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KIRKLEES COUNCIL - RESPONDING TO THE RECESSION VALIDATION CHECKLIST: SUPPLY 1 COPY (PLUS THE ORIGINAL)		

Please email completed forms to [trees.planning@kirklees.gov.uk](mailto:trees.planning@kirklees.gov.uk) or post to the address above

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](http://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:  First name:

Last name:

Company (optional):

Unit:  House number:  House suffix:

House name:

Address 1:

Address 2:

Address 3:

Town:

County:

Country:

Postcode:

#### 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:

### 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:  House suffix:

House name:

Address 1:

Address 2:

Address 3:

Town:

County:

Postcode (if known):

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:

### 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:  First name:

Last name:

Company (optional):

Unit:  House number:  House suffix:

House name:

Address 1:

Address 2:

Address 3:

Town:

County:

Country:

Postcode:

Telephone numbers

Country code:	National number:	Extension number:
<input type="text"/>	<input type="text"/>	<input type="text"/>
Country code:	Mobile number (optional):	
<input type="text"/>	<input type="text"/>	
Country code:	Fax number (optional):	
<input type="text"/>	<input type="text"/>	

Email address (optional):

### 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.

I have tried to look at your TPO map but it says no information so I'm not sure the lime tree has a TPO. According to neighbours there was a previous tree (there is still a stump) but this was removed. I'm not sure if the lime that is there is was a replacement

### 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.*

1. Conifer - fell because of excessive shading to neighbouring garden and property at 106. The neighbour complains constantly about this and says it is making it difficult for her to heat her home and this is causing conflict between us. Also some of the branches are on phone lines and I am worried about my liability if they break and the neighbours' phone lines are cut off.
2. Lime (I think) - fell because of excessive shading to my garden and risk of breaking phone lines. Again the branches are entangled with the phone lines. If the tree continues growing it will also obscure the street light on the pavement outside my property and will eventually touch my house and potentially also my neighbour at 106. I worry about my liability if a branch over the street snaps off in a storm and causes damage to cars/passersby. I also worry about the tree roots invading my neighbours' water/drainage system. They have already invaded the pipes at my property, causing a drain to collapse and

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

a floor joist to rot. This was remedied by Yorkshire Water just prior to my buying the property in 2021. I have ticked no in question 8 below about drains because my drains have now been sorted and neighbours' haven't currently complained, but I do worry about this for the future if the trees continue to grow and spread. I can provide evidence for the drainage work done at my property in 2021 if required. I considered making an application to just take off the lower branches but such a lot would need to be taken off to resolve the issues with the phone lines and street lamp that I worry this might make the tree unstable.

I think these trees are really too big for the size of the garden and I would like to replace them with a single tree with a more suitable height and spread such a flowering cherry. I don't really think there is a room for two trees without them encroaching on neighbouring properties.

Please note if you want to arrange to inspect the trees when I am here to discuss this application I am on holiday from

## 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.

### 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?

### 11. Declaration - Trees

I/we hereby apply for planning permission/consent as described in this form and the accompanying plans/drawings and additional information. I/we confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.

Signed - Applicant:

Or signed - Agent:

Date (DD/MM/YYYY):

(This date must not be before the date of sending or hand-delivery of the form)

### 12. Applicant Contact Details

Telephone numbers

Country code:      National number:      Extension number:

            

Country code:      Mobile number (optional):

      

Country code:      Fax number (optional):

      

Email address (optional):

### 13. Agent Contact Details

Telephone numbers

Country code:      National number:      Extension number:

            

Country code:      Mobile number (optional):

      

Country code:      Fax number (optional):

      

Email address (optional):

Electronic communication - If you submit this form by fax or e-mail the LPA may communicate with you in the same manner. (Please see guidance notes)