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LPA Ref: 4/22/2333/TPO

Our Ref: APP/TPO/Z0923/9336

Date: 25 March 2024

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Dear Sir / Madam,

**THE TOWN AND COUNTRY PLANNING (TREE PRESERVATION) (ENGLAND)  
REGULATIONS 2012, SI No. 605  
APPLICATION FOR CONSENT TO CARRY OUT WORKS TO PROTECTED TREES  
APPELLANT: Les Campbell  
SITE AT: 12 Rheda Close, Frizington CA26 3TB**

We have received the above-cited appeal against your decision on an application to carry out work on a tree protected by a tree preservation order. The appellant will have sent a copy of the notice of appeal to you.

I am the case officer for the appeal and can be reached using the telephone number, email address and postal address at the top of this letter. When contacting me please quote the above reference.

You will note that the appellant has opted for the fast track procedure. We will assume that your Council is happy to proceed via the fast track procedure **unless** you indicate otherwise.

Please carefully read through the questionnaire found at the end of this letter and then complete the form and return it to me, together with copies of the documents cited on it, as soon as possible, preferably **within 2 weeks** of this letter. Please ensure that you send a copy of the completed questionnaire and associated documents to the appellant or their agent. If you have reason to believe that the appeal is invalid e.g. it has been submitted out of time or the appellant is not the person who made the application, ignore the questionnaire and simply provide the relevant information bringing your observations to our attention.

If the appellant has not seen any particular associated document that you provide with the questionnaire (such as an officer's report which may have informed your decision) then they will be given an opportunity to comment on it if they so wish.

Under the fast-track procedure we **cannot** accept any new reports or comments prepared after the decision was issued. Inspectors are only able to consider the information provided with the original application and that which informed your decision. This means councils have no right of reply to the matters raised on appeal.

Alternatively, if your Council wishes to be heard please let me know by email to the address above and we will send you a copy of the hearing questionnaire.

Once I have received the questionnaire and associated documents I will undertake a final validation of the file. On receipt of the completed questionnaire and associated documents I will check the file for completeness. If everything is in order and an accompanied site visit is required, we will contact you and the appellant, and where appropriate, the owner of the tree(s) to give notice of the Inspector's site visit.

If you are able to resolve this dispute with the appellant at any time during the appeal process before the site visit, please let me know. This would enable the withdrawal of the appeal and a consequent saving of time and public resources.

Finally, information on the awards of costs, which is applicable to appeals proceeding by way of a hearing, inquiry and the fast-track procedure, may be accessed through the Government's "*Planning Practice Guidance*" website:

<http://planningguidance.communities.gov.uk/blog/guidance/appeals/the-award-of-costs-general/>

This guidance is also being brought to the attention of the appellant.

Yours sincerely,

Tree and Hedge Appeals

**THE TOWN AND COUNTRY PLANNING (TREE PRESERVATION) (ENGLAND) REGULATIONS 2012, SI No. 605**

**TREE PRESERVATION ORDER APPEAL QUESTIONNAIRE**

This appeal is being processed under the Fast Track regulations. Please complete this questionnaire and aim to return it to the Planning Inspectorate by 14 days from today. Please send a copy of this form to the Appellant/Appellant's Agent.

**1. Details of the Appeal**

Appellant's name and address:	<b>Les Campbell</b> 12 Rheda Close, Frizington CA26 3TB
Agent's name and address:	
Details of appeal:	3x Sycamore trees - prune
Pins reference:	<b>APP/TPO/Z0923/9336</b>

**2. Background information**

	Yes	No
(a) Is the appeal tree/ are the appeal trees located in a Conservation Area?		<b>X</b>
(b) Is the appeal site subject to a separate live planning application or appeal to the Secretary of State?		<b>X</b>

**If yes, please provide the name of the conservation area or your reference for the planning application:**

(c) Is the site readily accessible for close inspection from public land, a public footpath, the roadside or is/are the tree(s) in a front garden?	<b>X</b>	
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**Copies of the following are enclosed:**

Item	Yes	No	Already submitted
(d) The application for consent including all enclosures	<b>X</b>		
(e) Your decision on the application	<b>X</b>		
(f) The tree preservation order (TPO)- including the map and schedule	<b>X</b>		
(g) A plan/map showing the location of the relevant TPO tree(s)	<b>X</b>		
(h) <b>Evidence</b> that the order was confirmed <i><b>This is a mandatory requirement. If the TPO has not yet been confirmed, you should advise us of the anticipated date of confirmation. We cannot proceed with the case until the TPO is confirmed. If you are unable to supply evidence that the TPO was confirmed, it is likely that we will decide that the appeal is invalid and the tree not protected.</b></i>	<b>X</b>	<b>Not applicable</b>	
(i) An up-to-date A4 plan of the area showing the appeal site, tree(s) near the centre and major roads at 1:1250 or 1:1000 scale or similar	<b>X</b>		

(j) A designated plan of the Conservation Area showing the site marked (if applicable)		<b>X</b>	
(k) The council officers or committee's report on the application (if any)	<b>X</b>		
(l) Third party representations		<b>N/A</b>	

### 3. Conditions

**It is important that you set out any conditions you would like the Inspector to impose if allowing the appeal in part or in full, particularly with regard to replanting if the appellant is seeking consent to fell.**

If the Inspector is minded to approve works to the tree then the Local Planning Authority would wish these works to be limited to the following only:-

Reducing the height of the tree by 1-2m and the crown radius by 1-1.5m, restricting the maximum branch wound diameter of 50mm.

All works must be in accordance with British Standards BS 3998 (2010)

Reason In accordance with Section 198 of the 1990 Town and Country Planning Act and in the interest of good forestry and arboricultural practice.

### 4. Copy to appellant

Please tick this box to confirm **a copy of this questionnaire and background papers** have been sent to the appellant **Y**

Name:	NICK HAYHURST	Date:	07/04/2024
Signature:	<i>N.J. Hayhurst</i>	Tel:	01946 598331