highly Suitable	Roadside shelterbelt tree
148	152	N/A						0	No tree		

TPO Ref Number	Tree/Group Number	Species	Amenity Score	Retention Score	Visibility Score	Other Factors	Expediency Score	Total Score	Decision	Condition	Comments
148	153	Horse Chestnut (<i>Aesculus hippocastanum</i>)	3	2	3	1	-	9	Does not merit TPO	Fair/Satisfactory / Suitable	Cavity within stem
148	154	Lime (<i>Tilia spp.</i>)	5	5	3	1	1	15	TPO defensible	Good / Highly Suitable	Large tree
148	155	Lime (<i>Tilia spp.</i>)	3	4	3	1	1	12	TPO defensible	Fair/Satisfactory / Suitable	Large tree
148	156	Horse Chestnut (<i>Aesculus hippocastanum</i>)	3	4	4	1	1	13	TPO defensible	Fair/Satisfactory / Suitable	Large tree
148	157	N/A						0	No tree		
148	158	Holly (<i>Ilex spp.</i>)	3	5	3	1	1	13	TPO defensible	Fair/Satisfactory / Suitable	Large tree
148	159	N/A						0	No tree		Recently windblown
148	160	Yew (<i>Taxus baccata</i>)	0	5	3	-	-	8	Do not apply TPO	Unsuitable	Young tree, probably a replacement
148	161	Yew (<i>Taxus baccata</i>)	1	5	3	1	1	11	TPO defensible	Poor / Unlikely to be suitable	Small tree
148	162	Yew (<i>Taxus baccata</i>)	1	5	2	1	-	9	Does not merit TPO	Unlikely to be suitable	Small tree
148	163	Yew (<i>Taxus baccata</i>)	1	5	2	1	-	9	Does not merit TPO	Unlikely to be suitable	Small tree
148	164	Sycamore (<i>Acer pseudoplatanus</i>)	3	4	3	1	1	12	TPO defensible	Fair/Satisfactory / Suitable	Roadside shelterbelt tree
148	165	Beech (<i>Fagus sylvatica</i>)	5	5	3	2	1	16	Definitely merits TPO	Good / Highly Suitable	Roadside shelterbelt tree
148	166	Lime (<i>Tilia spp.</i>)	3	4	3	1	1	12	TPO defensible	Fair/Satisfactory / Suitable	Roadside shelterbelt tree

TPO Ref Number	Tree/Group Number	Species	Amenity Score	Retention Score	Visibility Score	Other Factors	Expediency Score	Total Score	Decision	Condition	Comments
148	167	Lime (<i>Tilia spp.</i>)	3	4	3	1	1	12	TPO defensible	Fair/Satisfactory / Suitable	Roadside shelterbelt tree
148	168	Lime (<i>Tilia spp.</i>)	3	4	3	1	1	12	TPO defensible	Fair/Satisfactory / Suitable	Roadside shelterbelt tree
148	169	Beech (<i>Fagus sylvatica</i>)	5	5	3	2	1	16	Definitely merits TPO	Good / Highly Suitable	Large prominent mature tree
148	170	Beech (<i>Fagus sylvatica</i>)	3	5	3	1	1	13	TPO defensible	Fair/Satisfactory / Suitable	
148	171	Sycamore (<i>Acer pseudoplatanus</i>)	3	4	3	1	1	12	TPO defensible	Fair/Satisfactory / Suitable	Co-dominant stems with included bark. Good reaction wood shown
148	172	N/A						0	No tree		
148	173	Beech (<i>Fagus sylvatica</i>)	5	5	3	2	1	16	Definitely merits TPO	Good / Highly Suitable	Large mature tree to rear of private housing
148	174	Sycamore (<i>Acer pseudoplatanus</i>)	5	5	3	1	1	15	TPO defensible	Good / Highly Suitable	Large mature tree to rear of private housing
148	175	Beech (<i>Fagus sylvatica</i>)	5	5	3	1	1	15	TPO defensible	Good / Highly Suitable	Large tree within rear garden of chapel cottage
148	176	Beech (<i>Fagus sylvatica</i>)	5	5	3	2	1	16	Definitely merits TPO	Good / Highly Suitable	Large tree within rear garden of chapel cottage
148	177	Beech (<i>Fagus sylvatica</i>)	5	5	3	2	1	16	Definitely merits TPO	Good / Highly Suitable	Large tree to side of chapel cottage
148	178	N/A						0	No tree		
148	179	Sycamore (<i>Acer pseudoplatanus</i>)	3	4	3	1	1	12	TPO defensible	Fair/Satisfactory / Suitable	Large tree
148	180	Sycamore (<i>Acer pseudoplatanus</i>)	3	5	3	1	1	13	TPO defensible	Fair/Satisfactory / Suitable	Large tree

TPO Ref Number	Tree/Group Number	Species	Amenity Score	Retention Score	Visibility Score	Other Factors	Expediency Score	Total Score	Decision	Condition	Comments
148	181	Sycamore (<i>Acer pseudoplatanus</i>)	3	5	3	1	1	13	TPO defensible	Fair/Satisfactory / Suitable	
148	182	Lime (<i>Tilia spp.</i>)	5	5	3	2	1	16	Definitely merits TPO	Good / Highly Suitable	
148	183	N/A						0	No tree		
148	184	N/A						0	No tree		
148	185	Yew (<i>Taxus baccata</i>)	1	4	2	1	-	8	Does not merit TPO	Unlikely to be suitable	Small Irish yew
148	186	Yew (<i>Taxus baccata</i>)	3	5	3	1	1	13	TPO defensible	Fair/Satisfactory / Suitable	Typical middle-aged churchyard yew
148	187	Yew (<i>Taxus baccata</i>)	3	5	3	1	1	13	TPO defensible	Fair/Satisfactory / Suitable	Typical middle-aged churchyard yew
148	188	N/A						0	No tree		
148	189	Yew (<i>Taxus baccata</i>)	3	5	3	1	1	13	TPO defensible	Fair/Satisfactory / Suitable	Typical middle-aged churchyard yew
148	190	Silver Birch (<i>Betula pendula</i>)	3	4	3	1	1	12	TPO defensible	Fair/Satisfactory / Suitable	Good upright form
148	191	Beech (<i>Fagus sylvatica</i>)	5	5	3	2	1	16	Definitely merits TPO	Good / Highly Suitable	Large mature tree to rear of private housing
148	192	Beech (<i>Fagus sylvatica</i>)	3	5	3	1	1	13	TPO defensible	Fair/Satisfactory / Suitable	Included bark present
148	193	N/A						0	No tree		
148	194	Beech (<i>Fagus sylvatica</i>)	5	5	3	2	1	16	Definitely merits TPO	Good / Highly Suitable	Large tree
148	195	Beech (<i>Fagus sylvatica</i>)	5	5	3	1	1	15	TPO defensible	Good / Highly Suitable	Large tree
148	196	N/A						0	No tree		

TPO Ref Number	Tree/Group Number	Species	Amenity Score	Retention Score	Visibility Score	Other Factors	Expediency Score	Total Score	Decision	Condition	Comments
148	197	Beech (<i>Fagus sylvatica</i>)	3	5	3	1	1	13	TPO defensible	Fair/Satisfactory / Suitable	Large tree
148	198	Beech (<i>Fagus sylvatica</i>)	3	5	3	1	1	13	TPO defensible	Fair/Satisfactory / Suitable	Large tree
148	199	Lime (<i>Tilia spp.</i>)	3	4	4	1	1	13	TPO defensible	Fair/Satisfactory / Suitable	
148	200	Lime (<i>Tilia spp.</i>)	1	2	3	-	-	6	TPO indefensible	Poor / Unlikely to be suitable	Poor condition
148	201	Lime (<i>Tilia spp.</i>)	3	4	3	1	1	12	TPO defensible	Fair/Satisfactory / Suitable	Large tree
148	202	Lime (<i>Tilia spp.</i>)	5	5	3	2	1	16	Definitely merits TPO	Good / Highly Suitable	Good form for species
148	203	Lime (<i>Tilia spp.</i>)	3	5	3	2	1	14	TPO defensible	Fair/Satisfactory / Suitable	Large tree
148	204	Lime (<i>Tilia spp.</i>)	5	5	3	2	1	16	Definitely merits TPO	Good / Highly Suitable	Part of roadside shelterbelt
148	205	Sycamore (<i>Acer pseudoplatanus</i>)	3	5	3	1	1	13	TPO defensible	Fair/Satisfactory / Suitable	Part of roadside shelterbelt
148	206	Sycamore (<i>Acer pseudoplatanus</i>)	5	5	3	1	1	15	TPO defensible	Good / Highly Suitable	Part of roadside shelterbelt
148	207	Horse Chestnut (<i>Aesculus hippocastanum</i>)	1	4	2	1	-	8	Does not merit TPO	Poor / Unlikely to be suitable	Poor form
148	208	Sycamore (<i>Acer pseudoplatanus</i>)	3	5	3	1	1	13	TPO defensible	Fair/Satisfactory / Suitable	Part of roadside shelterbelt
148	209	Sweet Chestnut (<i>Castanea sativa</i>)	3	5	3	1	1	13	TPO defensible	Fair/Satisfactory / Suitable	Part of roadside shelterbelt
148	210	Beech (<i>Fagus sylvatica</i>)	3	5	3	1	1	13	TPO defensible	Fair/Satisfactory / Suitable	Part of roadside shelterbelt

TPO Ref Number	Tree/Group Number	Species	Amenity Score	Retention Score	Visibility Score	Other Factors	Expediency Score	Total Score	Decision	Condition	Comments
148	211	Sycamore (<i>Acer pseudoplatanus</i>)	3	5	3	1	1	13	TPO defensible	Fair/Satisfactory / Suitable	Part of roadside shelterbelt
148	212	Horse Chestnut (<i>Aesculus hippocastanum</i>)	1	5	3	1	1	11	Does not merit TPO	Poor / Unlikely to be suitable	Poor form
148	213	Lime (<i>Tilia spp.</i>)	3	5	3	1	1	13	TPO defensible	Fair/Satisfactory / Suitable	Part of roadside shelterbelt
148	214	Sycamore (<i>Acer pseudoplatanus</i>)	3	5	2	1	1	12	TPO defensible	Fair/Satisfactory / Suitable	Part of roadside shelterbelt
148	215	Sycamore (<i>Acer pseudoplatanus</i>)	3	5	3	1	1	13	TPO defensible	Fair/Satisfactory / Suitable	Part of roadside shelterbelt
148	216	Norway Maple (<i>Acer platanoides</i>)	1	4	3	1	-	9	Does not merit TPO	Poor / Unlikely to be suitable	Poor form
148	217	Norway Maple (<i>Acer platanoides</i>)	3	4	3	1	1	12	TPO defensible	Fair/Satisfactory / Suitable	Part of roadside shelterbelt
148	218	Horse Chestnut (<i>Aesculus hippocastanum</i>)	3	4	3	1	1	12	TPO defensible	Fair/Satisfactory / Suitable	Part of roadside shelterbelt
148	219	Sycamore (<i>Acer pseudoplatanus</i>)	3	5	3	1	1	13	TPO defensible	Fair/Satisfactory / Suitable	Tree in grounds of rugby club
148	220	Lime (<i>Tilia spp.</i>)	3	5	3	2	1	14	TPO defensible	Fair/Satisfactory / Suitable	Tree in grounds of rugby club
148	221	N/A						0	No tree		
148	222	Sycamore (<i>Acer pseudoplatanus</i>)	1	4	3	1	-	9	Does not merit TPO	Poor / Unlikely to be suitable	Poor form. Rear of rugby club car park
148	223	Sycamore (<i>Acer pseudoplatanus</i>)	5	5	3	1	1	15	TPO defensible	Good / Highly Suitable	Tree in grounds of rugby club

