

Tree Survey and Impact Assessment

*for land at
Jessiefield
Spath Road
Didsbury
M20 2QT*

Client

McCarthy Stone
Unit 3
Edward Court
Broadheath
Altrincham
WA14 5GL

September 2022

1050-KC-XX-YTREE-TreeSurvey-and-ImpactAssessment-RevA

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Document history

Revision	Issue Status	Details	Approved/Date
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1.0 Introduction

- 1.1 This tree survey sets out the information about trees to inform the planning process about the quality of trees on site. Following the tree survey the information is extended to consider the impact to them from the proposed development and how construction may proceed whilst ensuring trees are successfully retained.
- 1.2 In this report we consider the proposals for development of the site. We consider those proposals in relation to the survey of trees we conducted as part of the site analysis.
- 1.3 The area subject of this survey consists of a detached residential property called Jessiefield, situated at the junction of Spath Road and Lancaster Road in Didsbury.
- 1.4 The site is broadly rectangular in outline and contains a large detached property towards its northern end.
- 1.5 The property is served by dual access, one from Spath Road in the northern corner and one from Lancaster Road in the eastern corner of the site.
- 1.6 Most of the garden is laid to lawn although at the boundaries are established shrub beds.
- 1.7 Mature trees are to be found on the Spath Road boundary and in the southern part of the site. The Spath Road boundary trees form an attractive line of vegetation within a predominantly verdant area. Similarly, the broad belt of mostly beech trees at the southern edge of the site contribute to the verdant character of the area.
- 1.8 We have checked online for records of Tree Preservation Orders and Conservation Areas applicable to the site:
 - The online portal of Manchester City Council does hold records of Conservation Areas.
 - The online portal did not show the site to be within a Conservation Area.
 - Whilst the online portal does not hold records of Tree Preservation Orders, we have been advised that Tree Preservation order 1995 does cover trees upon the site. This Tree Preservation Order is included at Appendix 4.
 - These records are not always comprehensive or reliable therefore, prior undertaking any tree works, a formal enquiry with the Council should be made.

- 1.9 Nationally adopted guidance has been followed in the preparation of this report. *BS5837:2012: Trees in relation to design, demolition and construction – Recommendations* sets out a structure approach to considering trees during the development process. Guidance is given on the surveying of trees, the protected space that should be allocated to trees, what elements may give rise to harm to trees and what techniques can be deployed to minimise harm.
- 1.10 Sustainable development requires the coordination between disciplines throughout the project, accordingly the package of arboricultural information supports the design process and follows through to construction ensuring effective tree protection. We recognise the need to integrate with other disciplines to achieve a balanced approach to development proposals.
- 1.11 We set out how our key elements interact with others at Appendix 1 of this report. The appendix provides comprehensive information about the stages of providing tree information within the planning process.
- 1.12 Further explanatory notes about tree survey information are given in Appendix 2.

2.0 Tree survey

- 2.1 The objective of this tree survey is to assess the significant trees and woody vegetation on the site to obtain dimensions, assess their quality and evaluate their condition to provide sufficient information to enable decisions to be made on planning aspects of the site and its potential development.
- 2.2 The tree survey:
 - 2.2.1 was conducted on the 30 May 2018 by Jago Keen, MSc, Dip.Arb., MArborA, MICFor from ground level, in accordance with the guidance in British Standard *BS5837:2012 Trees in relation to design, demolition and construction – Recommendations*;
 - 2.2.2 is intended for planning purposes only;
 - 2.2.3 is not intended for the detailed design of foundations (further information upon vegetation can be provided upon request);

- 2.2.4 is not a detailed health and safety condition survey of trees;
- 2.2.5 recommends only preliminary works. Tree works required to achieve the scheme of development will be considered as part of the Impact Assessment and detailed on the Tree Protection Plan;
- 2.2.6 places reliance on the topographical survey.
- 2.3 Details of each tree are recorded in the Schedule of Trees at Appendix 3.
- 2.4 Site soil investigations have not been conducted. The (online) 'Geology of Britain Viewer' that contains British Geological Survey materials © NERC [2018] reveals the following soil information:
 - 2.4.1 Bedrock geology: Wilmslow Sandstone Formation - Sandstone
 - 2.4.2 Superficial deposits: Glaciofluvial Sheet Deposits, Devensian - Sand and gravel.
- 2.5 Survey information is used to prepare the constraints posed by trees on development. These constraints are shown on the Tree Constraints Plan. The Plan shows root protection areas prescribed by the guidance within BS5837 paragraph 4.6.2 and adjusted where appropriate as recommended in subsequent paragraph 4.6.3. The root protection area (RPA) is the minimum extent of rooting required to sustain the tree.

3.0 Application of survey information

- 3.1 Trees place constraints on sites but they also provide opportunities.
In order to achieve optimum use of the site and location of built structures. This is set out below:

Avoid

The starting point of site layout design should be to avoid the RPA. Ideally, structures should be outside the root protection area to provide working space for construction however protection measures can be taken if such clearance, in isolated cases, is not achievable.

Mitigate

Where intrusion within the RPA is unavoidable then its impact on the tree can be mitigated by specialist measures:

- a) Foundations that avoid trenching e.g. screw piles, suspended floor slabs or casting at ground level for lightweight structures such as bin and cycle stores.
- b) Limited use may be made for parking, drives or hard surfaces within the root protection areas, subject to advice from a qualified arboriculturist. Cellular confinement systems that enable hard surfaces to be built above existing soil levels are acceptable methods.
- c) Service runs that cannot be routed outside the root protection area(s) can be installed by, for example, thrust boring, directional drilling, air excavation or hand digging. These operations often require supervision by the project arboriculturist.

Compensate

Replacement planting can ensure the continuity of tree cover where tree removal is unavoidable. Offsite provision may be considered in some circumstances but this will require negotiation with the local planning authority.

4.0 Assessment of impact upon trees

- 4.1 This assessment will consider the impact upon trees of implementing the proposals shown on the drawings listed in Table 1.
- 4.2 Site proposals considered in this application include:
 - 4.2.1 Residential dwellings
 - 4.2.2 Parking and other hard surfaces
 - 4.2.3 Utilities and services
 - 4.2.4 New and replacement tree planting

Table 1 - List of drawings referred to in the impact assessment

Originator	Drg No	Title
MCK Associates	NO-2697-3-AC-0002	Proposed Site Plan
Keen Consultants	1050-KC-XX-YTREE-TCP01Rev0	Tree Constraints Plan
Keen Consultants	1050-KC-XX-YTREE-TPP01RevA	Tree Protection Plan

- 4.3 The proposals are considered with reference to the guidance documents listed in Table 2.

