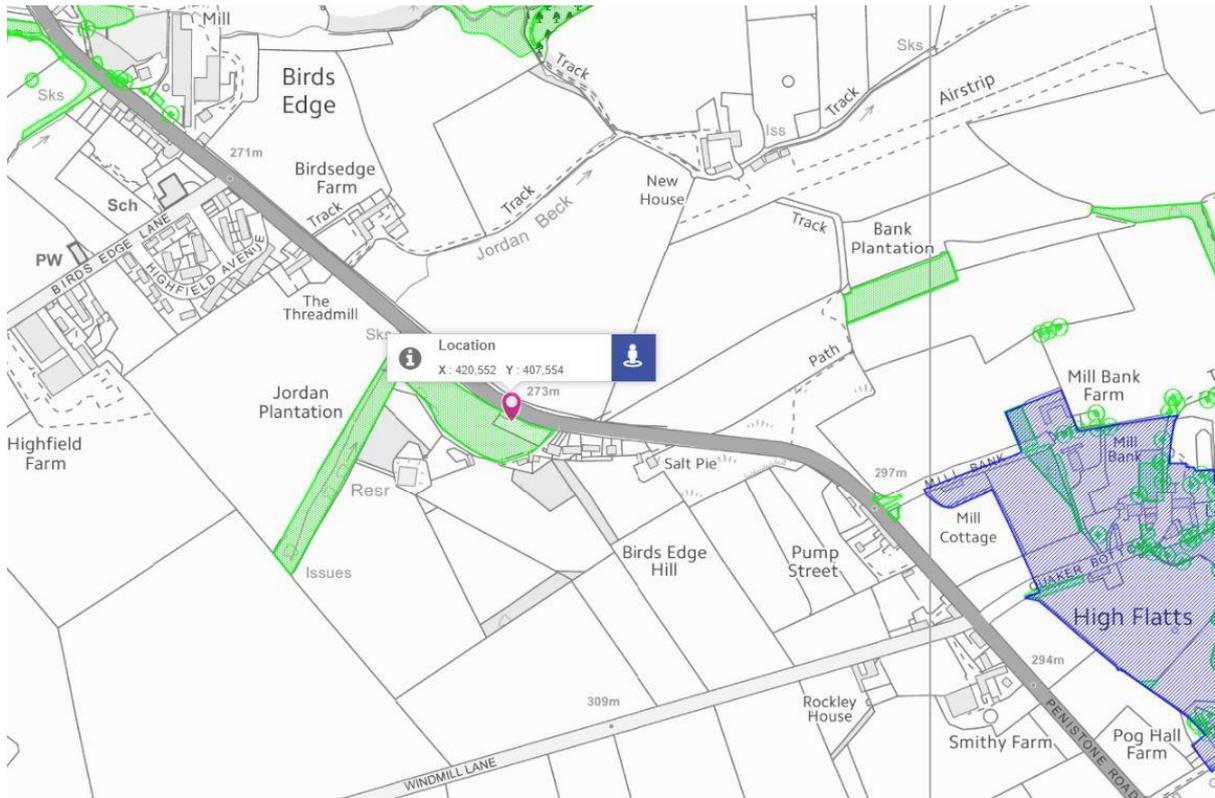


LOCATION PLAN



Map not to scale – for identification purposes only

Electoral Wards Affected: Denby Dale

RECOMMENDATION:

DELEGATE approval for consent to tree works as specified in Tree Work Application 2017/94287.

1.0 INTRODUCTION:

- 1.1 The purpose of this report is to provide Members with the information required to make a decision regarding this Tree Work Application.
- 1.2 Members are required to make this decision as it is stipulated within the Delegation agreement for Investment and Regeneration, “all applications submitted by or on behalf of... any Head of Service or any member of their family.”

2.0 SITE AND SURROUNDINGS:

- 2.1 The application relates to trees in the garden of 3 Birdsedge Hill, Penistone Road, Birds Edge, Huddersfield, HD8 8XP. All the trees in the garden and adjacent woodland are protected by Tree Preservation Order Denby Dale No.2 1951 as woodland W42.

3.0 PROPOSAL:

- 3.1 The application is to fell and replant four trees within the garden of the property, 3 Birdsedge Hill, see photograph A and B.
- 3.2 The applicant is a Mrs Toni Traynor, who has indicated in the application that she works for Kirklees Council as Head of Service – Assessment and Intervention. As a result this application must be decided at committee according to the Delegation Agreement.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 None

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 N/A

6.0 PLANNING POLICY:

- 6.1 N/A

7.0 PUBLIC/LOCAL RESPONSE:

- 7.1 None

8.0 CONSULTATION RESPONSES:

- 8.1 N/A

9.0 MAIN ISSUES

9.1 The works applied for are as follows:

- i. Cut down the Leylandii and Willow so they can plant native trees and shrubs

Reasons given:

- i. The Leylandii are so large that they have grown into and through the low voltage power cables

10.0 APPRAISAL

10.1 In making a decision regarding a Tree Work Application for the removal of protected trees. The Council firstly needs to assess whether the tree's still warrant a Tree Preservation Order and secondly whether the removal of the trees require replacement planting to mitigate their loss.

10.2 In this case the trees detailed were 3 Leylandii Cypress trees and 1 ornamental Willow. The trees were growing close to the properties boundary wall and immediately next to low voltage power lines.

10.3 The Cypress trees have all been pruned in the past in order to keep them clear of the power lines. This pruning has left the trees with uneven and lopsided crowns as can be seen in photograph B.

10.4 The Willow was a small tree which would be difficult to see from the road due to the other trees on this boundary and has developed its crown in the shadow of the Cypress trees which has left it with a poorly formed crown with limited development of side branches.

10.5 The four trees would not warrant a TPO due to their defects, position and poorly developed crowns. Retaining these trees will not preserve any significant amenity value and will likely cause further issues with the power lines as their crowns continue to grow requiring regular ongoing maintenance.

10.6 The proposal is to replace the trees with native trees and shrubs and would be welcome to preserve this edge of the protected area however considering the proximity to the power lines it would be recommended that sufficient clearance be given between any replacement trees and the overhead lines.

11.0 CONCLUSION

11.1 The trees, not being worthy of a TPO, should be allowed to be felled and replaced with more suitable trees in a better position given the proximity of the current trees to overhead power lines.

12.0 RECOMMENDED CONDITIONS

12.1 The following conditions are standard conditions issued with all permissions for removing and replacing trees from a TPO:

- 1) That ALL tree operations outlined in this notice be carried out within ONE year of the date of this notice. If for any reason such works are not completed within this period a new application must be made to the Council.
- 2) That all tree work shall be carried out in accordance with British Standard 3998: 2010 Tree Work- Recommendations
- 3) That branchwood shall not be burned on site.
- 4) That the felled tree(s) be replaced by four native trees, 1.5-2 metres in height, planted in the near vicinity but not as close to the boundary wall as the original tree(s).
- 5) That all replacement tree(s) described in condition (4) be planted in the first planting season (November to March inclusive) following the felling of existing tree(s).
- 6) That all replacement tree(s) described in condition (4) which suffer damage or die within 5 years of planting be replaced to the satisfaction of this Council.

Photograph A - showing view from Penistone Road



Photograph B - showing view from end of private drive



Background Papers:
Copy of the Application