TPO Ref Number	Tree/Group Number	Species	Amenity Score	Retention Score	Visibility Score	Other Factors	Expediency Score	Total Score	Decision	Condition	Comments
148	224	N/A						0	No tree		
148	225	N/A						0	No tree		
148	226	N/A						0	No tree		
148	227	N/A						0	No tree		

TPO Ref Number	Tree/Group Number	Species	Amenity Score	Retention Score	Visibility Score	Other Factors	Expediency Score	Total Score	Decision	Condition	Comments
NEW SECTION											
247	G1	Mixed Species	5	4	3	1	1	14	TPO defensible	Good / Highly Suitable	Oak, Sycamore, Birch, Pine, Horse Chestnut
247	G2	Mixed Species	3	4	3	1	1	12	TPO defensible	Fair/Satisfactory / Suitable	Sycamore Holly, Birch, Pine
247	T1	Oak (<i>Quercus spp.</i>)	5	5	1	1	1	13	TPO defensible	Good / Highly Suitable	Large tree
247	G3	Mixed Species	3	4	3	1	1	12	TPO defensible	Fair/Satisfactory / Suitable	Pine, Birch, Horse Chestnut, Beech
247	T2	Yellow Buckeye (<i>Aesculus flava</i>)	3	4	1	1	-	9	Does not merit TPO	Fair	Semi-mature unusual species however, limited visibility
247	G4	Mixed Species	3	4	3	1	1	12	TPO defensible	Fair/Satisfactory / Suitable	Sweet Chestnut, Horse Chestnut, Lime, Larch, Pine, Beech, Holly, Norway Maple, Elm, Oak, Sycamore. Land managed for recreation i.e. some trees cleared to create paths
247	T3	Horse Chestnut (<i>Aesculus hippocastanum</i>)	1	4	3	1	-	9	Does not merit TPO	Poor / Unlikely to be suitable	Suppressed by T4
247	T4	Oak (<i>Quercus spp.</i>)	5	5	4	4	1	19	Definitely merits TPO	Good / Highly Suitable	Very Large tree
247	T5	Lime (<i>Tilia spp.</i>)	3	5	3	1	1	13	TPO defensible	Fair/Satisfactory / Suitable	
247	G5	Mixed Species	5	4	3	1	1	14	TPO defensible	Good / Highly Suitable	Oak, Norway Maple, Lime, Birch, Cypress, Pine, Larch, Ash
247	G6	Mixed species	5	4	3	4	3	19	Definitely merits TPO	Good / Highly Suitable	Cypress, Holly, Birch, Sycamore, Poplar, Pine, Larch, Ash.

TPO Ref Number	Tree/Group Number	Species	Amenity Score	Retention Score	Visibility Score	Other Factors	Expediency Score	Total Score	Decision	Condition	Comments
											Recent felling work noted
247	T6	Silver Birch (<i>Betula pendula</i>)	1	4	3	1	-	9	Does not merit TPO	Poor / Unlikely to be suitable	Medium tree of typical form for species
247	T7	Sycamore (<i>Acer pseudoplatanus</i>)	5	5	4	1	1	16	Definitely merits TPO	Fair/Satisfactory / Suitable	Roadside tree
247	T8	Manna Ash (<i>Fraxinus ornus</i>)	3	4	3	3	1	14	TPO defensible	Fair/Satisfactory / Suitable	Grafting of main stem
247	G7	Mixed species	3	5	3	4	1	16	Definitely merits TPO	Fair/Satisfactory / Suitable	Pine, Horse Chestnut, Cypress
247	G8	Mixed species	3	4	3	4	1	15	TPO defensible	Fair/Satisfactory / Suitable	Norway Maple, Lime, Pine, Horse Chestnut
247	G9	Mixed species	5	4	4	4	1	18	Definitely merits TPO	Good / Highly Suitable	Sycamore, Pine, Horse Chestnut, Larch, Birch, Lime, Oak, Elm
247	G10	Mixed species	5	4	4	4	1	18	Definitely merits TPO	Good / Highly Suitable	Lime, Pine
247	G11	Mixed species	5	4	4	4	1	18	Definitely merits TPO	Good / Highly Suitable	Lime, Sycamore
247	G12	Mixed species	5	4	4	4	1	18	Definitely merits TPO	Good / Highly Suitable	Lime, Sycamore, Lime Oak, Sweet Chestnut
247	G13	Mixed species	3	4	3	1	1	12	TPO defensible	Fair/Satisfactory / Suitable	Cherry, Lime, Birch, Horse Chestnut, Pine, Oak
247	*G14	Mixed species	3	5	4	4	1	17	Definitely merits TPO	Fair/Satisfactory / Suitable	Suggested new group to add to existing TPO247. Sycamore, Oak, Beech, Norway maple & Scots pine

Appendix D TEMPO: Guidance Note and Decision Guide

TREE EVALUATION METHOD FOR PRESERVATION ORDERS: TEMPO

Excluding the first section, which is simply the survey record and is thus self-explanatory, TEMPO is a three-part system:

Part 1 is the Amenity Assessment

Part 2 is the Expediency Assessment

Part 3 is the Decision Guide

These parts are set out and function as follows:

Part 1: Amenity Assessment

This part of TEMPO is broken down into four sections, each of which are related to suitability for TPO:

- a) Condition
- b) Retention span
- c) Relative public visibility
- d) Other factors

Part 2: Expediency assessment

This section is designed to award points based on three levels of identified threat to the trees concerned. Examples and notes for each category are:

- 'Immediate threat to tree' – for example, Tree Officer receives Conservation Area notification to fell
- 'Foreseeable threat to tree' – for example, planning department receives application for outline planning consent on the site where the tree stands
- 'Perceived threat to tree' – for example, survey identifies tree standing on a potential infill plot

Part 3: Decision Guide

This section is based on the accumulated scores derived in Parts 1 & 2, and identifies four outcomes, as follows:

- Any 0 Do not apply TPO

Where a tree has attracted a zero score, there is a clearly identifiable reason not to protect it, and indeed to seek to do so is simply bad practice

- 1-6 TPO indefensible

This covers trees that have failed to score enough points in sections 1a-c to qualify for an 'other factors' score under 1d. Such trees have little to offer their locality and should not be protected

- 7-10 Does not merit TPO

This covers trees which *have* qualified for a 1d score, though they may not have qualified for Part 2. However, even if they have made it to Part 2, they have failed to pick up significant additional points. This would apply, for example, to a borderline tree in amenity terms that also lacked the protection imperative of a clear threat to its retention

- 11-14 Possibly merits TPO

This applies to trees that have qualified under all sections but have failed to do so convincingly. For these trees, the issue of applying a TPO is likely to devolve to other considerations, such as public pressure, resources and 'gut feeling'

- 15+ Definitely merits TPO

Trees scoring 15 or more are those that have passed both the amenity and expediency assessments, where the application of a TPO is fully justified based on the field assessment exercise

Conclusion

TEMPO is a quick and easy means of systematically assessing tree or group suitability for statutory protection. It may be used either for new TPOs or for TPO re-survey, especially where Area TPOs are being reviewed.

From the consultants' perspective, it is also an effective way of testing the suitability of newly applied TPOs, to see whether they have been misapplied, or it can be used to support a request to make a TPO in respect of trees at risk, for example from adjacent development.

TEMPO does not seek to attach any monetary significance to the derived score: the author recommends the use of the Helliwell System where this is the objective.

Appendix E Survey Data Sheet

TREE EVALUATION METHOD FOR PRESERVATION ORDERS - TEMPO

SURVEY DATA SHEET & DECISION GUIDE

Date:	Surveyor:	
Tree details	Tree/Group No:	Species:
TPO Ref (if applicable):	Location:	
Owner (if known):		

REFER TO GUIDANCE NOTE FOR ALL DEFINITIONS

Part 1: Amenity assessment

a) Condition & suitability for TPO

- | | |
|--------------------------|-------------------------|
| 5) Good | Highly suitable |
| 3) Fair/satisfactory | Suitable |
| 1) Poor | Unlikely to be suitable |
| 0) Dead/dying/dangerous* | Unsuitable |

* Relates to existing context and is intended to apply to severe irremediable defects only

Score & Notes

b) Retention span (in years) & suitability for TPO

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

*Includes trees which are an existing or near future nuisance, including those clearly outgrowing their context, or which are significantly negating the potential of other trees of better quality

Score & Notes

c) Relative public visibility & suitability for TPO

Consider realistic potential for future visibility with changed land use

- | | |
|---|---------------------|
| 5) Very large trees with some visibility, or prominent large trees | Highly suitable |
| 4) Large trees, or medium trees clearly visible to the public | Suitable |
| 3) Medium trees, or large trees with limited view only | Suitable |
| 2) Young, small, or medium/large trees visible only with difficulty | Barely suitable |
| 1) Trees not visible to the public, regardless of size | Probably unsuitable |

Score & Notes

d) Other factors

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

- | |
|--|
| 5) Principal components of formal arboricultural features, or veteran trees |
| 4) Tree groups, or principal members of groups 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 (inc. those of indifferent form) |
| -1) Trees with poor form or which are generally unsuitable for their location |

Score & Notes

Part 2: Expediency assessment

Trees must have accrued 10 or more points to qualify

- | |
|---|
| 5) Immediate threat to tree inc. s.211 Notice |
| 3) Foreseeable threat to tree |
| 2) Perceived threat to tree |
| 1) Precautionary only |

Score & Notes

Part 3: Decision guide

- | | |
|-------|-----------------------|
| Any 0 | Do not apply TPO |
| 1-6 | TPO indefensible |
| 7-11 | Does not merit TPO |
| 12-15 | TPO defensible |
| 16+ | Definitely merits TPO |

Add Scores for Total:

Decision:

Appendix F References:

'Amenity Valuation of Trees and Woodlands', DR Helliwell, Arboricultural Association 2003
[the Helliwell System]

Part VIII of the Town and Country Planning Act 1990

Town and Country Planning (Trees) Regulations 1999

Part VIII of the Town and Country Planning Act 1990 as amended and in the Town and
Country Planning (Tree Preservation) (England) Regulations 2012

BS3998: 2010 Recommendations for tree work

BS5837: 2012 Trees in Relation to Design, Demolition and Construction.
Recommendations

TEMPO: Tree Evaluation Method for Preservation Orders 2009

'Tree Management', Leaflet No. 4, Arboricultural Association 1991 Helliwell op. cit.