Table 2 - List of documents used to inform the impact assessment

Originator	Title/Reference
British Standards Institute	<i>BS5837:2012 Trees in relation to design, demolition and construction – Recommendations</i>
Trees and Design Action Group	<i>Trees in the townscape: A guide for decision makers</i>
Ministry of Housing, Communities and Local Government	<i>National Planning Policy Framework (NPPF)</i>

- 4.4 In summary, the proposals seek to retain all the significant trees, including the trees protected by tree preservation order, but remove lesser quality trees. The proposals are considerate of the retained trees and the ongoing relationship with the dwellings.

Impact of buildings

- 4.5 The proposed apartment block has been carefully sited outside the root protection area of the significant trees around the site, including the trees protected by tree preservation order.
- 4.6 It is necessary to remove the low quality and value variegated holly (number 10) to accommodate the proposed building. This tree is not of sufficient value to constraint a scheme of development.
- 4.7 The building has been carefully and thoughtfully laid out to ensure a harmonious relationship between the retained trees and the dwellings. The building is proximate to trees 14 to 17 and some minor pruning will be required to provide space for construction and to maintain a separation thereafter. The pruning will not materially detract from the amenity those trees provide to public view.

- 4.8 The layout of the apartments that are proximate to the trees has also been carefully considered. The layout on all three floors at that end of the building has placed bedrooms closest the trees. The bedrooms enjoy primary views away from the trees with secondary windows facing the trees. This ensures the bedrooms receive adequate light and that the trees do not impose upon the view but frame it. Primary rooms within the apartments closest the trees are set farther from the trees and so will enjoy normal light levels.
- 4.9 The layout of apartments is such that there is unlikely to be future pressure to prune or remove the trees and, if it does arise, the pressure can be resisted by virtue of management control of the trees in the hands of the management company and that the trees are protected by tree preservation order. Tree preservation orders are an effective mechanism of preventing unreasonable works to trees but permitting those works that do not detract from the amenity the trees provide.

Impact of hard surfaces

- 4.10 The proposed access, from Spath Road, is widened on its western side, remote from the significant trees to the east. The widening requires the removal of a group of holly (tree 1) and cherry laurel shrubs. This widening does not therefore give rise to any material impact on trees.
- 4.11 Compared to the previous scheme for the site, the proposed entrance does not encroach as close to tree 3, therefore retaining more of its growing environment.
- 4.12 The proposed arrangement of parking bays on the western side of the proposed parking requires the removal of tree 44. Tree 44 is a small, low quality ash tree. Ash trees are dying throughout the country as a result of the widespread disease, as dieback. Its effects were contained to young trees, such as this, but mature trees are now showing signs of terminal decline. The long term future of ash, including this one, is questionable and therefore this tree should not be considered a constraint to development.
- 4.13 Proposed parking in the north east corner of the site has been moved away from the Spath Road boundary to provide a greater area of soft landscape around the retained trees. A small section of this area of proposed parking are located within the root protection area of tree 7 but that can be constructed using specialist methods to avoid material harm to the tree.
- 4.14 A short section of narrow path along the southern elevation of the apartment building is within the root protection area of adjoining trees. This can also be constructed using specialist methods.

- 4.15 Achieving hard surfaces close to trees is possible but some important factors need to be considered, factored in to design and feasibility and then implemented correctly.
- 4.16 BS5837 provides guidance within section 7.4 on what are acceptable methods to achieve hard surfacing within a root protection area. The conditions and ground levels on this site are favourable to achieving these levels.
- 4.17 In this instance there is scope to achieve the hard surfaces by building them above existing levels. The depth of sub-base and surfacing can be minimised by using cellular confinement systems. This follows the principles of 'no-dig' construction to achieve hard surfaces that do not require excavation, do not result in the loss of roots, and do not result in harm to the rooting environment once the surfaces are in use.
- 4.18 Site specific drawings have been produced to show the areas where the principles of no-dig construction are required. Typical construction details of these surfaces are shown on the Keen Consultants' Tree Protection Plan.

Impact of drainage and services

- 4.19 The proposed drainage and services are not shown on the proposed site layout but there is ample scope to locate them outside of root protection areas and require no specialist measures for their installation.
- 4.20 If services do need to be installed within root protection areas then specialist techniques for their installation will be needed. Such specialist techniques include moling, thrust-boring, broken trench or excavation by AirSpade.
- 4.21 No other installations, including mechanical and electrical equipment, are proposed in an area that would be of detriment to trees.

5.0 New and replacement tree planting

- 5.1 The development proposals bring forward opportunity to plant a selection of trees throughout the development. New trees can be incorporated within the layout of development to provide a new cohort of trees offering age and species diversity to the site and to the tree population of the area.

- 5.2 Retaining existing trees and introducing new trees ensures a resource of trees in places where residents and visitors alike will enjoy multiple benefits provided by the tree stock. In so doing the tree stock will be able to withstand climate change, protecting and enhancing the resources of soil, air, water, landscape, amenity value, culture and biodiversity, and increasing the contribution that trees make to the quality of life. In that respect the proposals are in line with the very latest guidance, in terms of integrating trees with built form, contained in *Trees in the townscape: A guide for decision makers* produced by the Trees and Design Action Group.
- 5.3 Those multiple benefits of this new tree planting, as part of the site's green infrastructure, include contribution to open space, enhancement of sustainable drainage systems, and enhancement of biodiversity. In addition, as those new trees develop, so they will further contribute to local climatic regulation and, where they stand within the sun path of proposed buildings or surfaces within the re-development, they will minimise solar gain during summer months, and provide an accessible choice of shade and shelter.

6.0 Protection of trees during construction

- 6.1 To ensure the retained trees are safeguarded a tree protection plan has been prepared to show the location of protective measures. These measures need to be implemented in advance of construction and maintained until such time as soft landscape proposals require their removal.
- 6.2 In some instances specialist construction techniques or approaches are indicated on the protection plan. These shall be implemented in accordance with site progress.
- 6.3 In order to ensure the protective and specialist measures are understood, implemented and maintained a scheme of monitoring and supervision shall be put in place.
- 6.4 A scheme of supervision/monitoring shall typically include:
- a pre-commencement meeting;
 - a site visit by an arboriculturist at no more than one month intervals;
 - a report to be prepared after each site visit and presented to the Council within 7 days of the visit.

