

PLAN NO.		
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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 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

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:	Mr	First name:	Mick
Last name:	Ferguson		
Company (optional):			
Unit:		House number:	20
		House suffix:	
House name:			
Address 1:	Brownhill Close		
Address 2:			
Address 3:			
Town:	Birkenshaw		
County:	West Yorkshire		
Country:	United Kingdom		
Postcode:	BD11 2AS		

2. Agent Name and Address

Title:	Mr	First name:	Adam
Last name:	Prince		
Company (optional):			
Unit:		House number:	37
		House suffix:	
House name:			
Address 1:	Southcroft Gate		
Address 2:			
Address 3:			
Town:	Birkenshaw		
County:	West Yorkshire		
Country:	United Kingdom		
Postcode:	BD11 2DQ		

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:	20	House suffix:	
House name:					
Address 1:	Brownhill Close				
Address 2:					
Address 3:					
Town:	Birkenshaw				
County:	West Yorkshire				
Postcode (if known):	BD11 2AS				

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:

What 3 words

candy.desks.tides
stable.parts.timing

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:	Mr	First name:	Mick		
Last name:	Ferguson				
Company (optional):					
Unit:		House number:	20	House suffix:	
House name:					
Address 1:	Brownhill Close				
Address 2:					
Address 3:					
Town:	Birkenshaw				
County:	West Yorkshire				
Country:	United Kingdom				
Postcode:	BD11 2AS				

Telephone numbers

Country code:	National number:	Extension number:
Country code:	Mobile number (optional):	
Country code:	Fax number (optional):	

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.

ID 26/77/g1

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.

i am writing to submit a fresh application seeking consent to pollard the two sycamore trees at 20 Brownhill Close, in accordance with the comments made by the planning inspector in the appeal decision (APP/TPO/Z4718/10799).

Whilst the inspector dismissed the appeal for the felling of the trees, it is important to note that he expressly recognised that pollarding may be an appropriate alternative. (Paragraph 12 of the decision) Pruning the trees is not an option. This application is therefore made precisely in line with the inspectors recommendation.

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

The Inspector also accepted a number of concerns that were raised during the appeal, including

- Significant overhang into our garden (37 Southcroft Gate)
- The shading caused by the trees
- The impact of leaves, seeds, flowers and honeydew, particularly given the size of my garden.
- Concerns regarding falling branches in an area regularly used by my children

These were clearly afforded weight by the inspector, even though he ultimately concluded that complete removal was not justified. Pollarding represents the balanced solution that the inspector indicated and should be explored.

I would also like to raise a matter that was completely overlooked by the council during this process. In my initial application I explained that my young son suffered a choking incident involving the sycamore buds/seeds from these trees. This was a genuine safeguarding concern and was included as part of my evidence. However the council made no reference whatsoever to this incident in its decision. It is disappointing that a matter concerning a child's safety was ignored entirely without any acknowledgement or assessment.

The ongoing impact these trees are having on our family should also not be underestimated. We are a young family and due to the constant falling buds, seeds, branches and debris, our children are increasingly unable to enjoy playing outside in our own garden. Instead of being able to use the outdoor space as intended we are constantly concerned about what is falling from the trees and the amount of debris covering the grass and play area. This creates an ongoing financial burden, as a struggling young family these maintenance costs are difficult to absorb and place unnecessary pressure on us. While I appreciate that some level of maintenance is expected when living near trees but this particular case, the significant overhang and the small size of my garden mean these impacts should be given more than minimal weight.

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:

If YES, you are required to provide written arboricultural advice or other diagnostic information from an appropriate expert.

☐ Yes

☒ No

2. **Alleged damage to property** - e.g. subsidence or damage to drains or drives.

If YES, you are required to provide for:

☐ Yes

☒ No

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.

I do not need to provide this as it should be on your system. This is a fresh application from an appeal. The appeal number is on question 7.

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)