'Tree Preservation Orders: A Guide to the Law and Good Practice', DETR 2000

'Veteran Trees: A Guide to Good Management', Helen Read, English Nature 2000



TOWN AND COUNTRY PLANNING (TREE PRESERVATION) (ENGLAND) REGULATIONS 2012

Town and Country Planning Act 1990

The City Council of Carlisle

Land at Carleton Clinic, Carlisle – Tree Preservation Order 2019 (No.307)

The City Council of Carlisle in exercise of the powers conferred on them by section 198 of the Town and Country Planning Act 1990 make the following Order—

Citation

1. This Order may be cited as the Land at Carleton Clinic, Carlisle – Tree Preservation Order 2017 (No.307).

Interpretation

2.— (1) In this Order “the authority” means The City Council of Carlisle

(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 2012.

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, uprooting, 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

A decision not to confirm this Order was taken by The City Council of Carlisle on the day of

VARIATION OF ORDER

This Order was varied by The City Council of Carlisle on the day of by a
variation order under reference number a copy of which is attached

Signed on behalf of The City Council of Carlisle

.....
Authorised by the Council to sign in that behalf

REVOCATION OF ORDER

This Order was revoked by The City Council of Carlisle on the day of

Signed on behalf of The City Council of Carlisle

.....
Authorised by the Council to sign in that behalf

SCHEDULE

Specification of trees

Trees specified individually

(encircled in black on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
T1	Oak	Grid Ref: 343351 553535
T4	Oak	Grid Ref: 343351 553649
T5	Lime	Grid Ref: 343346 553652
T7	Sycamore	Grid Ref: 343426 553730
T8	Manna Ash	Grid Ref: 343401 553727

Trees specified by reference to an area

(within a dotted black line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
G	None	

Groups of trees

(within a broken black line on the map)

<i>Reference on map</i>	<i>Description (including number of trees of each species in the group)</i>	<i>Situation</i>
G1	Oak, Sycamore, Birch, Pine, Horse Chestnut	Grid Ref: 343455 553498
G2	Sycamore, Holly, Birch Pine	Grid Ref: 343425 553528
G3	Pine, Birch, Horse Chestnut, Beech	Grid Ref: 343366 553514
G4	Sweet Chestnut, Horse Chestnut, Lime, Larch, Pine, Beech, Holly, Norway Maple, Elm, Oak, Sycamore	Grid Ref: 343282 553605
G5	Oak, Norway Maple, Lime, Birch, Cypress, Pine, Larch, Ash	Grid Ref: 343337 553673
G6	Cypress, Holly, Birch, Sycamore, Poplar, Pine, Larch, Ash	Grid Ref: 343424 553690
G7	Pine, Horse Chestnut, Cypress	Grid Ref: 343450 553643

G8	Norway Maple, Lime, Pine, Horse Chestnut	Grid Ref: 343445 553561
G9	Sycamore, Pine, Horse Chestnut, Larch, Birch, Lime, Oak, Elm	Grid Ref: 343469 553567
G10	Lime, Pine	Grid Ref: 343459 553639
G11	Lime, Sycamore	Grid Ref: 343435 553711
G12	Lime, Sycamore, Lime Oak, Sweet Chestnut	Grid Ref: 343435 553711
G13	Cherry, Lime, Birch, Horse Chestnut, Pine, Oak	Grid Ref: 343332 553689
G14	Sycamore, Oak, Beech, Norway Maple, Scots Pine	Grid Ref: 343402 553740

Woodlands

(within a continuous black line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
W	None	

TREE PRESERVATION ORDER No. TPO 307

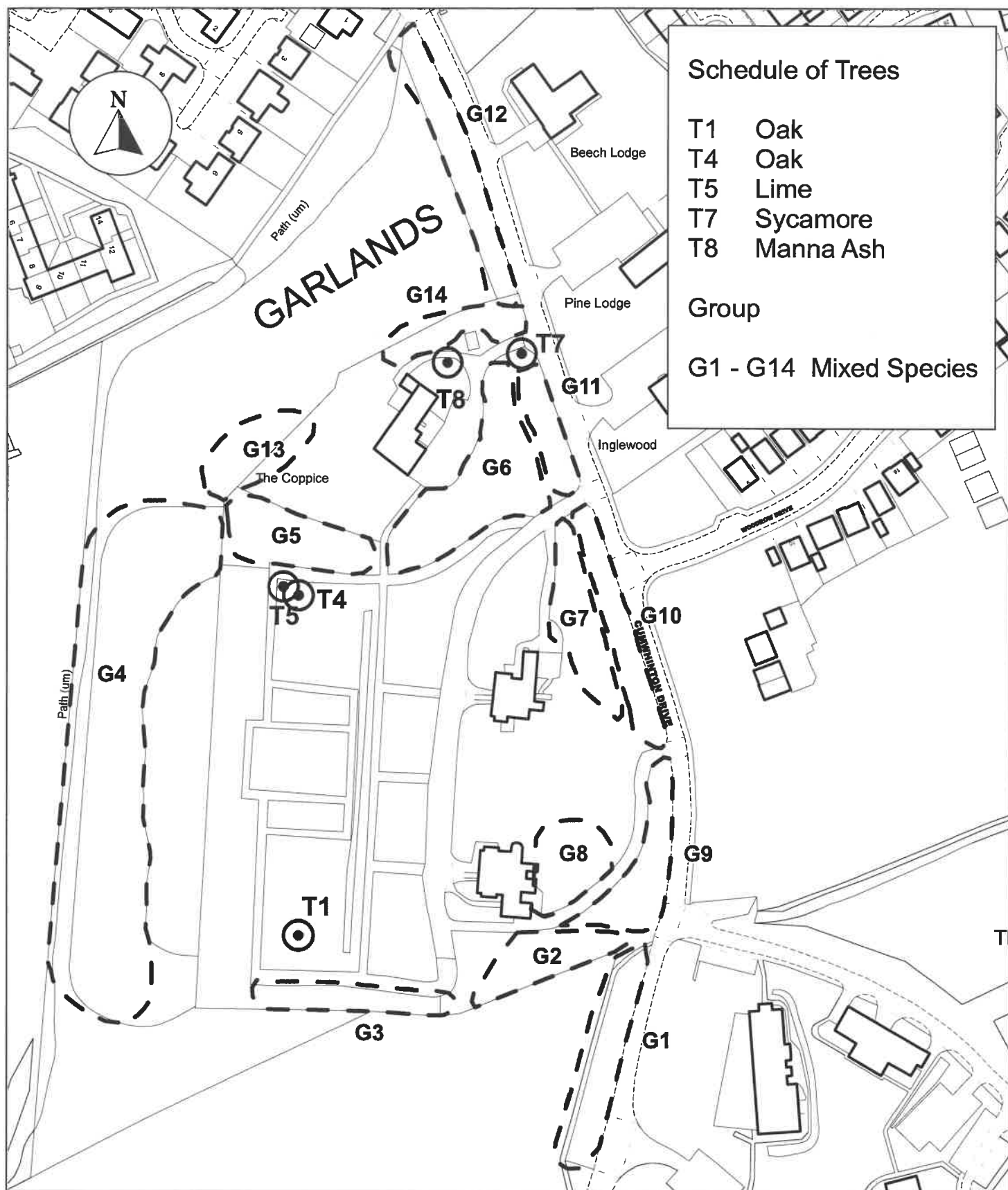
LAND AT CARLETON CLINIC

STATEMENT OF REASONS

By virtue of section 198 of the Town and Country Planning Act 1990 the local planning authority may make a tree preservation order where it appears to the authority that it is expedient in the interests of amenity to make provision for the protection of trees and woodlands in its area.

The guidance set out in the Department of the Environment Transport and the Regions document 'Tree Preservation Orders, A Guide to the Law and Good Practice' states that tree preservation orders should be used to protect selected trees and woodlands if their removal would have a significant impact on the local environment and its enjoyment by the public.

The trees, by virtue of their form and size are prominent in the landscape and form a significant element in the character of the location. They are clearly visible from the road and are considered to be of significant visual amenity and landscape value to the locality.



Act 1990 Section 198(1)

Tree Preservation Order Number 307
Land at Carleton Clinic, to the west of
Cumwhinton Drive, Carlisle

Scale: 1 : 1750

Date: Sept 2019

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 ordnance survey LA100024459

Economic Development, Civic Centre, Carlisle, CA3 8QG

**TOWN AND COUNTRY PLANNING (TREE PRESERVATION) (ENGLAND)
REGULATIONS 2012**

Town and Country Planning Act 1990

The City Council of Carlisle

Land at Garlands Estate, Carlisle – Tree Preservation Order 2019 (No.308)

The City Council of Carlisle in exercise of the powers conferred on them by section 198 of the Town and Country Planning Act 1990 make the following Order—

Citation

1. This Order may be cited as the Land at Garland Estate, Carlisle – Tree Preservation Order 2019 (No.308).

Interpretation

2.— (1) In this Order “the authority” means The City Council of Carlisle

(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 2012.

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, uprooting, 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.