7.0 Summary of impact assessment

- 7.1 The proposed development results in the loss of very few trees, all of which are low quality and value.
- 7.2 Proximity of proposed hard surfaces have been eased away from trees but there places where hard surfaces still coincide with root protection areas. Where they do, specialist measures can be deployed to minimise harm to trees
- 7.3 Services and utility installation can be sited remote from trees but if they do need to be located within root protection areas specialist measures can be deployed for their installation to minimise harm to retained trees.
- 7.4 New and replacement tree planting can be provided as part of these development proposals. This new cohort of trees can provide a diverse portfolio of tree cover to ensure sustainability of green infrastructure in the future.

Appendix 1

Introduction to key elements of tree information

Sustainable development requires the coordination between disciplines throughout the project, accordingly the package of arboricultural information supports the design process and follows through to construction ensuring effective tree protection.

Keen Consultants break the process down to coordinate with the key elements within both the RIBA Plan of Work (2013) and 'British Standard 5837:2012 Trees in relation to design, demolition and construction – Recommendations', this is set out in the table and explained below.

Figure 1 - Keen Consultants co-ordinated approach with cross references to key guidance.

Keen Consultants Tree Information	RIBA Stage	BS5837
Tree Survey ↓	Concept ↓	Feasibility ↓
Impact Assessment ↓	Developed design ↓	Proposals ↓
Method Statement ↓	Technical design ↓	Technical Design ↓
Site Monitoring	Construction	Demolition and construction

This cross referenced approach ensures trees are a material consideration and those to be retained will be safeguarded.

Tree Survey and Tree Constraints Plan

To inform the design and layout of the proposed development a tree survey has been undertaken to identify the size and quality of trees both within the site and immediately offsite. We have then used this information to prepare the Tree Constraints Plan drawing that shows the location of each tree, its size and the area around each tree that needs to be considered during the design process. Once prepared this information has been provided to the design team so that they know what constraints the trees pose.

Impact Assessment and Tree Protection Plan

During the design process the design team has consulted with the arboriculturist to ascertain if constraints may be breached, consider options emerging from the design and what spaces for new trees are needed.

Once the design was finalised an impact assessment has been prepared to accompany the planning application. The impact assessment demonstrates the proposals meet national and local planning policy and guidance. It demonstrates the benefits of the retained trees and incorporates new tree planting.

Another essential element of any application is the Tree Protection Plan.

Site Monitoring

Following the receipt of planning consent, it is a requirement that the installation of the protective barriers and ground protection are supervised, together with operations such as excavations or surfacing close to trees.

This varies according to the intensity of development near trees, the process is set out to ensure what is planned for in the Tree Protection Plan and method statement is delivered.

Appendix 2

Tree Survey Explanatory Notes

The survey of trees has been carried out in accordance with the criteria set out in Chapter 4 of *British Standard 5837:2012 Trees in relation to design, demolition and construction-Recommendations* (BS5837). The survey has been undertaken by the qualified and experienced arboriculturist detailed at Table 1 of this report and they recorded information relating to all those trees within the site and those immediately adjacent to the site which may be of influence to any proposals.

The results are recorded in the Schedule of Trees at Appendix 3.

Schedule of trees

Appendix 3 presents details of the individual trees, groups and hedgerows including heights, diameters at breast height, crown spread (given as a radial measurement of cardinal points from the stem), age class, comments as to the overall condition at the time of inspection, BS5837 category of quality and suitability for retention, and the root protection area information.

General observations particularly of structural and physiological condition for example the presence of any decay and physical defect and preliminary management recommendations have also been recorded where appropriate.

Details of the individual trees, groups and hedgerows

All trees were assessed for their quality and benefits within the context of proposed development in a transparent, understandable and systematic way.

Individuals

The default position is to record each tree as an individual for its unique contribution to the landscape

Groups and woodlands

Trees have been assessed as groups where it has been determined appropriate by the surveyor. The term group has been applied where trees form cohesive arboricultural features either aerodynamically, visually or culturally.

Hedges and shrub masses

We consider a hedgerow to typically comprise a line of trees or shrubs that currently is subject to, or has undergone, a pruning regime to contain its dimensions.

For the tree survey hedgerows and substantial internal or boundary hedges (including evergreen screens) have either been recorded in the Tree Schedule, including lateral spread, height and stem diameter(s), or indicated on the Tree Constraints Plan.

A tree survey in accordance with BS5837 does not assess hedgerows against *The Hedgerow Regulations 1997* or specifically from an ecological perspective, as such would be outside the scope of the British Standard assessment.

Shrub masses are collectives of woody plants, rather than trees, and are recorded where they are a significant feature of the site. They have either been recorded in the Tree Schedule or indicated on the Tree Constraints Plan.

Individual trees within groups, woodlands and hedges

An assessment of individual trees within the groups has been made where there has been a clear need to differentiate between them for example, in order to highlight significant variation between attributes including physiological or structural condition or where a potential conflict may arise.

BS5837 Categorisation

Trees have been divided into one of four categories based on Table 1 of BS5837, 'Cascade chart for tree quality assessment'. For a tree to qualify under any given category it should fall within the scope of that category's definition (see below).

Category U trees are those which would be lost in the short term for reasons connected with their physiology or structural condition. They are, for this reason not considered in the planning process on arboricultural grounds. Categories A, B & C are applied to trees that should be of material considerations in the development process. Each category also having one of three further sub-categories (i, ii, iii) which are intended to reflect arboricultural, landscape and cultural or conservation values accordingly.

Category (U)

Trees that have a serious irremediable structural defect such that their early loss is expected due to collapse and includes trees that will become unviable after removal of other category U trees.

Trees that are dead or are showing signs of significant, immediate or irreversible overall decline.

Trees that are infected with pathogens of significance to the health and/ or safety of other nearby trees or are very low quality trees suppressing adjacent trees of better quality.

Certain category U trees can have existing or potential conservation value which may make it desirable to preserve.

Category (A)

Shown green on Tree Constraints Plan: Trees that are considered for retention and are of high quality with an estimated remaining life expectancy of at least 40 years and with potential to make a lasting contribution. Such trees may comprise:

Sub categories

- 1) trees that are particularly good examples of their species, especially if rare or unusual, or are essential components of groups such as formal or semi-formal arboricultural features for example the dominant and/or principal trees within an avenue.
- 2) trees, groups or woodlands of particular visual importance as arboricultural and/or landscape features.
- 3) trees, groups or woodlands of significant conservation, historical, commemorative or other value for example veteran or wood pasture.

Category (B)

Shown blue on Tree Constraints Plan: Trees that are considered for retention and are of moderate quality with an estimated remaining life expectancy of at least 20 years and with potential to make a significant contribution. Such trees may comprise:

Sub categories

- 1) trees that might be included in category A but are downgraded because of impaired condition for example the presence of significant though remediable defects, including unsympathetic past management and storm damage.
- 2) trees present in numbers, usually growing as groups or woodlands, such that they attract a higher collective rating than they might as individuals or trees occurring as collectives but situated so as to make little visual contribution to the wider locality.
- 3) trees with material conservation or other cultural value.

