Consultation Response from KC, Trees
2024/92062 Former Staff Car Park, Land of Willow Lane, Birkby, Huddersfield, HD1 5EB
Change of use of land for siting of a secure self-storage facility (maximum of 93 movable storage containers) (within a Conservation Area)
Date Responded: 08/08/2024 **Responding Officer: Jack Dunn** **Responding Ref: 04/05**

The majority of the trees located on site are Protected by TPO 04/05 and sit within Birkby conservation area.
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.

Due to the close proximity of the trees to the existing tarmac, there is likely to be a large number of roots present underneath. If the existing tarmac is being retained then there is unlikely to be any significant impact on the surrounding trees. However, if the proposal is to remove the existing tarmac and lay new tarmac there is likely to be a large scale impact on all trees. Further clarification is needed with regard to how the tarmac is to be laid.

Due to the area being proposed to be used for storage containers there wouldn't be any pressure to perform work on trees that cast shade on the containers, however, excessive shade could cause issues with dampness which could then lead to pressure on the trees to be removed or pruned.

There has been no Arboricultural Impact Assessment submitted with the proposals which makes it impossible to know the extent of the impact there will be on the trees. Also due to the proximity of the trees to the development area an Arboricultural Method Statement and protection plan would be required to ensure the safety of retained trees during construction should the plans be approved.

There is a holding objection until an AIA is submitted and clarification of the method of hardstanding to be used. The proposal conflicts with adopted Kirklees local plan policy 33 and 24 (i).