

Consultation Response from KC,
Trees

2023/91922 65, The Cutting, Brockholes, Holmfirth, HD9 7HL

Alterations to rear ground floor opening, change of use of land to extend domestic garden, and erection of raised deck with store void below

Date Responded: 05/10/2023

Responding Officer: D. Atkinson

Responding Ref: 03/96/w2

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

The site is constrained by the trees overhanging the rear/southern boundary of the site being subject to Tree Preservation Order (TPO) 03/96/w2.

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 micro-piles/screw piles to support the decking while minimising the disturbance to the protected trees to the south, would be acceptable from a trees perspective.

However, this proposal inevitably will create pressure to prune and/or remove the Sycamore trees overhanging the boundary and the proposed decking. Probably very quickly after the proposal is implemented.

This is because Sycamores are very often associated with seasonal nuisances and other issues for the people nearby including but not limited to:

- Seasonal debris (i.e. leaves, sap, honeydew, bird droppings, seeds, twigs/branches)
- Shading
- Pollen/dust
- Apprehension about size/growth
- Insects/aphids

The position of the decking under the current canopies of the trees now or at least it foreseeably being under the canopies of the trees because of future growth. This will result in pressure to prune or remove the trees to alleviate the nuisances perceived or otherwise.

So the applicant/resident and any future resident should be made aware of these nuisances and that as a result the decking, its usage and anything on it could be impacted. So they should be prepared to clean it regularly, move/cover garden furniture on it and know that there is potential that aphids/honeydew drop may make the decking unable to be sat on due to it raining down if conditions are right.

Lastly, it needs to be known that due to the trees being protected by a TPO any future tree works application that maybe submitted to the council with the justification/reason being alleviating the nuisances mentioned above/commonly associated with trees. They are likely to be refused/viewed unfavourably.

Overall, from a trees perspective on principle there is an objection to the proposal. Because it will create pressure to prune or remove the trees overhanging the boundary for the reasons mentioned

above, conflicting with adopted Local Plan Policy LP33. However, if there isn't another planning reason to refuse the proposal, and the application is approved on planning balance please include conditions to require the use of micro-piles/screw as shown on drawing number 23/896/04b, facilitation tree pruning be agreed in writing with the local authority and an informative about the presence of the TPO.