Consultation Response from KC, Trees
2023/91369 44, Town Gate, Highburton, Huddersfield, HD8 0QP
Demolition of garage and side entrance and erection of replacement detached garage, single storey extension, raising of roof and external alterations (within a Conservation Area)
Date Responded: 04/09/2023 **Responding Officer: D. Atkinson** **Responding Ref: 20/22/T1**

Kirklees COUNCIL

Thank you for the consultation.

The proposed development site is constrained by a mature Sycamore tree that is subject to 20/22/T1.

A Tree Preservation Order is an order made by a local planning authority in England to protect specific trees, groups of trees or woodlands in the interests of amenity. An Order prohibits the:

- cutting down
- topping
- lopping
- uprooting
- wilful damage
- wilful destruction

of trees without the local planning authority's written consent. If consent is given, it can be subject to conditions which have to be followed. In the Secretary of State's view, cutting roots is also a prohibited activity and requires the authority's consent.

The Arboricultural Impact Assessment (Ref: WC-196.1a) is welcomed. However, trees have some concerns about the raising of roof in relation to the Sycamore tree 20/22/T1.

The tree having to be pruned/crown lifted to facilitate the raising of the roof is a sign the development is to close to the tree. The increased height will foreseeably increase the conflict between the building and the tree once complete and lead to increase pressure to prune it. For example, abating legal nuisances.

Trees also disagree somewhat with section 4.4.1. of the AIA. The installations of the sky lights in bedroom two appear to be under the canopy of the tree based on the constraints plan and will be shaded as a result. So, although shading of the dwelling maybe largely unaltered, if you're in bedroom two it's probably going to be more noticeable. Which could lead to pressure to remove or prune the tree in order to alleviate the shading.

Considering there is already pressure to remove the tree (2022/93348), the above scenario from a trees perspective is considered likely.

Overall, there remains an objection to the proposal from an arboricultural perspective. The proposal conflicts with adopted Kirklees Council Local Plan Policy LP33 and LP24 (i).

This is because the relationship of the building to the tree the raised roof and installations of the skylights could cause apprehension to occupiers, resulting in pressure for the removal of the tree.

Increasing the risk of above-ground damage, that could occur to the tree and structures by the continuous whipping of branches against the fabric of a building as a result of the roof height moving up into the canopy.

Shading of buildings by trees can be a problem, particularly where there are rooms which require natural light. Bedroom 2 is a main habitable room it is foreseeable that residents will want plenty of natural light to reach it. As a result, it foreseeably will create pressure to prune or remove the tree in order to reduce the shading.

If on planning balance the application is considered acceptable despite objection from trees. Please include pre-commencement conditions requiring the following:

- a detailed Arboricultural method statement and schedule of arboricultural site monitoring for the

demolition and construction at the site based on the outline AMS within the Arboricultural Impact Assessment (Ref: WC-196.1a).

- Details be provided of the Side extension to be constructed upon screw or augured pile foundations.