CONFIRMATION OF ORDER

OR

Signed on behalf of The City Council of Carlisle

DECISION NOT TO CONFIRM ORDER

Signed on behalf of The City Council of Carlisle

VARIATION OF ORDER

This Order was varied by The City Council of Carlisle on the day of by a
variation order under reference number a copy of which is attached

Signed on behalf of The City Council of Carlisle

.....
Authorised by the Council to sign in that behalf

REVOCATION OF ORDER

This Order was revoked by The City Council of Carlisle on the day of

Signed on behalf of The City Council of Carlisle

.....
Authorised by the Council to sign in that behalf

SCHEDULE

Specification of trees

Trees specified individually

(encircled in black on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
T1	Oak	43381 553849
T3	Oak	343364 553822
T4	Oak	343358 553814
T5	Oak	343354 553806
T6	Lime	343338 553783
T7	Austrian Pine	343334 553782
T8	Lime	343334 553777
T9	Horse Chestnut	343332 553775
T10	Lime	343329 553770
T13	Lime	343315 553767
T14	Lime	343299 553779
T15	Horse Chestnut	343294 553783
T16	Wellingtonia	343301 553789
T17	Wellingtonia	343289 553797
T24	Horse Chestnut	343287 553745
T26	Norway Maple	343271 553738
T27	Horse Chestnut	343261 553731
T29	Sweet Chestnut	343250 553726
T30	Lime	343243 553723
T32	Sycamore	343231 553717
T33	Lime	343225 553713
T34	Norway Maple	343220 553712
T35	Silver Birch	343216 553719
T39	Sycamore	343204 553714
T41	Red Horse Chestnut	343194 553732
T48	Lime	343169 553749
T50	Sycamore	343160 553753
T53	Sycamore	343157 553771
T55	Lawson Cypress	343188 553797
T56	Common Fir	343194 553794
T58	Sycamore	343193 553788
T59	Horse Chestnut	343197 553826
T61	Beech	343124 553781
T62	Lime	343114 553787
T63	Horse Chestnut	343104 553795
T65	Oak	343093 553805
T66	Beech	343087 553810
T68	Lime	343076 553829
T70	Horse Chestnut	343067 553848
T71	Holly	343063 553864
T71	Holly	343064 553861
T72	Holly	343058 553873
T80	Lime	343123 553800
T84	Lime	343129 553827
T85	Sycamore	343121 553832
T86	Norway Maple	343124 553842

T88	Norway Maple	343124	553852
T89	Lime	343125	553858
T99	Sycamore	343123	553918
T100	Sycamore	343121	553922
T101	Lime	343048	553921
T102	Oak	343052	553922
T103	Oak	343061	553926
T105	Sycamore	343086	553930
T106	Beech	343095	553941
T107	Norway Spruce	343099	553931
T108	Lime	343113	553946
T109	Sycamore	343117	553939
T110	Sycamore	343123	553946
T111	Sycamore	343131	553952
T112	Lime	343137	553945
T112	Yew	343144	553950
T115	Sycamore	343153	553957
T116	Oak	343164	553959
T117	Lawson Cypress	343169	553946
T119	Silver Birch	343172	553959
T121	Cherry Laurel	343181	553961
T122	Silver Birch	343168	553960
T123	Holly	343343	553887
T126	Oak	343357	553873
T127	Austrian Pine	343354	553865
T129	Oak	343365	553854
T130	Oak	343372	553860
T131	Horse Chestnut	343233	554037
T132	Sycamore	343236	554034
T135	Sycamore	343214	554032
T136	Sycamore	343212	554035
T138	Sycamore	343201	554029
T142	Sycamore	343184	554014
T144	Beech	343188	554003
T145	Sycamore	343185	554000
T146	Lime	343189	553994
T147	Sycamore	343185	553988
T148	Scots Pine	343180	553982
T151	Horse Chestnut	343143	553974
T154	Lime	343096	553957
T155	Lime	343081	553951
T156	Horse Chestnut	343067	553945
T158	Holly	343194	553997
T161	Yew	343213	553996
T164	Sycamore	343214	553974
T165	Beech	343219	553974
T166	Lime	343226	553973
T167	Lime	343234	553969
T168	Lime	343242	553967
T169	Beech	343239	553972
T170	Beech	343228	553988
T171	Sycamore	343227	553992
T173	Beech	343268	554001
T174	Sycamore	343264	554004
T175	Beech	343255	554007

T176	Beech	343248	554009
T177	Beech	343236	554004
T179	Sycamore	343251	554015
T180	Sycamore	343247	554022
T181	Sycamore	343241	554014
T182	Lime	343235	554017
T186	Yew	343227	554021
T187	Yew	343220	554021
T189	Yew	343212	554015
T190	Silver Birch	343208	554019
T191	Beech	343274	553995
T192	Beech	343282	553991
T194	Beech	343277	553987
T195	Beech	343266	553984
T197	Beech	343269	553977
T198	Beech	343264	553970
T199	Lime	343254	553963
T201	Lime	343274	553952
T202	Lime	343284	553957
T203	Lime	343272	553958
T204	Lime	343043	553881
T205	Sycamore	343037	553879
T206	Sycamore	343050	553861
T208	Sycamore	343050	553851
T209	Sweet Chestnut	343056	553847
T210	Beech	343060	553839
T211	Sycamore	343058	553832
T213	Lime	343066	553827
T214	Sycamore	343065	553821
T215	Sycamore	343069	553808
T217	Norway Maple	343071	553802
T218	Horse Chestnut	343076	553803
T219	Sycamore	343078	553790
T220	Lime	343088	553791
T223	Sycamore	343343	553780

Trees specified by reference to an area

(within a dotted black line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
[A1]	None	

Groups of trees

(within a broken black line on the map)

<i>Reference on map</i>	<i>Description (including number of trees of each species in the group)</i>	<i>Situation</i>
[G1]	None	

Woodlands

(within a continuous black line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
[W1}	None	

TREE PRESERVATION ORDER No. TPO 308 GARLANDS ESTATE

STATEMENT OF REASONS

By virtue of section 198 of the Town and Country Planning Act 1990 the local planning authority may make a tree preservation order where it appears to the authority that it is expedient in the interests of amenity to make provision for the protection of trees and woodlands in its area.

The guidance set out in the Department of the Environment Transport and the Regions document 'Tree Preservation Orders, A Guide to the Law and Good Practice' states that tree preservation orders should be used to protect selected trees and woodlands if their removal would have a significant impact on the local environment and its enjoyment by the public.

The trees, by virtue of their form and size are prominent in the landscape and form a significant element in the character of the location. They are clearly visible from the road and are of significant visual amenity and landscape value to the locality.

Most of these trees are included within Preservation Order 148, made in 1999 prior to development. There have been several previous applications to work on trees in this area and, having reviewed this Order, it is now considered appropriate to continue to protect certain trees contained within the schedule of this new Order, 308.

REPRESENTATION: TREE PRESERVATION ORDER 2019 (No 308) – Land at Garlands Estate, Carlisle

I wish to make a representation in relation to the above Order.

The representation relates to the trees located in the rear gardens of No 2, 4, 6 and 8 Pennine View, Carlisle which are subject of the previous Order (No 148) and also the new Order (No 308).

The plan which shows tree positions which forms part of the new Order is inaccurate in relation to the above mentioned properties on Pennine View and is currently not fit for purpose and as a consequence is unenforceable by the Council.

The actual position of the trees identified within the new Order are as follows:

2 Pennine View: T145, 146, 147 and 148;

4 Pennine View: T142 and 144;

6 Pennine View: No trees in garden;

8 Pennine View: T138.

The TPO consultation which was undertaken by Amey on Pennine View has failed to make a thorough assessment of the trees located in the rear gardens of the properties- the assessment took place from the kerbside of Pennine View which is approximately 50 metres from some of the trees. This has understandably lead to a flawed assessment of the tree locations and other factors which are considered as part of the TPO consultation.

With regard to other factors which should have been taken into account during the assessment to determine suitability for TPO I do not believe that the following points have been considered properly within the context of amenity value:

1. With regard to condition and sustainability, the trees in the rear gardens are generally in a fair to poor condition with some signs of decay;
2. They do not have a good retention span;
3. With regard to relative public visibility, the trees which are only partially visible over the tops of the bungalows;
4. The trees have poor form and are generally unsuitable for a small domestic garden, they have outgrown their environment – I understand that this has been acknowledged by Amey early on in the consultation;
5. From a public safety perspective, because the trees are generally not in good condition and are in excess of 20 metres in some cases, they are significantly affected by extremes of weather, particularly high winds. They have poor resilience. Some of the large trees are within 10 metres of the bungalows which is a source of deep concern to residents.

Whilst this representation relates on to properties on Pennine View, I believe that it casts some doubt as to the accuracy of the rest of the Order.

I would be grateful if the planning committee would give consideration to this representation when making their decision whether to include the trees located to the rear of Pennine View under the protection of TPO 308.

Thank you

Sent: Tuesday, October 1, 2019 8:39AM
To: Susan Stashkiw Susan.Stashkiw@carlisle.gov.uk
Subject: Re: TPO Review - Pennine View
Importance: High

Sue,

Have looked at the Tree report and all the information provided and I am finding the TEMPO scoring inconsistent in places. Am not convinced that the rear garden trees have been correctly assessed and often they are difficult to assess from public land. Leans and defects such as weak unions would be difficult to spot.

Retention span

Retention span seems to be higher scores than is possible certainly based on my knowledge and experience. We reviewed all the TPO's in Salford and South Lakes DC.

An example is T135 it has a retention score of 100+ years scoring 5. This is incorrect 100+ years for a middle aged sycamore tree in a rear garden in an exposed location. The score is more likely to be 1 or 2. The same applies to many of the trees on Pennine Way.

T136 has a retention span of 4 which is 40-100 which again wouldn't be my assumption. Both trees are indefensible for the TPO.