Category (C)

Shown grey on Tree Constraints Plan: Trees that are considered for retention and are of low quality with an estimated remaining life expectancy of at least 10 years or young trees with a stem diameter below 150mm. Such trees may comprise:

Sub categories

- 1) unremarkable trees of very limited merit or such impaired condition that they do not qualify in higher categories.
- 2) trees present in groups or woodlands, but without this conferring on them significantly greater collective landscape value or trees offering low or only temporary/transient screening benefits.
- 3) trees with no material conservation or other cultural value.

Devising BS5837 root protection areas

Default situation

The root protection area is a function of the stem diameter, it is multiplied by 12 to give a radius. For multi-stemmed trees the stems are combined to provide an effective diameter figure which is then multiplied.

Initially the root protection area should be plotted as a circle, and in many situation it remains a circle.

Influenced situation

Adjustments to the root protection area are made where pre-existing site conditions that would influence root distribution are present. Typically this will be buildings and retaining walls, lighter structures such as hard surfacing, sheds and garages generally do not have the same influence.

Ponds, rivers and watercourses will also influence root distribution as waterlogged soils are not conducive to root growth. Rainwater attenuation and ditches are likely to have a lesser impact if they are dry for significant periods.

Appendix 3

Schedule of Trees

*for land at
Jessiefield
Spath Road
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M20 2QT*

Key to Tree Schedule

Column Heading	Explanation
Tree No.	Unique number corresponding with number on plan
Species	English names
Ht (m)	Height in metres
Branch Spread	Crown radius in metres to cardinal points of the compass
Stem diameters (cm)	All measurements conform to Annex C of BS 5837:2012 Single stem - Stem diameter in centimetres measured at 1.5m above ground level. Multi-stemmed tree with 2 to 5 stems – Diameter of each stem Multi-stemmed tree with more than 5 stems – Average stem diameter and number of stems
Height of crown clearance	Height in metres between the ground and underside of canopy
Height of first major branch and direction of growth	Height from ground level to base of first major branch and the approximate direction of growth
Abbreviations as suffix to a dimension	<i>Suffix 'e' denotes an estimated dimension.</i> <i>Suffix 'av' denotes an average dimension</i>
Age class	Age Class definitions: Y = Young S = Semi-mature E = Early mature M = Mature O = Over mature
Category grading (see Appendix A2 for detailed explanation) and Estimated remaining contribution (yrs)	Summary of BS 5837: 2012 categorisation: 1. Trees that do not warrant consideration for retention: U = those in such a condition that any existing value would be lost within 10 years and which should, in the current context, be removed for reasons of sound arboricultural management. 2. Trees to be considered for retention: A1, 2 or 3 = trees of high quality and value (substantial contribution >40 yrs) B1, 2 or 3 = trees of moderate quality and value (significant Contribution >20 yrs) C1, 2 or 3 = trees of low quality and value (but adequate, ie >10 yrs or young trees – until new planting can be established)
Estimated remaining contribution	Useful estimated remaining contribution of the tree or tree group
Condition	Brief description including physiological and structural defects
Preliminary management recommendations	Describes current arboricultural requirement for the tree in its current context and should be undertaken as soon as reasonably practicable.
Root protection radius	Radius of minimum root protection area in metres calculated from section 4.6 and Annex D of BS5837:2012
Root protection area	Total area of minimum root protection area extrapolated from root protection radius

Trees at Jessiefield, Spath Road, Didsbury, M20 2QT

Tree No.	TPO 1995	Species	Ht (m)	Branch Spread (m)				Stem diameters (cm)							Height of crown clearance (m)	Height of first branch (m) and direction (compass point)	Age class	Category grading	Estimated remaining contribution (yrs)	Condition Physiological / Structural	Preliminary management recommendations	Root protection radius (m)	Root protection area sq.m
								Single Stem	2-5 stems					More than 5 stems									
				N	E	S	W		Stem 1	Stem 2	Stem 3	Stem 4	Stem 5	Mean dia									
1		Group of holly	9av	2av				15av							3	3NE	S	C2	>10	Group of sparsely foliated holly on Spath Road frontage.		1.80	10
2		Holly	7	3	1	0	2	16							0	-	S	C1	>10	Dominated by adjoining hornbeam.		1.92	12
3	T9	Hornbeam	16	9	7	5	7	61							1	3W	E	A2	>40	Part of a row of established trees on Spath Road frontage		7.32	168
4		Norway maple	15	7	9	8	7	59							5	6N	E	B2	>20	Established component of row of trees along Spath Road. Death of bark and some decay in main limb structure. Appears to be lacking vitality.		7.08	157
5	T8	Silver birch	15	3	6	5	5	31							4	4S	E	B2	>20	Contributing to row of trees along Spath Road. Standing amidst dense shrubbery preventing thorough inspection and accurate measurement.		3.72	43
6	T7	Red maple	14	5	6	6	7	50							4	4S	E	A2	>40	Contributing to row of trees along Spath Road.		6.00	113
7	T6	Copper beech	16	8	10	11	9	92							2	3E	M	A2	>40	Visually significant tree growing at junction of Spath Road with Lancaster Road. Particularly broad spreading, as is typical of these species		11.04	383
8		Deciduous magnolia	4	3	2	3	3		7	6	5				1	1E	S	C1	>10	Small ornamental tree growing in lawn.		1.26	5
9		Group of holly	5av	3av				15av							0	-	S	C2	>10	Outgrown stems growing amidst hedge.		1.80	10
10		Variegated holly	5	2	2	2	2	19							0	-	S	C1	>10	Small ornamental tree growing at edge of lawn.		2.28	16
11		Sycamore	7	3	3	3	3	25e							0	-	S	C1	>10	Young tree that is growing amidst hedgerow		3.00	28
12		Lawson cypress	9	2	2	2	2	27							0	-	S	C1	>10	Established conifer growing amidst shrub bed.		3.24	33
13		Cockspur thorn	5	1	1	1	1	30e							3	2SE	M	C1	>10	Established tree but densely smothered in ivy. Lacks vitality.		3.60	41
14	T17	Sycamore	17	7	7	5	4.5	64							5	6S	M	A2	>40	Combines with other trees of similar size to form tree belt at southern end of garden.		7.68	185
15	T16	Beech	18	9	7.5	5.5	5.5	72							0	3NE	M	A2	>40	Combines with other trees of similar size to form tree belt at southern end of garden.		8.64	235
16	T15	Beech	19	7.5	5	5.5	5.5	59							1	5NE	M	A2	>40	Combines with other trees of similar size to form tree belt at southern end of garden.		7.08	157
17	T14	Beech	19	9	7	5	4.5	63							1.5	6E	M	A2	>40	Combines with other trees of similar size to form tree belt at southern end of garden. 2 patches of damage bark on lower stem. Lower stem partially smotherd in ivy.		7.56	180

