

PLAN NO.		
DATE LODGED		
RECEIPT NO.		FEE RECEIVED
CASH	CHEQUE	OTHER
KIRKLEES COUNCIL - RESPONDING TO THE RECESSION VALIDATION CHECKLIST: SUPPLY 1 COPY (PLUS THE ORIGINAL)		

Application for tree works: works to trees subject to a tree preservation order (TPO) and/or notification of proposed works to trees in a conservation area.

Town and Country Planning Act 1990

You can complete and submit this form electronically via the Planning Portal by visiting www.planningportal.gov.uk/apply

Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

Please complete using block capitals and black ink.

You must use this form if you are applying for work to trees protected by a tree preservation order (TPO). (You may also use it to give notice of works to trees in a conservation area).

It is important that you read the accompanying guidance notes before filling in the form. Without the correct information, your application notice cannot proceed.

1. Applicant Name and Address

Title:	MR	First name:	STEPHEN	
Last name:	MARSDEN			
Company (optional):				
Unit:	1	House number:		House suffix:
House name:	UNIT 1			
Address 1:	THONGSBRIDGE MILLS			
Address 2:	MIRY LANE			
Address 3:	THONGSBRIDGE			
Town:	HOLMFIRTH			
County:	WEST YORKSHIRE			
Country:	UK			
Postcode:	HD9 7RW			

2. Agent Name and Address

Title:		First name:		
Last name:				
Company (optional):				
Unit:		House number:		House suffix:
House name:				
Address 1:				
Address 2:				
Address 3:				
Town:				
County:				
Country:				
Postcode:				

9. Authority Employee / Member

With respect to the Authority, I am:

- (a) a member of staff (c) related to a member of staff
(b) an elected member (d) related to an elected member

Do any of these statements apply to you?

☐ Yes

☒ No

If Yes, please provide details of the name, relationship and role

10. Application For Tree Works - Checklist

Only one copy of the application form and additional information (Question 8) is required. Please use the guidance and this checklist to make sure that this form has been completed correctly and that all relevant information is submitted. Please note that failure to supply precise and detailed information may result in your application being rejected or delayed. You do not need to fill out this section, but it may help you to submit a valid form.

Sketch Plan

- A sketch plan showing the location of all trees (see Question 8)

☒

For all trees

(see Question 7)

- Clear identification of the trees concerned
- A full and clear specification of the works to be carried out

☐☐

For works to trees protected by a TPO

(see Question 7)

Have you:

- stated reasons for the proposed works?
- provided evidence in support of the stated reasons? in particular:
 - if your reasons relate to the condition of the tree(s) - written evidence from an appropriate expert
 - if you are alleging subsidence damage - a report by an appropriate engineer or surveyor and one from an arboriculturist.
 - in respect of other structural damage - written technical evidence
- included all other information listed in Question 8?

☒☒☐☐☐

7. Identification Of Tree(s) And Description Of Works continued ...

8. Trees - Additional Information

Additional information may be attached to electronic communications or provided separately in paper format.

For all trees

A sketch plan clearly showing the position of trees listed in Question 7 must be provided when applying for works to trees covered by a TPO. A sketch plan is also advised when notifying the LPA of works to trees in a conservation area (see guidance notes). It would also be helpful if you provided details of any advice given on site by an LPA officer.

For works to trees covered by a TPO

Please indicate whether the reasons for carrying out the proposed works include any of the following. If so, your application must be accompanied by the necessary evidence to support your proposals. (See guidance notes for further details)

1. **Condition of the tree(s)** - e.g. it is diseased or you have fears that it might break or fall: ☒ Yes ☐ No
If YES, you are required to provide written arboricultural advice or other diagnostic information from an appropriate expert.

2. **Alleged damage to property** - e.g. subsidence or damage to drains or drives. ☐ Yes ☐ No
If YES, you are required to provide for:

Subsidence

A report by an engineer or surveyor, to include a description of damage, vegetation, monitoring data, soil, roots and repair proposals. Also a report from an arboriculturist to support the tree work proposals.

