

**Consultation Response from KC,
Trees**
2023/93023 Woodlands, 4, Highbridge Lane, Skelmanthorpe, Huddersfield, HD8 9JY
Demolition of existing conservatory and erection of replacement orangery
Date Responded: 23/11/2023
Responding Officer: D. Atkinson
Responding Ref: 06/18/t6

Thank you for the consultation and I apologise for the delay.

The proposed development site is constrained by established trees that are protected by a Tree Preservation Order (TPO).

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, which for this proposal is the important part.

From a trees perspective the proposed replacement orangery is on the same/effectively same footprint of the conservatory and as a result isn't really a concern. There would just need to be some sensible precautions while undertaking the demolition and construction of the proposed.

From the proposed plan (0-) 04 Rev A there is also a proposed extension to the patio area. Although there is no objection in principle to this, because it will be well within the RPA of the adjacent tree how the existing patio is demolished, and new patio area is installed is very important.

The new patio surface must be established above the existing levels of the RPA. The ground must not be skimmed to establish the new hard surface at the former ground level.

A geo-textile membrane laid out in position (to allow drainage and separation and prevent pollution of roots.

A Cellular Confinement System (CCS) will be pinned out in position, using road pins and taking care to avoid any roots. The CCS will be backfilled with clean aggregate (no-fines stone to allow water percolation and gaseous exchange). The first layer of CCS must be infilled by hand, to prevent any machinery from tracking over any unprotected root protection areas. The subsequent layers of CCS must be infilled with machinery only running on filled CCS and not the exposed surface of the RPA, by starting work from outside the RPA, working inwards.

The wearing course of the patio area also needs to be permeable.

The extension of the patio may change the relationship with the tree, by for example increasing the risk (perceived or otherwise) of tree failures to people using the patio and seasonal nuisances like leaf drop and honeydew.

Falling branches are a safety hazard. However, in the absence of a systematic tree survey, tree officers are unlikely to be persuaded that the regular cleaning out of deadwood would fail to reduce the risk of such incidents to a safe level.

Seasonal detritus associated with the tree is a nuisance, however the occurrence of detritus and the associated effort in clearing it is not in itself a reason to justify felling a tree that is a significant visual amenity.

So it should be kept in mind that future tree works applications that may arise post development if these nuisances/failures at some unknown point in the future will not likely be supported.

Overall, there is no objection to the proposal from a trees perspective. Subject to conditions requiring:

- A detailed Arboriculture Method Statement (AMS) and Tree Protection Plan (TPP) following the guidance in BS5837:2012 is agreed that details the working methods on site to protect the trees during the demolition of the existing structures/patio and construction of the new structures/patio within the RPA and in the vicinity of the retained trees.
- The patio is constructed using a Cellular Confinement System (CCS) like Cellweb or similar approved.