Trees at Jessiefield, Spath Road, Didsbury, M20 2QT

Tree No.	TPO 1995	Species	Ht (m)	Branch Spread (m)				Stem diameters (cm)								Height of crown clearance (m)	Height of first branch (m) and direction (compass point)	Age class	Category grading	Estimated remaining contribution (yrs)	Condition Physiological / Structural	Preliminary management recommendations	Root protection radius (m)	Root protection area sq.m
								Single Stem	2-5 stems					More than 5 stems										
				N	E	S	W		Stem 1	Stem 2	Stem 3	Stem 4	Stem 5	Mean dia	No. stems									
18		Horse chestnut	10	8	3.5	4.5	6	37								3	2.5N	E	C1	>10	Development suppressed by adjoining, larger and better beech trees.		4.44	62
19	T13	Beech	20	13	6	7	7	88								3	7S	M	A2	>40	Combines with other trees of similar size to form tree belt at southern end of garden.		10.56	350
20		Sycamore	12	3	5	2	6	27								5	6N	E	C1	>10	Suppressed by larger neighbouring trees.		3.24	33
21		Lime	18	6	5	7	7	55e								5	5W	E	A2	>40	Contributes to row of trees at southern end of the garden. Lower stem densely smothered in basal shoots preventing thorough inspection and accurate measurements.		6.60	137
22		Holly	9	6	3	2	5	34								0	-	E	C2	>10	Evergreen component of tree belt. Provides some screening between properties.		4.08	52
23		Lawson cypress	3	2	2	0	1	17								0	-	S	C1	>10	A small conifer that has been reduced in height in recent times.		2.04	13
24	T12	Beech	15	5	7	9	8	75e								3	5SW	M	B2	>20	Contributes to belt of trees at southern end of garden. Lower stem partially smothered in ivy preventing thorough inspection and accurate measurement. Appears to be some dead bark on the western side of the lower stem. Sparsly foliated compared to its neighbours.		9.00	255
25		Ash	12	6	6	3	5	63								3	3N	E	C1	>10	Established tree but central leader has been lost at circa 6m above ground level. Some decay associated with that stem loss. Some regrowth from point of breakage although that is showing signs of dieback.		7.56	180
26	T11	Horse chestnut	15	5	5	8	7	82								2	5SW	M	B2	>20	Crown biased to the south. Black exudation and bark necrosis on the lower stem as is typical with an infection with bacterial canker.		9.84	304
27		Group of yew	7av	4av				20av								2	2N	E	B2	>20	Established group of evergreens.		2.40	18
28		Beech	20	5	6.5	6	4.5	76								2	4SW	M	A2	>40	Contributing to tree belt at southern end of garden. Partial smothering of ivy on main stem.		9.12	261
29		Sycamore	17	5	3	6	6	55e								4	4SW	E	B2	>20	Contributes to tree belt in southern end of garden. Much of stem densely smothered in ivy preventing thorough inspecting and accurate measurement.		6.60	137

Trees at Jessiefield, Spath Road, Didsbury, M20 2QT

Tree No.	TPO 1995	Species	Ht (m)	Branch Spread (m)				Stem diameters (cm)								Height of crown clearance (m)	Height of first branch (m) and direction (compass point)	Age class	Category grading	Estimated remaining contribution (yrs)	Condition Physiological / Structural	Preliminary management recommendations	Root protection radius (m)	Root protection area sq.m
								Single Stem	2-5 stems					More than 5 stems										
				N	E	S	W		Stem 1	Stem 2	Stem 3	Stem 4	Stem 5	Mean dia	No. stems									
30	T10	Beech	16	5	5	8	6	53								2	5N	E	A2	>40	Contributes to group of trees at southern end of garden. Bottom of stem smothered in dense ivy preventing thorough inspection.		6.36	127
31		Beech	20	5	7	7	7	71								1	5W	M	A2	>40	Contributes to group of trees at southern end of garden. Bottom of stem smothered in dense ivy preventing thorough inspection.		8.52	228
32		Ash	13	3	5	3	2	53								2	8SE	E	C1	>10	Contributes to belt of trees although is of low vitality. Main stem densely smothered in ivy preventing thorough inspecting.		6.36	127
33		False acacia	15	0	6	8	6	65								5	6SW	E	B2	>20	Established tree growing close to Lancaster Road Partial smothering of ivy up the lower stem. Appears to vertical cavity revealing internal decay at circa 7-8m above ground level on western side of stem.		7.80	191
34		Wych elm	10	2	2	4	5	17								2	2S	S	C1	>10	Small tree. Development compromised by adjoining specimen.		2.04	13
35		Norway maple	10	0	3	4	2	18								3	3S	S	C1	>10	Extensively squirrel damage to lower stem suppressed by adjoining trees.		2.16	15
36		Row of lawson cypress	8av	2av				15av								0	-	S	C2	>10	Row of conifers growing in adjoining property		1.80	10
37		Cherry	5	3	5	3	2	27								2	1.5N	S	C1	>10	Small ornamental tree growing in shrub bed.		3.24	33
38		Lawson cypress	10	3	2	3	2	40e								0	-	S	C2	>10	Established conifer growing in adjoining garden.		4.80	72
39		Row of leyland cypress	7av	2av				15av								0	-	S	C2	>10	Established row of conifers growing towards boundary.		1.80	10
40		Deciduous magnolia	3	2	2	3	2		11	5	9					0	-	Y	C1	>10	Small ornamental tree growing in flower bed.		1.81	10
41		Ash	12	5	7	6	7	50e								6	6E	E	B1	>20	Established tree growing in adjoining property.		6.00	113
42		Cherry	11	6	6	4	5	50e								4	4N	E	B1	>20	Established tree growing in adjoining property.		6.00	113
43		Cherry	10	7	6	6	5	50e								5	4SE	E	B1	>20	Established tree growing in adjoining property.		6.00	113
44		Ash	11	2	4	4	5	30e								7	7W	S	C1	>10	Small tree growing amidst dense cherry laurel shrubbery.		3.60	41