Relative public visibility & suitability for TPO

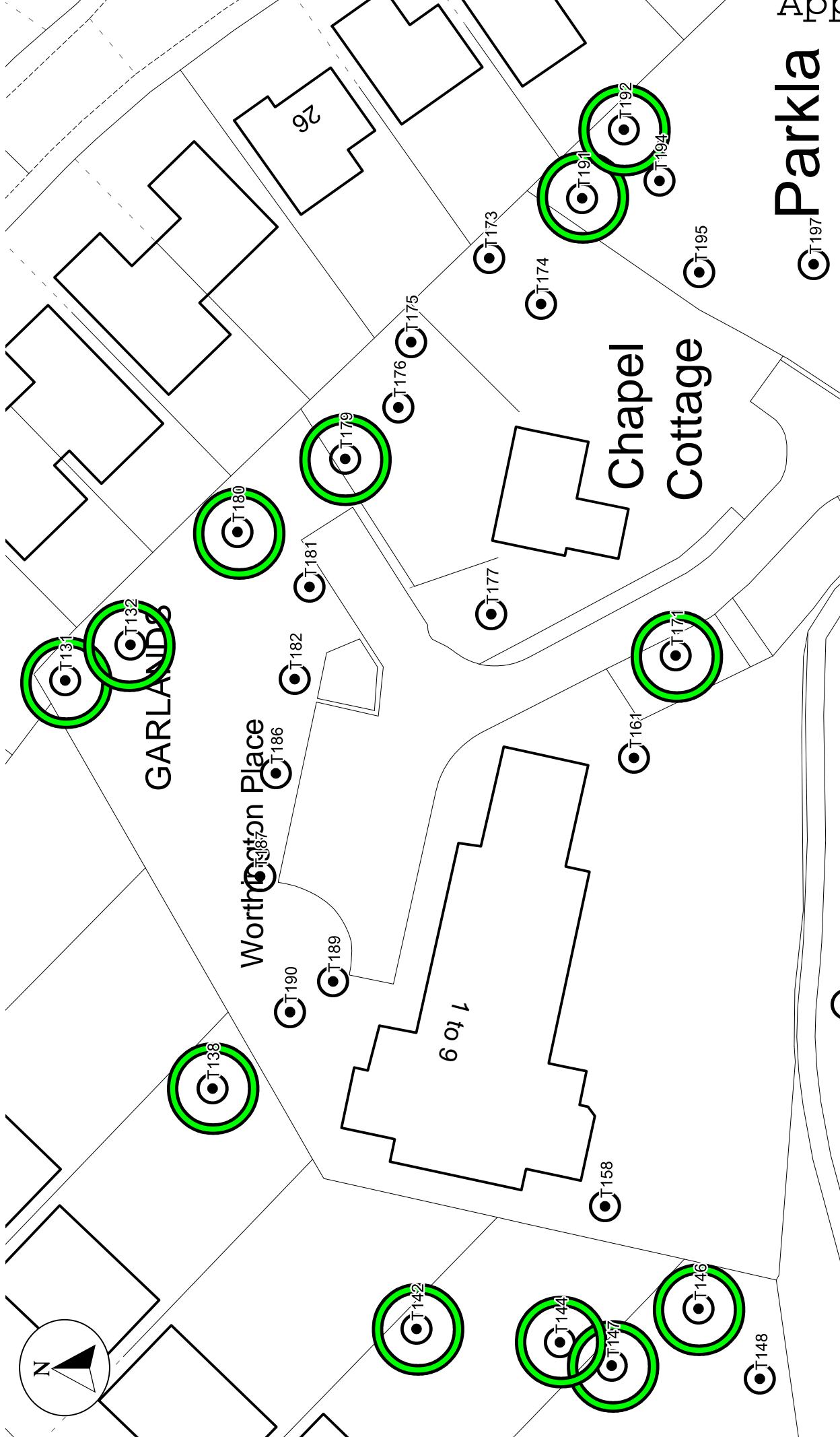
Many of the rear garden trees have very limited views and should score 2 or 3.

Where trees are indefensible / doesn't not merit a TPO the TPO's should be removed and perhaps issue a leaflet or letter to the property owners on the benefits of trees and replanting suitable species in their gardens. Including where they can find more information.

Summary

The issue I have is that many residents have unsuitable trees of significant size in their rear gardens protected by a TPO that I believe Charles incorrectly applied.

Regards



Parkla

Key	
	Point
	Trees Not To Be Protected By TPO

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CARLISLE CITY COUNCIL
Economic Development
Civic Centre
Rickergate
Carlisle
CA3 8QG
www.carlisle.gov.uk

Act 1990 Section 198(1)

Tree Preservation Order Number 308

Land at Garlands Estate, Carlisle

TREE EVALUATION METHOD FOR PRESERVATION ORDERS (TEMPO) SURVEY DATA SHEET AND DECISION GUIDE

Date	25.10.19.	Surveyor: Sue Stashkiw
------	-----------	------------------------

Tree details Photos 28,29,30

TPO Ref (if applicable) T308

Owner (if known) Worthington Place
Management Company

Tree 131 – Horse Chestnut

Location: Rear of Worthington Place
(directly behind 14-16 Pennine View)

REFER TO GUIDANCE NOTES FOR ALL DEFINITIONS

Part 1: Amenity assessment

a) Condition and suitability for TPO; where trees in good or fair condition have poor form, deduct 1 point

- | | |
|--------------------------|-------------------------|
| 5) Good | Highly Suitable |
| 3) Fair | Suitable |
| 1) Poor | Unlikely to be suitable |
| 0) Dead/Dying/Dangerous* | Unsuitable |

Scores & Notes

5

*Relates to existing context and is intended to apply to severe irremediable defects only

b) Retention span (in years) & suitability for TPO

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

Scores & Notes

2

*Includes trees which are an existing or near future nuisance, including those clearly outgrowing their context, or which are significantly negating the potential of other trees of better quality.

c) Relative public visibility & suitability for TPO

*Consider realistic potential for future visibility with changed land use.

- | | |
|---|---------------------|
| 5) Very large trees with some visibility , or prominent large trees | Highly suitable |
| 4) Large trees, or medium trees clearly visible to the public | Suitable |
| 3) Medium trees, or large trees with limited view only | Suitable |
| 2) Young, small, medium/large trees visible only with difficulty | Barely suitable |
| 1) Trees not visible to public regardless of size | Probably unsuitable |

Scores & Notes

3

d) Other factors

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

- | | |
|--|-------------------------------|
| 5) Principal component of arboricultural feature, or veteran trees | 5) Immediate threat to tree |
| 4) Tree groups, or members of groups important for their cohesion | 3) Foreseeable threat to tree |
| 3) Trees with identifiable historic, commemorative or habitat importance | 2) Perceived threat to tree |
| 2) Trees of particularly good form, especially if rare or unusual | 1) Precautionary only |
| 1) Trees with none of the above redeeming features (including those of indifferent form) | |
| -1) Trees with poor form or which are generally unsuitable for their location. | |

Scores & Notes

-1

TOTAL

Part 2: Expediency assessment

Trees must have accrued 10 or more points to qualify

- | | |
|-------------------------------|----------------|
| 5) Immediate threat to tree | Scores & Notes |
| 3) Foreseeable threat to tree | |
| 2) Perceived threat to tree | |
| 1) Precautionary only | |

Scores & Notes

1

Part 3: Decision guide

- | | |
|-------|-----------------------|
| Any 0 | Do not apply TPO |
| 1-6 | TPO indefensible |
| 7-11 | Does not merit TPO |
| 12-15 | TPO defensible |
| 16+ | Definitely merits TPO |

Add scores for Total

10

Decision

Does not merit TPO

TREE EVALUATION METHOD FOR PRESERVATION ORDERS (TEMPO) SURVEY DATA SHEET AND DECISION GUIDE

Date	25.10.19.	Surveyor: Sue Stashkiw
------	-----------	------------------------

Tree details Photos ,29,30

TPO Ref (if applicable) T308

Owner (if known) Worthington Place
Management Company

Tree 132 – Sycamore

Location: Rear of Worthington Place
(directly behind 14-16 Pennine View)

REFER TO GUIDANCE NOTES FOR ALL DEFINITIONS

Part 1: Amenity assessment

a) Condition and suitability for TPO; where trees in good or fair condition have poor form, deduct 1 point

- | | |
|--------------------------|-------------------------|
| 5) Good | Highly Suitable |
| 3) Fair | Suitable |
| 1) Poor | Unlikely to be suitable |
| 0) Dead/Dying/Dangerous* | Unsuitable |

Scores & Notes

3

*Relates to existing context and is intended to apply to severe irremediable defects only

b) Retention span (in years) & suitability for TPO

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

Scores & Notes

4

*Includes trees which are an existing or near future nuisance, including those clearly outgrowing their context, or which are significantly negating the potential of other trees of better quality.

c) Relative public visibility & suitability for TPO

*Consider realistic potential for future visibility with changed land use.

- | | |
|---|---------------------|
| 5) Very large trees with some visibility , or prominent large trees | Highly suitable |
| 4) Large trees, or medium trees clearly visible to the public | Suitable |
| 3) Medium trees, or large trees with limited view only | Suitable |
| 2) Young, small, medium/large trees visible only with difficulty | Barely suitable |
| 1) Trees not visible to public regardless of size | Probably unsuitable |

Scores & Notes

3

d) Other factors

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

- | | |
|--|-------------------------------|
| 5) Principal component of arboricultural feature, or veteran trees | 5) Immediate threat to tree |
| 4) Tree groups, or members of groups important for their cohesion | 3) Foreseeable threat to tree |
| 3) Trees with identifiable historic, commemorative or habitat importance | 2) Perceived threat to tree |
| 2) Trees of particularly good form, especially if rare or unusual | 1) Precautionary only |
| 1) Trees with none of the above redeeming features (including those of indifferent form) | |
| -1) Trees with poor form or which are generally unsuitable for their location. | |

Scores & Notes

-1

TOTAL

Part 2: Expediency assessment

Trees must have accrued 10 or more points to qualify

- | | |
|-------------------------------|-------------------------------|
| 5) Immediate threat to tree | 5) Immediate threat to tree |
| 3) Foreseeable threat to tree | 3) Foreseeable threat to tree |
| 2) Perceived threat to tree | 2) Perceived threat to tree |
| 1) Precautionary only | 1) Precautionary only |

Scores & Notes

1

Part 3: Decision guide

- | | |
|-------|-----------------------|
| Any 0 | Do not apply TPO |
| 1-6 | TPO indefensible |
| 7-11 | Does not merit TPO |
| 12-15 | TPO defensible |
| 16+ | Definitely merits TPO |

Add scores for Total

10

Decision

Does not merit TPO

TREE EVALUATION METHOD FOR PRESERVATION ORDERS (TEMPO) SURVEY DATA SHEET AND DECISION GUIDE

Date	25.10.19.	Surveyor: Sue Stashkiw
------	-----------	------------------------

Tree details *Photos 23*

TPO Ref (if applicable) T308

Owner (if known) 8 Pennine View

Tree 138 – Sycamore

Location: 8 Pennine View

REFER TO GUIDANCE NOTES FOR ALL DEFINITIONS

Part 1: Amenity assessment

a) Condition and suitability for TPO; where trees in good or fair condition have poor form, deduct 1 point

- | | |
|--------------------------|-------------------------|
| 5) Good | Highly Suitable |
| 3) Fair | Suitable |
| 1) Poor | Unlikely to be suitable |
| 0) Dead/Dying/Dangerous* | Unsuitable |

Scores & Notes

3

*Relates to existing context and is intended to apply to severe irremediable defects only

b) Retention span (in years) & suitability for TPO

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

Scores & Notes

2

*Includes trees which are an existing or near future nuisance, including those clearly outgrowing their context, or which are significantly negating the potential of other trees of better quality.

c) Relative public visibility & suitability for TPO

*Consider realistic potential for future visibility with changed land use.