Other structural damage (e.g. drains, walls and hard surfaces)

Written technical evidence from an appropriate expert, including description of damage and possible solutions.

Documents and plans (for any tree)

Are you providing separate information (e.g. an additional schedule of work for Question 7)? ☐ Yes ☒ No

If YES, please provide the reference numbers of plans, documents, professional reports, photographs etc in support of your application. If they are being provided separately from this form, please detail how they are being submitted.

3. Trees Location

If all trees stand at the address shown in Question 1, go to Question 4. Otherwise, please provide the full address/location of the site where the tree(s) stand (including full postcode where available)

Unit:		House number:	24	House suffix:	
House name:	0				
Address 1:	WOODLAND VEIW				
Address 2:	THONGSBRIDGE				
Address 3:					
Town:	HOLMFIRTH				
County:	WEST YORKS				
Postcode (if known):	HD9 3JE				

If the location is unclear or there is not a full postal address, either describe as clearly as possible where it is (for example, 'Land to the rear of 12 to 18 High Street' or 'Woodland adjoining Elm Road') or provide an Ordnance Survey grid reference:

Description:

SILVER BIRCH TREE/S OPPOSITE THE ABOVE ADDRESS STANDING IN BERRY BANKS WOOD ADJ TO RIVER HOLME

4. Trees Ownership

Is the applicant the owner of the tree(s): ☐ Yes ☐ No
If 'No' please provide the address of the owner (if known and if different from the trees location)

Title:	MR	First name:	STEPHEN		
Last name:	MARSDEN				
Company (optional):					
Unit:	1	House number:		House suffix:	
House name:					
Address 1:	THONGSBRIDGE MILLS				
Address 2:	MIRY LANE				
Address 3:	THONGSBRIDGE				
Town:	HOLMFIRTH				
County:	WEST YORKS				
Country:	UK				
Postcode:	HD9 7RW				
Telephone numbers	Extension				

5. What Are You Applying For?

Are you seeking consent for works to tree(s) subject to a TPO? ☒ Yes ☐ No

Are you wishing to carry out works to tree(s) in a conservation area? ☐ Yes ☐ No

6. Tree Preservation Order Details

If you know which TPO protects the tree(s), enter its title or number below.

NOT KNOWN

TPO No 9/1991

7. Identification Of Tree(s) And Description Of Works

Please identify the tree(s) and provide a full and clear specification of the works you want to carry out. Continue on a separate sheet if necessary. You might find it useful to contact an arborist (tree surgeon) for help with defining appropriate work. Where trees are protected by a TPO, please number them as shown in the First Schedule to the TPO where this is available. Use the same numbers on your sketch plan (see guidance notes).

Please provide the following information below: tree species (and the number used on the sketch plan) and description of works. Where trees are protected by a TPO you must also provide reasons for the work and, where trees are being felled, please give your proposals for planting replacement trees (including quantity, species, position and size) or reasons for not wanting to replant.

E.g. Oak (T3) - fell because of excessive shading and low amenity value. Replant with 1 standard ash in the same place.

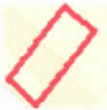
Silver Birch tree opposite (across the River Holme) from 24 Woodland Veiw Thongsbridge HD9 3JE the tree in question is approx 13mtr plus in height and is surrounded by smaller Silver birch some of which have fallen into the river, Our consultant tells us that the tree and others surrounding it have Birch Polypore (piptoporus betulinus) Given the number of brackets across various parts of the tree and the sparse upper crown it would be most appropriate to fell the tree for safety, due to its height and the other fallen birch/s it has raised concerns from residents of Woodland Veiw (Mr LG Thomas 07926044328 who has spoken to his local councillor Mr Donald Firth about the risk to his property should the tree fall



Planning Applications Map

Map key

Map key



Planning application

An outline of the planning application area.



