

**Consultation Response from KC,
Trees****2023/91803 410, Birkby Road, Birkby, Huddersfield, HD2 2DN****Erection of detached dwelling (modified proposal)****Date Responded: 14/08/2023****Responding Officer: D. Atkinson****Responding Ref: 14/75**

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

The site is constrained by a lot of trees within and overhanging the site that are subject to Tree Preservation Order 14/75.

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 proposed alterations to the proposal will not significantly impact on the protected trees, as a result there isn't an objection to the alterations proposed from an arboriculture proposal.

Please include the Tree Protection Plan (TPP) plan condition from the last permission, which unless I'm mistaken is (2022/70/93974/W) condition 5:

The hereby approved development shall be completed in accordance with the advice and directions recommendations contained in the submitted Arboricultural Method Statement (ref: 20088/AJB) in relation to the re-siting of the garage and also the Arboricultural Impact Assessment and Method Statement reference (Morfe Valley Environmental Ltd, ref MVE/AM _021/2021/03 dated 02/07/21) and Tree Protection Plan (Morfe Valley Environmental Ltd, ref MVE_TPP_01_Rev B) submitted as part of application 2021/91239 (dated 16th September 2021) related to the other elements of the proposed. These shall be implemented and maintained throughout the construction phase. Reason: To protect trees in the interests of visual amenity and to accord with the requirements of Policy LP33 of the Local Plan and advice within the National Planning Policy Framework.