- | | |
|---|---------------------|
| 5) Very large trees with some visibility , or prominent large trees | Highly suitable |
| 4) Large trees, or medium trees clearly visible to the public | Suitable |
| 3) Medium trees, or large trees with limited view only | Suitable |
| 2) Young, small, medium/large trees visible only with difficulty | Barely suitable |
| 1) Trees not visible to public regardless of size | Probably unsuitable |

Scores & Notes

3

d) Other factors

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

- | | |
|--|--|
| 5) Principal component of arboricultural feature, or veteran trees | 5) Principal component of arboricultural feature, or veteran trees |
| 4) Tree groups, or members of groups important for their cohesion | 4) Tree groups, or members of groups important for their cohesion |
| 3) Trees with identifiable historic, commemorative or habitat importance | 3) Trees with identifiable historic, commemorative or habitat importance |
| 2) Trees of particularly good form, especially if rare or unusual | 2) Trees of particularly good form, especially if rare or unusual |
| 1) Trees with none of the above redeeming features (including those of indifferent form) | 1) Trees with none of the above redeeming features (including those of indifferent form) |
| -1) Trees with poor form or which are generally unsuitable for their location. | -1) Trees with poor form or which are generally unsuitable for their location. |

Scores & Notes

-1

TOTAL

Part 2: Expediency assessment

Trees must have accrued 10 or more points to qualify

- | | |
|-------------------------------|-------------------------------|
| 5) Immediate threat to tree | 5) Immediate threat to tree |
| 3) Foreseeable threat to tree | 3) Foreseeable threat to tree |
| 2) Perceived threat to tree | 2) Perceived threat to tree |
| 1) Precautionary only | 1) Precautionary only |

Scores & Notes

1

Part 3: Decision guide

- | | |
|-------|-----------------------|
| Any 0 | Do not apply TPO |
| 1-6 | TPO indefensible |
| 7-11 | Does not merit TPO |
| 12-15 | TPO defensible |
| 16+ | Definitely merits TPO |

Add scores for Total

8

Decision

Does not merit TPO

TREE EVALUATION METHOD FOR PRESERVATION ORDERS (TEMPO) SURVEY DATA SHEET AND DECISION GUIDE

Date	25.10.19.	Surveyor: Sue Stashkiw
------	-----------	------------------------

Tree details *Photos 10,11,16*
TPO Ref (if applicable) T308
Owner (if known) 4 Pennine View

Tree 142 – Sycamore
Location: 4 Pennine View

REFER TO GUIDANCE NOTES FOR ALL DEFINITIONS

Part 1: Amenity assessment

a) Condition and suitability for TPO; where trees in good or fair condition have poor form, deduct 1 point

- | | |
|--------------------------|-------------------------|
| 5) Good | Highly Suitable |
| 3) Fair | Suitable |
| 1) Poor | Unlikely to be suitable |
| 0) Dead/Dying/Dangerous* | Unsuitable |

Scores & Notes

3

*Relates to existing context and is intended to apply to severe irremediable defects only

b) Retention span (in years) & suitability for TPO

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

Scores & Notes

4

*Includes trees which are an existing or near future nuisance, including those clearly outgrowing their context, or which are significantly negating the potential of other trees of better quality.

c) Relative public visibility & suitability for TPO

*Consider realistic potential for future visibility with changed land use.

- | | |
|---|---------------------|
| 5) Very large trees with some visibility , or prominent large trees | Highly suitable |
| 4) Large trees, or medium trees clearly visible to the public | Suitable |
| 3) Medium trees, or large trees with limited view only | Suitable |
| 2) Young, small, medium/large trees visible only with difficulty | Barely suitable |
| 1) Trees not visible to public regardless of size | Probably unsuitable |

Scores & Notes

3

d) Other factors

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

- | | |
|--|---|
| 5) Principal component of arboricultural feature, or veteran trees | <div style="border: 1px solid black; padding: 10px; margin-top: 10px;"> <p>Scores & Notes</p> <p style="text-align: center;">-1</p> <p style="text-align: center;">TOTAL</p> </div> |
| 4) Tree groups, or members of groups 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 redeeming features (including those of indifferent form) | |
| -1) Trees with poor form or which are generally unsuitable for their location. | |

Part 2: Expediency assessment

Trees must have accrued 10 or more points to qualify

- | | |
|-------------------------------|---|
| 5) Immediate threat to tree | <div style="border: 1px solid black; padding: 10px; margin-top: 10px;"> <p>Scores & Notes</p> <p>1</p> </div> |
| 3) Foreseeable threat to tree | |
| 2) Perceived threat to tree | |
| 1) Precautionary only | |

Part 3: Decision guide

- | | |
|-------|-----------------------|
| Any 0 | Do not apply TPO |
| 1-6 | TPO indefensible |
| 7-11 | Does not merit TPO |
| 12-15 | TPO defensible |
| 16+ | Definitely merits TPO |

Add scores for Total

10

Decision

Does not merit TPO

TREE EVALUATION METHOD FOR PRESERVATION ORDERS (TEMPO) SURVEY DATA SHEET AND DECISION GUIDE

Date	25.10.19.	Surveyor: Sue Stashkiw
------	-----------	------------------------

Tree details *Photos 12,13,14,15*
TPO Ref (if applicable) T308
Owner (if known) 4 Pennine View

Tree 144 Beech
Location: 4 Pennine View

REFER TO GUIDANCE NOTES FOR ALL DEFINITIONS

Part 1: Amenity assessment

a) Condition and suitability for TPO; where trees in good or fair condition have poor form, deduct 1 point

- | | |
|--------------------------|-------------------------|
| 5) Good | Highly Suitable |
| 3) Fair | Suitable |
| 1) Poor | Unlikely to be suitable |
| 0) Dead/Dying/Dangerous* | Unsuitable |

Scores & Notes

*Relates to existing context and is intended to apply to severe irremediable defects only

b) Retention span (in years) & suitability for TPO

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

Scores & Notes

0 basal hole

*Includes trees which are an existing or near future nuisance, including those clearly outgrowing their context, or which are significantly negating the potential of other trees of better quality.

c) Relative public visibility & suitability for TPO

*Consider realistic potential for future visibility with changed land use.

- | | |
|---|---------------------|
| 5) Very large trees with some visibility , or prominent large trees | Highly suitable |
| 4) Large trees, or medium trees clearly visible to the public | Suitable |
| 3) Medium trees, or large trees with limited view only | Suitable |
| 2) Young, small, medium/large trees visible only with difficulty | Barely suitable |
| 1) Trees not visible to public regardless of size | Probably unsuitable |

Scores & Notes

d) Other factors

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

- 5) Principal component of arboricultural feature, or veteran trees
- 4) Tree groups, or members of groups 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 redeeming features (including those of indifferent form)
- 1) Trees with poor form or which are generally unsuitable for their location.

Scores & Notes

TOTAL

Part 2: Expediency assessment

Trees must have accrued 10 or more points to qualify

- 5) Immediate threat to tree
- 3) Foreseeable threat to tree
- 2) Perceived threat to tree
- 1) Precautionary only

Scores & Notes

Part 3: Decision guide

- | | |
|-------|-----------------------|
| Any 0 | Do not apply TPO |
| 1-6 | TPO indefensible |
| 7-11 | Does not merit TPO |
| 12-15 | TPO defensible |
| 16+ | Definitely merits TPO |

Add scores for Total

Decision

Does not merit TPO

TREE EVALUATION METHOD FOR PRESERVATION ORDERS (TEMPO) SURVEY DATA SHEET AND DECISION GUIDE

Date	25.10.19.	Surveyor: Sue Stashkiw
------	-----------	------------------------

Tree details *Photos 20,21,27*
TPO Ref (if applicable) T308
Owner (if known) 2 Pennine View

Tree 146 Lime
Location: 2 Pennine View

REFER TO GUIDANCE NOTES FOR ALL DEFINITIONS

Part 1: Amenity assessment

a) Condition and suitability for TPO; where trees in good or fair condition have poor form, deduct 1 point

- | | |
|--------------------------|-------------------------|
| 5) Good | Highly Suitable |
| 3) Fair | Suitable |
| 1) Poor | Unlikely to be suitable |
| 0) Dead/Dying/Dangerous* | Unsuitable |

Scores & Notes

3

*Relates to existing context and is intended to apply to severe irremediable defects only

b) Retention span (in years) & suitability for TPO

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

Scores & Notes

4

*Includes trees which are an existing or near future nuisance, including those clearly outgrowing their context, or which are significantly negating the potential of other trees of better quality.

c) Relative public visibility & suitability for TPO

*Consider realistic potential for future visibility with changed land use.

- | | |
|---|---------------------|
| 5) Very large trees with some visibility , or prominent large trees | Highly suitable |
| 4) Large trees, or medium trees clearly visible to the public | Suitable |
| 3) Medium trees, or large trees with limited view only | Suitable |
| 2) Young, small, medium/large trees visible only with difficulty | Barely suitable |
| 1) Trees not visible to public regardless of size | Probably unsuitable |

Scores & Notes

3

d) Other factors

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

- | | |
|--|-------------------------------|
| 5) Principal component of arboricultural feature, or veteran trees | 5) Immediate threat to tree |
| 4) Tree groups, or members of groups important for their cohesion | 3) Foreseeable threat to tree |
| 3) Trees with identifiable historic, commemorative or habitat importance | 2) Perceived threat to tree |
| 2) Trees of particularly good form, especially if rare or unusual | 1) Precautionary only |
| 1) Trees with none of the above redeeming features (including those of indifferent form) | |
| -1) Trees with poor form or which are generally unsuitable for their location. | |

Scores & Notes

-1

TOTAL

Part 2: Expediency assessment

Trees must have accrued 10 or more points to qualify

- | | |
|-------------------------------|-------------------------------|
| 5) Immediate threat to tree | 5) Immediate threat to tree |
| 3) Foreseeable threat to tree | 3) Foreseeable threat to tree |
| 2) Perceived threat to tree | 2) Perceived threat to tree |
| 1) Precautionary only | 1) Precautionary only |

Scores & Notes

1

Part 3: Decision guide

- | | |
|-------|-----------------------|
| Any 0 | Do not apply TPO |
| 1-6 | TPO indefensible |
| 7-11 | Does not merit TPO |
| 12-15 | TPO defensible |
| 16+ | Definitely merits TPO |

Add scores for Total

10

Decision

Does not merit TPO

TREE EVALUATION METHOD FOR PRESERVATION ORDERS (TEMPO) SURVEY DATA SHEET AND DECISION GUIDE

Date 25.10.19.

