

## Consultation Response: Kirklees Council Conservation & Design (Trees)

<b>Date</b>	<i>26 February 2018</i>
<b>Officer responding</b>	<i>Nick Goddard</i>
<b>Application number</b>	<i>2017/94299</i>
<b>Purpose</b>	<i>Supplementary consultation response</i>
<b>Location</b>	<i>Land adjacent to 129 Marsh Lane, Shepley</i>

### ***Assessment***

The additional information provided by the applicant, in the form of a proposed site plan with circles drawn on to depict the trees does nothing to satisfy my concerns regarding the inclusion of plot 3 in this application. The plot is underneath the canopy, as drawn, and looks very likely to be within the RPA of this protected tree. The proposals therefore will have a direct impact upon the protected tree which is likely to affect its long term health and viability.

The position of plot 3 in relation to the trees on the site's boundary will create significant issues surrounding the shade cast on the property. In addition to this the applicant has highlighted an additional problem which is the increased pressure to prune or fell these trees should permission be granted.

As the application is for outline with access and layout the position of the trees and the plots is of great significance at this stage which is why a tree survey was requested in my initial consultation. To condition a tree survey whilst agreeing to the layout would not be satisfying our statutory duty to consider the constraints posed by mature trees, particularly protected ones in the planning process.

### ***Recommendation***

As a tree survey has not been provided, despite being requested and it does not appear that three plots could be satisfactorily accommodated in this site without significant alterations to the design, I cannot support this application.

The proposals appear to disregard the size and proximity of the adjacent trees and therefore do not meet our policy BE2, (PLP24i) existing trees to form an integral part of the design.

### ***References***

Unitary Development Plan 1999 (updated 2007)

Emerging Local Plan (2017)