Trees at Jessiefield, Spath Road, Didsbury, M20 2QT

Tree No.	TPO 1995	Species	Ht (m)	Branch Spread (m)				Stem diameters (cm)								Height of crown clearance (m)	Height of first branch (m) and direction (compass point)	Age class	Category grading	Estimated remaining contribution (yrs)	Condition Physiological / Structural	Preliminary management recommendations	Root protection radius (m)	Root protection area sq.m
								Single Stem	2-5 stems					More than 5 stems										
				N	E	S	W		Stem 1	Stem 2	Stem 3	Stem 4	Stem 5	Mean dia	No. stems									
45		Sycamore	12	6	6	6	6	47								5	3E	E	C1	>10	Established tree growing close to boundary wall. Numerous tight unions between stems that are highly susceptible to failure. Exhibits lack of vitality.		5.64	100

Appendix 4

Tree Preservation Order

TOWN & COUNTRY PLANNING ACT 1990

CITY OF MANCHESTER (LANCASTER ROAD/HOLM ROAD, DIDSBURY)
TREE PRESERVATION ORDER, 1995

THE MANCHESTER CITY COUNCIL in this Order called "the authority", in pursuance of the powers conferred in that behalf by Sections 198, 200 and 201 of the Town and Country Planning Act 1990 and subject to the provisions of the Forestry Act 1967 and 1979, hereby make the following order:-

1. In this Order

"the Act" means the Town and Country Planning Act 1990;

"owner" means the owner in fee simple, either in possession or who has granted a lease or tenancy of which the unexpired portion is less than three years; lessee (including a sub-lessee) or tenant in possession, the unexpired portion of whose lease or tenancy is three years or more; and a mortgagee in possession; and "the Secretary of State" means the Secretary of State for the Environment.

2. Subject to the provisions of this Order and to the exemptions specified in the Second Schedule hereto, no person shall, except with the consent of the authority and in accordance with the conditions, if any, imposed on such consent, cut down, top, lop, uproot, wilfully damage or wilfully destroy or cause or permit the cutting down, topping, lopping, uprooting, wilful damage, or wilful destruction of any tree specified in the First Schedule hereto or comprised in a group of trees or in a woodland therein specified, the position of which trees, groups of trees and woodlands is defined in the manner indicated in the said First Schedule on the map annexed hereto which map shall, for the purpose of such definition as aforesaid, prevail where any ambiguity arises between it and the specification in the said First Schedule.

3. An application for consent made to the authority under Article 2 of this Order shall be in writing stating the reasons for making the application, and shall by reference if necessary to a plan specify the trees to which the application relates, and the operations for the carrying out of which consent is required.

4.-(1) Where an application for consent is made to the authority under this Order, the authority may grant such consent either unconditionally, or subject to such conditions (including conditions requiring the replacement of any tree by one or more trees on the site or in the immediate vicinity thereof), as the authority may think fit, or may refuse consent:

Provided that where the application relates to any woodland specified in the First Schedule to this Order the authority shall grant consents so far as accords with the principles of good forestry, except where, in the opinion of the authority, it is necessary in the interests of amenity to maintain the special character of the woodland or the woodland character of the area, and shall not impose conditions on such consent requiring replacement or replanting.

(2) The authority shall keep a register of all applications for consent under this Order containing information as to the nature of the application, the decision of the authority thereon, any compensation awarded in consequence of such decision and any directions as to replanting of woodlands; and every such register shall be available for inspection by the public at all reasonable hours.

5. Where the authority refuse consent under this Order or grant such consent subject to conditions they may when refusing or granting consent certify in respect of any trees for which they are so refusing or granting consent that they are satisfied

- (a) that the refusal or condition is in the interests of good forestry; or
- (b) in the case of trees other than trees comprised in a group of trees or in a woodland, that the trees have an outstanding or special amenity value; or
- (c) in the case of trees which are comprised in a group of trees or in a woodland, that the group of trees or the woodland, as the case may be, has an outstanding or special amenity value,

but a certificate shall not be given in the case of trees falling within (c) above if the application in respect of them has been referred by the Forestry Commissioners under section 15(1)(b) or 15(2)(a) of the Forestry Act 1957.

6. (1) Where consent is granted under this Order to fell any part of a woodland other than consent for silvicultural thinning then unless -

- (a) such consent is granted for the purpose of enabling development to be carried out in accordance with a permission to develop land under Part III of the Act, or
- (b) the authority with the approval of the Secretary of State dispense with replanting.

the authority shall give to the owner of the land on which that part of the woodland is situated a direction in writing specifying the manner in which and the time within which he shall replant such land and where such a direction is given and the part is felled the owner shall, subject to the provisions of this Order and Section 204 of the Act, replant the said land in accordance with the direction.

(2) Any direction given under paragraph (1) of this Article may include requirements as to -

- (a) species;
- (b) number of trees per acre (hectare);
- (c) the erection and maintenance of fencing necessary for protection of the replanting;
- (d) the preparation of ground, draining, removal of brushwood, lop and top; and
- (e) protective measures against fire

7. On imposing any condition requiring the replacement of any tree under Article 4 of the Order, or on giving a direction under Article 6 of this Order with respect to the replanting of woodlands, the authority shall if such condition or direction relates to land in respect of which byelaws made by a water authority since 31st March 1974, by any other authority who at any time prior to 1st April 1974 exercised the functions in respect of which the byelaw was made, by a water undertaker, by a sewerage undertaker or by the National River Authority in the exercise of any of its functions in relation to the

maintenance, improvement or construction of watercourses or of drainage works restrict or regulate the planting of trees, notify the applicant or the owner of the land, as the case may be, of the existence of such byelaws and that any such condition or direction has effect subject to the requirements of the water authority, the sewerage undertaker of the National River Authority under those byelaws and the condition or direction shall have effect accordingly.

8. The provisions set out in the Third Schedule to this Order, being provisions of Part III of the Act adapted and modified for the purposes of this Order, shall apply in relation thereto.

9. Subject to the provisions of this Order, any person who has suffered loss or damage in consequence of any refusal (including revocation or modification) of consent under this Order or of any grant of any such consent subject to conditions, shall, if he makes a claim on the authority within the time and in the manner prescribed by this Order, be entitled to recover from the authority compensation in respect of such loss or damage:

Provided that no compensation shall be payable in respect of loss or damage suffered by reason of such refusal or grant of consent in the case of any trees the subject of a certificate in accordance with Article 5 of this Order.

10. In assessing compensation payable under the last preceding Article account shall be taken of:-

(a) any compensation or contribution which has been paid whether to the claimant or any other person, in respect of the same trees under the terms of this or any other Tree Preservation Order under Sections 198 and 200 of the Act or under the terms of any Interim Preservation Order made under Section 8 of the Town and Country Planning (Interim Development) Act 1943, or any compensation which has been paid or which could have been claimed under any provision relating to the preservation of trees or protection of woodlands contained in an operative scheme under the Town and Country Planning Act 1932, and

(b) any injurious affection to any land of the owner which would result from the felling of the trees the subject of the claim.