Surveyor: Sue Stashkiw

Tree details *Photos 17,18,19,22,24,25,26*

TPO Ref (if applicable) T308

Owner (if known) 2 Pennine View

Tree 147 Sycamore

Location: 2 Pennine View

REFER TO GUIDANCE NOTES FOR ALL DEFINITIONS

Part 1: Amenity assessment

a) Condition and suitability for TPO; where trees in good or fair condition have poor form, deduct 1 point

- | | |
|--------------------------|-------------------------|
| 5) Good | Highly Suitable |
| 3) Fair | Suitable |
| 1) Poor | Unlikely to be suitable |
| 0) Dead/Dying/Dangerous* | Unsuitable |

Scores & Notes

3

*Relates to existing context and is intended to apply to severe irremediable defects only

b) Retention span (in years) & suitability for TPO

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

Scores & Notes

2

*Includes trees which are an existing or near future nuisance, including those clearly outgrowing their context, or which are significantly negating the potential of other trees of better quality.

c) Relative public visibility & suitability for TPO

*Consider realistic potential for future visibility with changed land use.

- | | |
|---|---------------------|
| 5) Very large trees with some visibility , or prominent large trees | Highly suitable |
| 4) Large trees, or medium trees clearly visible to the public | Suitable |
| 3) Medium trees, or large trees with limited view only | Suitable |
| 2) Young, small, medium/large trees visible only with difficulty | Barely suitable |
| 1) Trees not visible to public regardless of size | Probably unsuitable |

Scores & Notes

3

d) Other factors

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

- | | |
|--|--|
| 5) Principal component of arboricultural feature, or veteran trees | <p>Scores & Notes</p> <p>-1</p> <p>TOTAL</p> |
| 4) Tree groups, or members of groups 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 redeeming features (including those of indifferent form) | |
| -1) Trees with poor form or which are generally unsuitable for their location. | |

Part 2: Expediency assessment

Trees must have accrued 10 or more points to qualify

- | | |
|-------------------------------|------------------------------------|
| 5) Immediate threat to tree | <p>Scores & Notes</p> <p>1</p> |
| 3) Foreseeable threat to tree | |
| 2) Perceived threat to tree | |
| 1) Precautionary only | |

Part 3: Decision guide

- | | |
|-------|-----------------------|
| Any 0 | Do not apply TPO |
| 1-6 | TPO indefensible |
| 7-11 | Does not merit TPO |
| 12-15 | TPO defensible |
| 16+ | Definitely merits TPO |

Add scores for Total

8

Decision

Does not merit TPO

TREE EVALUATION METHOD FOR PRESERVATION ORDERS (TEMPO) SURVEY DATA SHEET AND DECISION GUIDE

Date	25.10.19.	Surveyor: Sue Stashkiw
------	-----------	------------------------

Tree details Photos 44,45,46

TPO Ref (if applicable) T308

Tree 171 Sycamore

Owner (if known) Worthington Place

Management Company

Location: Front Driveway

REFER TO GUIDANCE NOTES FOR ALL DEFINITIONS

Part 1: Amenity assessment

a) Condition and suitability for TPO; where trees in good or fair condition have poor form, deduct 1 point

- | | |
|--------------------------|-------------------------|
| 5) Good | Highly Suitable |
| 3) Fair | Suitable |
| 1) Poor | Unlikely to be suitable |
| 0) Dead/Dying/Dangerous* | Unsuitable |

Scores & Notes

3

*Relates to existing context and is intended to apply to severe irremediable defects only

b) Retention span (in years) & suitability for TPO

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

Scores & Notes

2 (lean)

*Includes trees which are an existing or near future nuisance, including those clearly outgrowing their context, or which are significantly negating the potential of other trees of better quality.

c) Relative public visibility & suitability for TPO

*Consider realistic potential for future visibility with changed land use.

- | | |
|--|---------------------|
| 5) Very large trees with some visibility, or prominent large trees | Highly suitable |
| 4) Large trees, or medium trees clearly visible to the public | Suitable |
| 3) Medium trees, or large trees with limited view only | Suitable |
| 2) Young, small, medium/large trees visible only with difficulty | Barely suitable |
| 1) Trees not visible to public regardless of size | Probably unsuitable |

Scores & Notes

3

d) Other factors

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

- | | |
|--|--|
| 5) Principal component of arboricultural feature, or veteran trees | 5) Principal component of arboricultural feature, or veteran trees |
| 4) Tree groups, or members of groups important for their cohesion | 4) Tree groups, or members of groups important for their cohesion |
| 3) Trees with identifiable historic, commemorative or habitat importance | 3) Trees with identifiable historic, commemorative or habitat importance |
| 2) Trees of particularly good form, especially if rare or unusual | 2) Trees of particularly good form, especially if rare or unusual |
| 1) Trees with none of the above redeeming features (including those of indifferent form) | 1) Trees with none of the above redeeming features (including those of indifferent form) |
| -1) Trees with poor form or which are generally unsuitable for their location. | -1) Trees with poor form or which are generally unsuitable for their location. |

Scores & Notes

-1

TOTAL

Part 2: Expediency assessment

Trees must have accrued 10 or more points to qualify

- | | |
|-------------------------------|-------------------------------|
| 5) Immediate threat to tree | 5) Immediate threat to tree |
| 3) Foreseeable threat to tree | 3) Foreseeable threat to tree |
| 2) Perceived threat to tree | 2) Perceived threat to tree |
| 1) Precautionary only | 1) Precautionary only |

Scores & Notes

1

Part 3: Decision guide

- | | |
|-------|-----------------------|
| Any 0 | Do not apply TPO |
| 1-6 | TPO indefensible |
| 7-11 | Does not merit TPO |
| 12-15 | TPO defensible |
| 16+ | Definitely merits TPO |

Add scores for Total

8

Decision

Does not merit TPO

TREE EVALUATION METHOD FOR PRESERVATION ORDERS (TEMPO) SURVEY DATA SHEET AND DECISION GUIDE

Date 25.10.19.

Surveyor: Sue Stashkiw

Tree details *Photos 33,34,35,36,37*
TPO Ref (if applicable) T308
Owner (if known) Chapel Cottage

Tree 179 Sycamore
Location: Rear of Chapel Cottage
(rear of 24 Pennine View)

REFER TO GUIDANCE NOTES FOR ALL DEFINITIONS

Part 1: Amenity assessment

a) Condition and suitability for TPO; where trees in good or fair condition have poor form, deduct 1 point

- | | |
|--------------------------|-------------------------|
| 5) Good | Highly Suitable |
| 3) Fair | Suitable |
| 1) Poor | Unlikely to be suitable |
| 0) Dead/Dying/Dangerous* | Unsuitable |

Scores & Notes

3

*Relates to existing context and is intended to apply to severe irremediable defects only

b) Retention span (in years) & suitability for TPO

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

Scores & Notes

4

*Includes trees which are an existing or near future nuisance, including those clearly outgrowing their context, or which are significantly negating the potential of other trees of better quality.

c) Relative public visibility & suitability for TPO

*Consider realistic potential for future visibility with changed land use.

- | | |
|---|---------------------|
| 5) Very large trees with some visibility , or prominent large trees | Highly suitable |
| 4) Large trees, or medium trees clearly visible to the public | Suitable |
| 3) Medium trees, or large trees with limited view only | Suitable |
| 2) Young, small, medium/large trees visible only with difficulty | Barely suitable |
| 1) Trees not visible to public regardless of size | Probably unsuitable |

Scores & Notes

3

d) Other factors

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

- | | |
|--|--|
| 5) Principal component of arboricultural feature, or veteran trees | <p>Scores & Notes</p> <p>-1</p> <p>TOTAL</p> |
| 4) Tree groups, or members of groups 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 redeeming features (including those of indifferent form) | |
| -1) Trees with poor form or which are generally unsuitable for their location. | |

Part 2: Expediency assessment

Trees must have accrued 10 or more points to qualify

- | | |
|-------------------------------|------------------------------------|
| 5) Immediate threat to tree | <p>Scores & Notes</p> <p>1</p> |
| 3) Foreseeable threat to tree | |
| 2) Perceived threat to tree | |
| 1) Precautionary only | |

Part 3: Decision guide

- | | |
|-------|-----------------------|
| Any 0 | Do not apply TPO |
| 1-6 | TPO indefensible |
| 7-11 | Does not merit TPO |
| 12-15 | TPO defensible |
| 16+ | Definitely merits TPO |

Add scores for Total

10

Decision

Does not merit TPO

TREE EVALUATION METHOD FOR PRESERVATION ORDERS (TEMPO) SURVEY DATA SHEET AND DECISION GUIDE

Date	25.10.19.	Surveyor: Sue Stashkiw
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Tree details Photos 31,32

TPO Ref (if applicable) T308

Owner (if known) Worthington Place
Management Company

Tree 180 Sycamore

Location: Rear of Worthington Place
(directly behind 14-16 Pennine View)

REFER TO GUIDANCE NOTES FOR ALL DEFINITIONS

Part 1: Amenity assessment

a) Condition and suitability for TPO; where trees in good or fair condition have poor form, deduct 1 point

- | | |
|--------------------------|-------------------------|
| 5) Good | Highly Suitable |
| 3) Fair | Suitable |
| 1) Poor | Unlikely to be suitable |
| 0) Dead/Dying/Dangerous* | Unsuitable |

Scores & Notes

3

*Relates to existing context and is intended to apply to severe irremediable defects only

b) Retention span (in years) & suitability for TPO

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

Scores & Notes

4

*Includes trees which are an existing or near future nuisance, including those clearly outgrowing their context, or which are significantly negating the potential of other trees of better quality.

c) Relative public visibility & suitability for TPO

*Consider realistic potential for future visibility with changed land use.