Planning Applications Map

Aerial view Map Normal Aerial

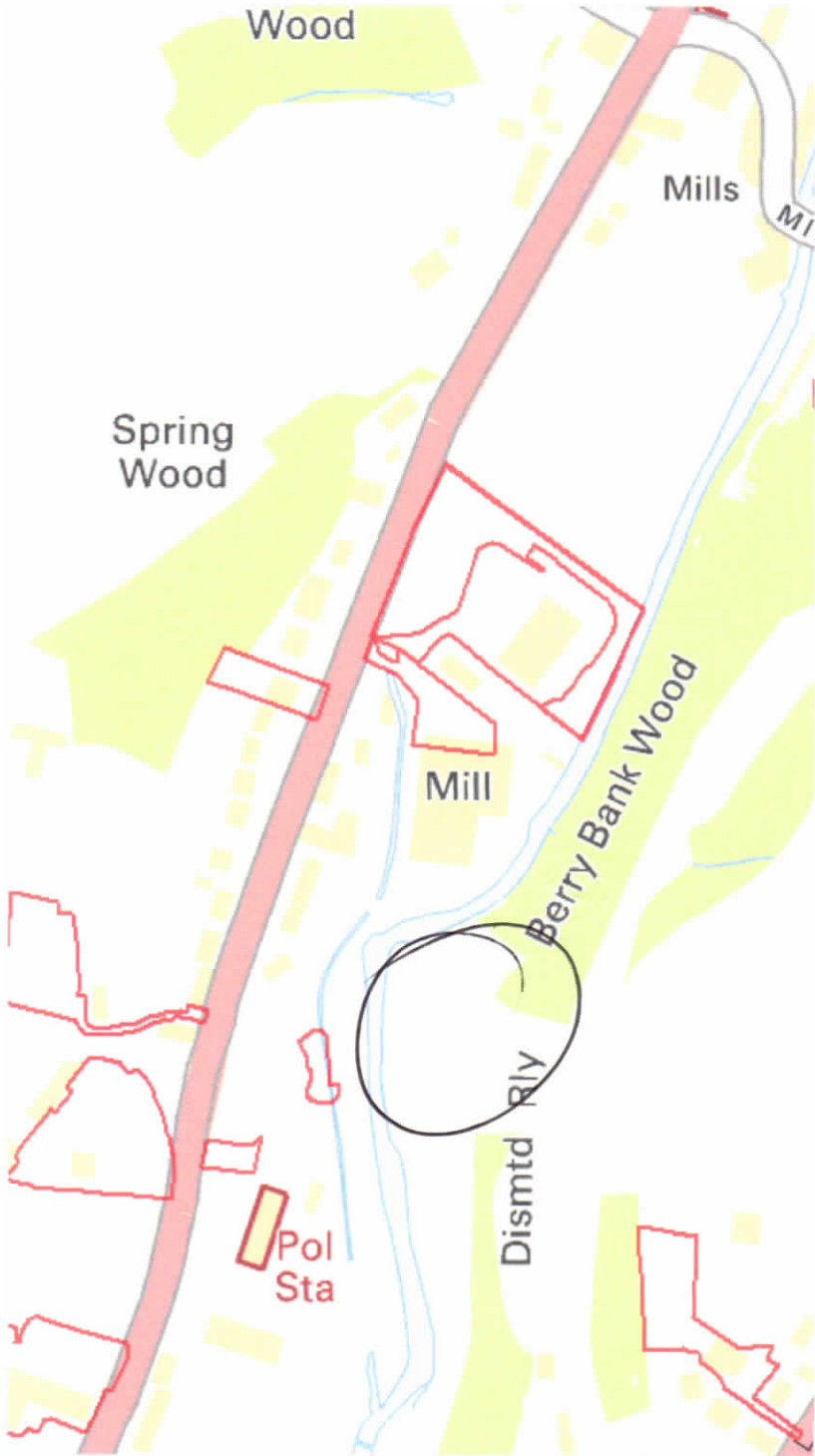
Map key

Map key



Planning application

An outline of the planning application area.