11.-(1) A claim for compensation under this Order shall be in writing and shall be made by serving it on the authority, such service to be effected by addressing the claim to the authority and leaving it at or sending it by post to the principal office at the authority.

(2) The time within which any such claim shall be made as aforesaid shall be a period twelve months from the date of the decision of the authority, or of the Secretary of State, as the case may be, or where an appeal has been made to the Secretary of State against the decision of the authority, from the date of the decision of the Secretary of State on the appeal.

12. Any question of disputed compensation shall be determined in accordance with the provisions of Sections 205 of the Act.

13. The provisions of Section 201 of the Act shall apply to this Order and the Order shall take effect on 27th January 1995.

NOTE: Any person contravening the provisions of this Order by cutting down, uprooting or wilfully destroying a tree, or by wilfully damaging, topping or lopping a tree in such a manner as to be likely to destroy it is guilty of an offence and liable on summary conviction to a fine not exceeding the prescribed

sum for twice the sum which appears to the court to be the value of the tree, whichever is the greater, or, on indictment, to a fine. The penalty for any other contravention of this Order is a fine not exceeding level 4 on the standard scale on summary conviction and, in the case of a continuing offence when the contravention is continued after conviction, a person is liable on summary conviction to an additional fine not exceeding £5 for every day on which the contravention is so continued.

If a tree other than one to which an Order applies as part of a woodland is removed, uprooted or destroyed in contravention of an Order or is removed, uprooted or destroyed or dies at a time when its cutting down or uprooting is authorised only by Section 198(6) of the Town and Country Planning Act 1990 relating to trees which are dying or dead or have become dangerous, it is the duty of the owner of the land, unless on his application the local planning authority dispense with the requirements, to plant another tree of approximate size and species at the same place as soon as he reasonably can. Except in emergency, not less than 5 days previous notice of the removal, etc., should be given to the authority to enable the latter to decide whether or not to dispense with the requirements. In respect of trees in a woodland it is sufficient to replace the trees removed, uprooted or destroyed by planting the same number of trees either on such other land as may be agreed between the authority and the owner of the land and (in either case) in such places as may be designated by the authority.

FIRST SCHEDULE

Tree specified individually (encircled in black on the attached map)

<u>No. On Map</u>	<u>Description</u>	<u>Situation</u>
T1	Lime	(T1-T3) within the curtilage of 18 Lancaster Road
T2	Sycamore	
T3	Sycamore	
T4	Beech	(T4-T18) within the curtilage of "Jessifield's, Lancaster Road
T5	Thorn	
T6	Copper Beech	
T7	Maple	
T8	Birch	
T9	Hornbeam	
T10	Beech	
T11	Horse Chestnut	
T12	Beech	
T13	Beech	
T14	Beech	
T15	Beech	
T16	Beech	
T17	Sycamore	
T18	Beech	
T19	Oak	(T19-T22) within the curtilage of "Cairncroft", Holme Road
T20	Cooper Beech	
T21 -	Oak	
T22 -	Yew	
T23	Holly	(T23-T28) within the curtilage of "Beechwood
T24	Pine	

T25	Holly	Court", Holme Road
T26	Pine	
T27	Holly	
T28	Cypress	

TREES SPECIFIED BY REFERENCES TO AN AREA

(within a dotted black line on the map)

<u>No.</u>	<u>On Map</u>	<u>Description</u>	<u>Situation</u>
		NONE	

GROUPS OF TREES

(within a broken line on map)

<u>No.</u>	<u>On Map</u>	<u>Description</u>	<u>Situation</u>
		NONE	

WOODLANDS

(within a continuous black line on map)

<u>No.</u>	<u>On Map</u>	<u>Description</u>	<u>Situation</u>
		NONE	

SECOND SCHEDULE

(1) This Order shall not apply so as to require the consent of the authority to the cutting down of any tree on land which is subject to a forestry dedication covenant where

(a) any positive covenants on the part of the owner of the land contained in the same deed as the forestry dedication covenant and at the time of the cutting down binding on the then owner of the land are fulfilled;

(b) the cutting down is in accordance with a plan of operations approved by the Forestry Commission under such deed.

(2) the cutting down of any tree which is in accordance with a plan of operations approved by the Forestry Commission under a grant scheme under Section 1 of the Forestry Act 1979 except a scheme which applies to a forestry dedication covenant;

(3) the cutting down, uprooting, topping or lopping of a tree

(a) by or at the request of the Post Office where the land on which the tree is situated is land which has been acquired for the purpose of the Post Office's undertaking and either works on such land cannot otherwise be carried out or the cutting down, uprooting, topping or lopping is for the purpose of securing safety in the operation of the undertaking; or the lopping in pursuance of the power conferred on any operator of a telecommunications code system by virtue of paragraph 19 of Schedule 2 to the Telecommunications Act 1984;

(b) by or at the request of

(i) a statutory undertaker or holder of a licence under section 6(1) of the Electricity Act 1989 where the land on which the tree is situated is operational land as defined by the Act and either works on such land cannot otherwise be carried out or the cutting down, uprooting, topping

or lopping is for the purpose of securing safety in the operation of the undertaking;

(ii) a licence holder within the meaning of Part 1 of the Electricity Act 1989, where such tree obstructs the construction by the licence holder of any electric line within the meaning of Part 1 of the said Act of 1989 or interferes or would interfere with the maintenance or working of any such line;

(iii) a water authority established under the Water Act 1973, the functions of which have been transferred to a water or sewerage undertaker pursuant to section 4 of the Water Act 1989 (an "undertaker") or a drainage board constituted or treated as having been constituted under the Land Drainage Act 1976, where the tree interferes or would interfere with the exercise of any of the functions of such undertaker or drainage board in relation to the maintenance, improvement or construction of water courses or of drainage works or

(iv) the Secretary of State for Defence, the Secretary of State for Transport, the Civil Aviation Authority, or in relation to any airport managed by a company to which any property, rights or liabilities have been transferred in pursuance of a Scheme made under Section 1 or 15 of the Airports Act 1986, the person for the time being having the management of the airport, where in the opinion of such Secretary of State, Authority or person the tree obstructs the approach of aircraft to, or their departure from any airport or hinders the safe and efficient use of aviation or defence technical installations;

(c) Where immediately required for the purpose of carrying out development authorised by the planning permission granted on an application made under part III of the Act or deemed to have been so granted for any of the purposes of that Part;

(d) Which is a fruit tree cultivated for fruit production growing or standing on land comprised in an orchard or garden

THIRD SCHEDULE

Provisions of the following parts of Part III of the Town and Country Planning Act 1990 as adapted and modified to apply to this Order.