- | | |
|---|---------------------|
| 5) Very large trees with some visibility , or prominent large trees | Highly suitable |
| 4) Large trees, or medium trees clearly visible to the public | Suitable |
| 3) Medium trees, or large trees with limited view only | Suitable |
| 2) Young, small, medium/large trees visible only with difficulty | Barely suitable |
| 1) Trees not visible to public regardless of size | Probably unsuitable |

Scores & Notes

3

d) Other factors

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

- | | |
|--|-------------------------------|
| 5) Principal component of arboricultural feature, or veteran trees | 5) Immediate threat to tree |
| 4) Tree groups, or members of groups important for their cohesion | 3) Foreseeable threat to tree |
| 3) Trees with identifiable historic, commemorative or habitat importance | 2) Perceived threat to tree |
| 2) Trees of particularly good form, especially if rare or unusual | 1) Precautionary only |
| 1) Trees with none of the above redeeming features (including those of indifferent form) | |
| -1) Trees with poor form or which are generally unsuitable for their location. | |

Scores & Notes

-1

TOTAL

Part 2: Expediency assessment

Trees must have accrued 10 or more points to qualify

- | | |
|-------------------------------|-------------------------------|
| 5) Immediate threat to tree | 5) Immediate threat to tree |
| 3) Foreseeable threat to tree | 3) Foreseeable threat to tree |
| 2) Perceived threat to tree | 2) Perceived threat to tree |
| 1) Precautionary only | 1) Precautionary only |

Scores & Notes

1

Part 3: Decision guide

- | | |
|-------|-----------------------|
| Any 0 | Do not apply TPO |
| 1-6 | TPO indefensible |
| 7-11 | Does not merit TPO |
| 12-15 | TPO defensible |
| 16+ | Definitely merits TPO |

Add scores for Total

10

Decision

Does not merit TPO

TREE EVALUATION METHOD FOR PRESERVATION ORDERS (TEMPO) SURVEY DATA SHEET AND DECISION GUIDE

Date	25.10.19.	Surveyor: Sue Stashkiw
------	-----------	------------------------

Tree details *Photos 42,43*

TPO Ref (if applicable) T308

Owner (if known) Story/LSL Estates

Tree 191 Beech

Location: Rear of 28/30 Pennine View

REFER TO GUIDANCE NOTES FOR ALL DEFINITIONS

Part 1: Amenity assessment

a) Condition and suitability for TPO; where trees in good or fair condition have poor form, deduct 1 point

- | | |
|--------------------------|-------------------------|
| 5) Good | Highly Suitable |
| 3) Fair | Suitable |
| 1) Poor | Unlikely to be suitable |
| 0) Dead/Dying/Dangerous* | Unsuitable |

Scores & Notes

5

*Relates to existing context and is intended to apply to severe irremediable defects only

b) Retention span (in years) & suitability for TPO

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

Scores & Notes

4

*Includes trees which are an existing or near future nuisance, including those clearly outgrowing their context, or which are significantly negating the potential of other trees of better quality.

c) Relative public visibility & suitability for TPO

*Consider realistic potential for future visibility with changed land use.

- | | |
|---|---------------------|
| 5) Very large trees with some visibility , or prominent large trees | Highly suitable |
| 4) Large trees, or medium trees clearly visible to the public | Suitable |
| 3) Medium trees, or large trees with limited view only | Suitable |
| 2) Young, small, medium/large trees visible only with difficulty | Barely suitable |
| 1) Trees not visible to public regardless of size | Probably unsuitable |

Scores & Notes

3

d) Other factors

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

- | | |
|--|-------------------------------|
| 5) Principal component of arboricultural feature, or veteran trees | 5) Immediate threat to tree |
| 4) Tree groups, or members of groups important for their cohesion | 3) Foreseeable threat to tree |
| 3) Trees with identifiable historic, commemorative or habitat importance | 2) Perceived threat to tree |
| 2) Trees of particularly good form, especially if rare or unusual | 1) Precautionary only |
| 1) Trees with none of the above redeeming features (including those of indifferent form) | |
| -1) Trees with poor form or which are generally unsuitable for their location. | |

Scores & Notes

-1

TOTAL

Part 2: Expediency assessment

Trees must have accrued 10 or more points to qualify

- | | |
|-------------------------------|-------------------------------|
| 5) Immediate threat to tree | 5) Immediate threat to tree |
| 3) Foreseeable threat to tree | 3) Foreseeable threat to tree |
| 2) Perceived threat to tree | 2) Perceived threat to tree |
| 1) Precautionary only | 1) Precautionary only |

Scores & Notes

1

Part 3: Decision guide

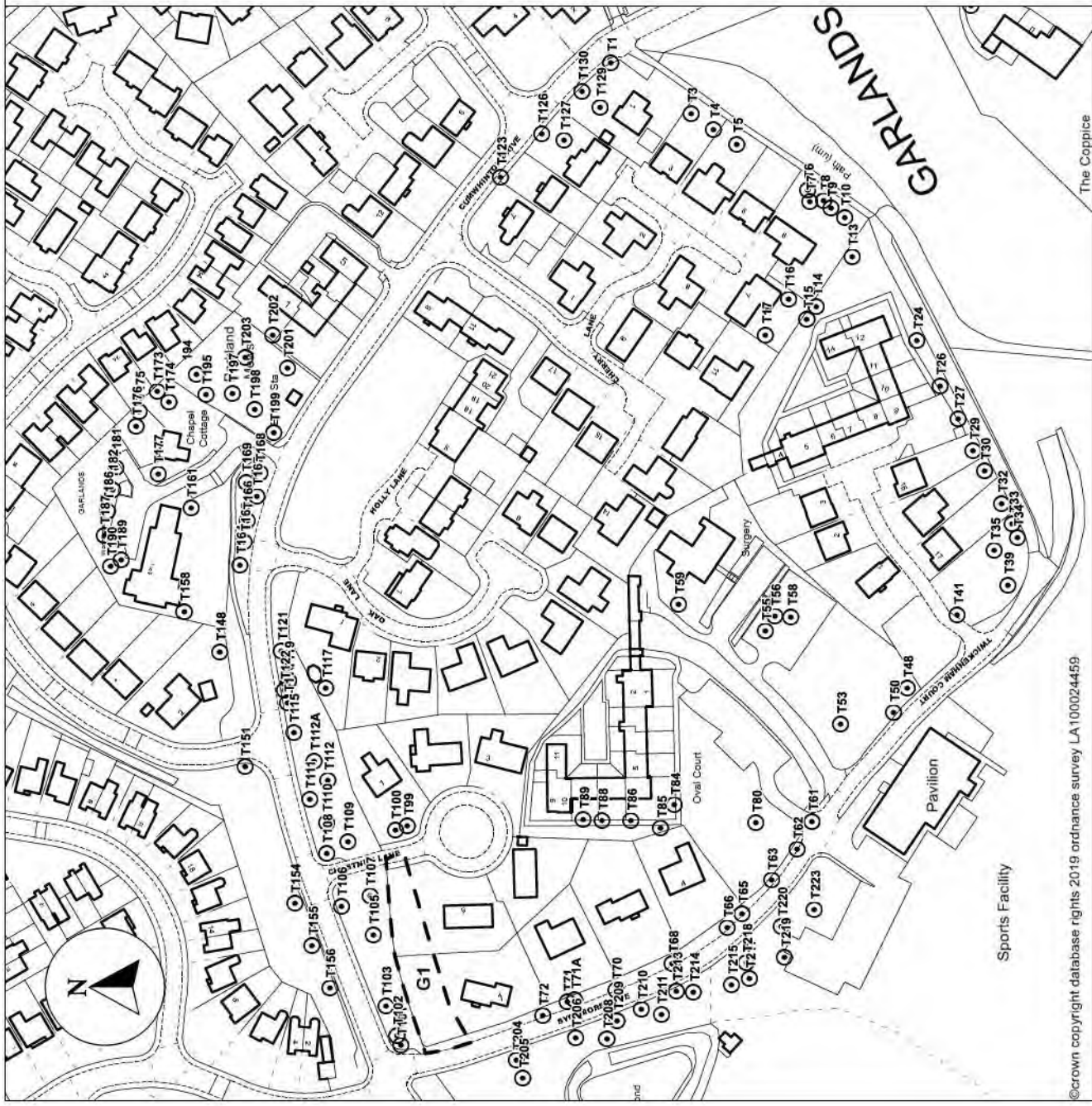
- | | |
|-------|-----------------------|
| Any 0 | Do not apply TPO |
| 1-6 | TPO indefensible |
| 7-11 | Does not merit TPO |
| 12-15 | TPO defensible |
| 16+ | Definitely merits TPO |

Add scores for Total

12

Decision

Defensible TPO



Schedule of Trees

T1	Oak	T71A	Holly	T164	Sycamore
T3	Oak	T72	Holly	T165	Beech
T4	Oak	T80	Lime	T166	Lime
T5	Oak	T84	Lime	T167	Lime
T6	Lime	T85	Sycamore	T168	Lime
T7	Austrian Pine	T86	Norway Maple	T169	Beech
T8	Lime	T88	Norway Maple	T173	Beech
T9	Horse Chestnut	T89	Lime	T174	Sycamore
T10	Lime	T99	Sycamore	T175	Beech
T13	Lime	T100	Sycamore	T176	Beech
T14	Lime	T101	Lime	T177	Beech
T15	Horse Chestnut	T102	Oak	T181	Sycamore
T16	Wellingtonia	T103	Oak	T182	Lime
T17	Wellingtonia	T105	Sycamore	T186	Yew
T24	Horse Chestnut	T106	Beech	T187	Yew
T26	Norway Maple	T107	Norway Spruce	T189	Yew
T27	Horse Chestnut	T108	Lime	T190	Silver Birch
T29	Sweet Chestnut	T109	Sycamore	T194	Beech
T30	Lime	T110	Sycamore	T195	Beech
T32	Sycamore	T111	Sycamore	T197	Beech
T33	Lime	T112	Lime	T198	Beech
T34	Norway Maple	T112A	Yew	T199	Lime
T35	Silver Birch	T115	Sycamore	T201	Lime
T39	Sycamore	T116	Oak	T202	Lime
T41	Red Horse Chestnut	T117	Lawson Cypress	T203	Lime
T48	Lime	T119	Silver Birch	T204	Lime
T50	Sycamore	T121	Cherry Laurel	T205	Sycamore
T53	Sycamore	T122	Silver Birch	T206	Sycamore
T55	Lawson Cypress	T123	Holly	T208	Sycamore
T56	Common Fir	T126	Oak	T209	Sweet Chestnut
T58	Sycamore	T127	Austrian Pine	T210	Beech
T59	Horse Chestnut	T129	Oak	T211	Sycamore
T61	Beech	T130	Oak	T213	Lime
T62	Lime	T148	Scots Pine	T214	Sycamore
T63	Horse Chestnut	T151	Horse Chestnut	T215	Sycamore
T65	Oak	T154	Lime	T217	Norway Maple
T66	Beech	T155	Lime	T218	Horse Chestnut
T68	Lime	T156	Horse Chestnut	T219	Sycamore
T70	Horse Chestnut	T158	Holly	T220	Lime
T71	Holly	T161	Yew	T223	Sycamore

Group

G1 - Holly, Cypress, Whitebeam and Spruce

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Act 1990 Section 198(1)
Tree Preservation Order Number 308
Land at Garlands Estate, Carlisle

CARLISLE CITY COUNCIL
Economic Development
Civic Centre
Rickergate
Carlisle
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www.carlisle.gov.uk

Date: November 2019

Scale: 1 : 1500