

**Consultation Response from KC,
Trees****2023/91649 11, Wood Street, Skelmanthorpe, Huddersfield, HD8 9BN****Demolition and rebuild boundary wall****Date Responded: 24th July 2023****Responding Officer: D. Atkinson****Responding Ref: TPO 03/22**

Thank you for the consultation and I apologise for the late reply.

The proposed development site is heavily constrained by two protected Sycamore trees subject to Tree Preservation Order 03/22.

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 trees are a prominent feature on the Wood Street and provide significant amenity to users of it. The trees, though outside it, contribute to the setting of the Skelmanthorpe Conservation Area.

The proposal requires the removal of these trees along with other substantial trees, shrubs and vegetation at the site in order to facilitate.

The structural report (Version 1.3) comments that the wall existing wall doesn't meet current highway/design standards and if it isn't repaired allowed to deteriorate overtime it risks collapse.

Trees would like confirmation on who is responsible for maintenance of the wall? As Kirklees Council has undertaken repairs multiple times over the years it seems. Please can we also have clarification as to why the wall can't continue to be repaired/patched as it seems to have been up to now.

Overall, from an arboriculture perspective there is an objection to the proposal. This is because it is conflicting with the adopted Kirklees Local Plan Strategy and Policies Policy LP33 as it directly threatens trees of significant amenity, no tree survey and impact assessment from a suitably qualified and experienced arboriculturalist following the guidance in BS5837:2012 has been provided and trees are not convinced that the proposed is necessary and that there are not other options available to repair/maintain the wall.