75.- (1) Without prejudice to the following provisions as to the revocation or modification of consents, any consent under the Order, including any direction as to replanting given by the authority on the granting of such consent, shall (except insofar as the consent otherwise provides), ensure for the benefit of the land and of all persons for the time being interested therein.

77.- The Secretary of State may give directions to the authority requiring applications for consent under the Order to be referred to him instead of being dealt with by the authority.

(2) A direction under this section may relate either to a particular application or to applications of a class specified in the direction.

(3) Any application in respect of which a direction under this Section has effect shall be referred to the Secretary of State accordingly.

(4) Where an application for consent under the Order is referred to the Secretary of State under this section, the provisions of Articles 4 and 5 of the

Order shall apply as they apply to an application which falls to be determined by the authority

(5) Before determining an application referred to him under this section the Secretary of State shall, if either the applicant or the authority so desire, afford to each of them an opportunity of appearing before, and being heard by, a person appointed by the Secretary of State for the purpose.

(7) The decision of the Secretary of State on any application referred to him under this section shall be final.

78.- Right to Appeal against decisions and failure to take such decisions

(1) Where the authority refuses an application for consent under the Order or grants it subject to conditions or where any certificate or direction is given by the authority, the applicant may by notice appeal to the Secretary of State.

(2) A person who has made an application for consent under the Order may also appeal to the Secretary of State if the authority has neither:

(a) given notice to the applicant of their decision on the application; or

(b) given notice to him that the application has been referred to the Secretary of State in accordance with directions given under Section 77;

within two months from the date of receipt of the application, or within such extended period as may at any time be agreed upon in writing between the applicant and the authority.

(4) The time prescribed for the service of such a notice must be:

(a) 28 days from the date of notification of the decision, certificate or direction, as the case may be; or

(b) in the case of an appeal under sub-section (2), 28 days from the end of the said period of two months or as the case may be, the extended period mentioned in that sub-section.

(5) For the purposes of the application of section 79(1) in relation to an appeal under sub-section (2), it shall be assumed that the authority decided to refuse the application in question.

79. Determination of appeals - (1) On an appeal under section 78 from a decision, certificate or direction of the authority, 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, or may cancel any certificate or cancel or vary any direction)

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 to each of them an

opportunity of appearing before, and being heard by, a person appointed by the Secretary of State for the purpose.

(5) The decision of the Secretary of State on any appeal under this section shall be final.

97. Power to revoke or modify the consent under the Order - (1) If it appears to the authority that it is expedient to revoke or modify any consent under the Order granted on an application made under Article 3 of the Order, the authority may by Order revoke or modify the consent to such extent as they consider expedient.

(3) The power conferred by this section to revoke or modify a consent may be exercised at any time before the operations for which consent has been given have been completed.

(4) The revocation or modification of consent shall not affect so much of those operations as has been previously carried out.

98. Procedure for S 97 orders: opposed cases - (1) Except as provided in sections 99 and 201 of the Act an Order under section 97 shall not take effect unless it is confirmed by the Secretary of State;

(2) Where an authority submits an Order to the Secretary of State for his confirmation they shall serve notice on:

- (a) the owner of the land affected;
- (b) the occupier of the land affected; and
- (c) any other person who in their opinion will be affected by the Order.

(3) The notice shall specify that within a period of twenty-eight days from the service of the notice any person on who it is served may require the Secretary of State to give him an opportunity of appearing before, and being heard by, a person appointed by the Secretary of State for the purpose.

(4) If within the period of twenty-eight days such a person so requires, before the Secretary of State confirms the Order, he shall give such an opportunity both to him and the authority.

(6) The Secretary of State may confirm any such Order submitted to him either without modification or subject to such modifications as he considers expedient.

99. Procedure for S97 orders: unopposed cases (1) This section applies where:

- (a) the authority have made an Order under section 97; and
- (b) the owner and the occupier of the land and all persons who in the authority's opinion will be affected by the Order have notified the authority in writing that they do not object to it.

(2) Where this section applies, instead of submitting the Order to the Secretary of State for confirmation the authority shall advertise the fact that the Order has been made, and the advertisement must specify:

- (a) the period within which persons affected by the Order may give notice to the Secretary of State that they wish for an opportunity of appearing before,

and being heard by, a person appointed by the Secretary of State for the purpose; and

(b) the period of the expiration of which, if no such notice is given to the Secretary of State, the Order may take effect by virtue of this section without being confirmed by the Secretary of State.

(3) The authority shall also serve notice to the same effect on the persons mentioned in sub-section (1) (b).

(4) The period referred to in sub-section (2) (a) must not be less than 28 days from the date the advertisement first appears.

(5) The period referred to in sub-section (2) (b) must not be less than 14 days from the expiration of the period referred to in sub-section (2) (a).

(6) The authority shall send a copy of any advertisement published under sub-section (2) to the Secretary of State not more than three days after the publication.

(7) If:

(a) no person claiming to be affected by the Order has given notice to the Secretary of State under sub-section (2) (a) within the period referred to in that sub-section, and

(b) the Secretary of State has not directed within that period that the Order be submitted to him for confirmation,

the Order shall take effect at the expiry of the period referred to in sub-section (2) (b), without being confirmed by the Secretary of State as required by section 98(1).

(8) This section does not apply to such Order revoking or modifying a consent granted or deemed to have been granted by the Secretary of State under this Part or Part VII of the Act.

EST
THE COMMON SEAL OF THE COUNCIL OF
THE CITY OF MANCHESTER was hereunto
affixed in pursuance of an Order of
the Council of the said City:-

J.R. LUNDI

Authorised Signatory



610047

Dated this 26th day of January 1995



NORTH 
Scale 1:1250

PROVISIONAL TREE PRESERVATION ORDER,
LANCASTER ROAD/HOLME ROAD, DIDSBURY.

TOWN AND COUNTRY PLANNING ACT 1990

RE: THE CITY OF MANCHESTER (LANCASTER ROAD/HOLME ROAD, DIDSBURY)

TREE PRESERVATION ORDER 1995

This Order has been confirmed without modifications at a meeting of the City Council's Environmental Planning Committee on the 13th July 1995.

THE COMMON SEAL of THE COUNCIL
OF THE CITY OF MANCHESTER was

hereunto affixed in pursuance
of an Order of the Council of
the said City:-


Authorised Signatory



980552

DATED this 18th day of July 1995.