Howard Booth
59 Barnmead
Haywards Heath
West Sussex
RH16 1UY

Stephen Marsden
Unit 1
Thongsbridge Mills
Miry Lane
Thongsbridge
Holmfirth
HD9 7RW

Sent by email

9 August 2018

Dear Stephen

BIRCH TREE HEALTH AND SAFETY – BERRY BANK WOOD

Thank you for your kind instruction to inspect the birch which sits in Berry Bank Wood to the east of River Holme near Woodland View off Huddersfield Road, Thongsbridge.

I understand that a resident of Woodland View contacted you raising concern over the safety of the tree after they initially contacted Kirklees Council. Their concern was that the tree appeared dangerous and should be removed. In addition to nearby residents there is a well used footpath beneath the tree and the River Holme within falling distance of the tree.

According to Kirklees Council's website the tree is located within a tree preservation order reference 09/91/W1. I understand that this tree is protected under TPO No.9/1991 with a woodland classification.

The birch tree is at the edge of the woodland so is exposed to more wind forces than others in this area. The tree developed codominant stems from approx. 6m above ground, one of those stems has previously failed leaving a branch stub approx. 1m in length.

The upper crown of the tree is more sparse than I would expect for a birch of this maturity in this location. At various locations on the stem of the tree are birch polypore (*Fomitopsis betulina*, formerly *Piptoporus betulinus*) fungal fruiting bodies.

Birch polypore is an endophyte, spores being present within the living host which typically grows when the tree is stressed. Birch polypore causes a brown rot of the wood, this type of rot leads to brittle fracture.

Birch trees are pioneer species with weak mechanisms to compartmentalise the spread of decay. The pattern of fungal fruiting bodies on the tree shows that decay within the tree is extensive and likely to have been present for more than a year.

Given the exposed nature of the tree and the extent of decay present within the tree there is high likelihood of partial tree failure ie the tree stem will snap. There are various targets that could be affected by the tree failing including people, property and blocking the River Holme. Given the likelihood of failure and impacts of this this tree is dangerous.

X The tree is dangerous and should be removed as soon as possible and it would be inappropriate to wait for a formal application under the TPO to be submitted and processed. As the tree is protected by a TPO you need to provide Kirklees with 5 day notification, this is set out on their website, and will require a copy of this report justifying removal of the tree.

Should you have any queries regarding any of the above please do not hesitate to contact me.

Yours sincerely

Howard Booth MRICS, MICFor, MARborA, BSc(Hons), DipArb(RFS),



Dear Sir

I am writing to you concerning a matter which is causing my wife and I considerable apprehension.

Our home in Woodland View is situated alongside the river Holme which runs between the block of houses which face the woodland opposite. This woodland, I think, is locally known as Berry Bank.

Our concern is that immediately opposite our house is what appears to be a dying silver birch tree whose foliage is now completely brown, in contrast to the verdant green of the surrounding trees. The tree is a very substantial one - I would estimate it as being 40 to 50 feet in height - and should it fall, would do considerable damage to our property and possibly to houses adjacent to ours. You will appreciate that a falling tree of such height would generate considerable force.

I understand, via Ribbles Council, that you are the owner of the woodland area in question and that our concern has to be directed at you. We, of course, greatly appreciate that people such as yourself are concerned with the protection and preservation of the UK's rapidly diminishing woodlands. A major reason in choosing to live where we are was its situation by the river and close to a very pleasing woodland area.

May I suggest that you or your representative visit Berry Bank as soon as possible to examine the tree and assess its potential for danger. It might be best if the tree was viewed from our property as this would enable the viewer to see exactly why we are so concerned. To this end please contact us as soon as possible.

4432.