

## GRANT CONSENT

Town and Country Planning England 1990  
Town and Country Planning (Development Management Procedure) (England) Order 2015

---

(Please see notes at end of this letter)

To  
Mrs Samantha Turner  
82 Yew Tree Cottages  
Yew Trees Croft  
Midgley  
Sowerby Bridge  
HX2 6UG

This Council as Local Planning Authority hereby grant consent for

**Prune one tree (Tree in Preservation Area)**

on land at

**82 Yew Tree Cottages**  
**Yew Trees Croft**  
**Midgley**  
**Sowerby Bridge**  
**HX2 6UG**

in accordance with the application and plans approved by the Council on 01.12.2021

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Location Plan			04.10.2021

and subject to the following conditions set out below which in all cases take precedence:

1. None of the works hereby granted consent shall be carried out after the expiry of two years from the date of this notice.
2. The crown reduction works hereby granted consent shall be limited to 1.5 metres subject to all cuts being made at suitable pruning points and no cuts should exceed 100 mm in diameter. The works shall be carried out all round the crown to maintain a balanced shape.
3. The works hereby granted consent shall be carried out in strict accordance with the minimum standards laid down in BS 3998:2010 Recommendations for Tree Work.

The reasons for the Councils decision to grant a consent for the tree work approved, subject to compliance with the above conditions are:

1. As per the Town and Country Planning (Tree Preservation) (England) Regulations 2012, section 17(4)(a).
2. In the interests of the health of the tree and the visual amenity of the area.
3. In the interests of the health of the tree and the visual amenity of the area.

The decision has been made in accordance with the Department for Communities and Local Government Guide, Tree Preservation Orders: A Guide to the Law and Good Practice, (paragraph 6.45) which sets out the main issues in considering applications for works to trees included in a TPO.

### **Informative(s)**

1. You should be aware that all species of bat in Britain are protected by the Wildlife and Countryside Act 1981 (as amended), the Conservation (Natural Habitats & etc) Regulations 1994 and the Countryside and Rights of Way Act 2000. This means that it is illegal to:

- Kill, injure or handle a bat
- Disturb bats when they are roosting
- Obstruct, damage or destroy the places where bats live
- Sell, hire, barter or exchange a bat whether alive or dead
- Keep bats in captivity

Before undertaking the approved works it is recommended that the trees are surveyed for bats before the work commences. You may wish to seek advice from West Yorkshire Ecology, Registry of Deeds, Newstead Road, Wakefield, WF1 2DE (01924 306793), or The Bat Conservation Trust, 5th floor,

Quadrant House, 250 Kennington Lane, London SE11 5RD, TEL NO.0345 1300 228,  
<http://www.bats.org.uk/>

It should also be noted that under the Wildlife and Countryside Act 1981 it is an offence to disturb or destroy the nests or eggs of wild birds. The timing of the works should therefore be discussed with a suitably qualified person to avoid disturbance to any birds using the trees.

CALDERDALE METROPOLITAN BOROUGH COUNCIL

Application No:

**21/20162/TPO**

**WARD: 07**

Should you require any further assistance or advice please do not hesitate to contact Planning Services on 01422 392218.

DATED: 1 December 2021

.....  
Richard Seaman  
For and behalf of  
Director of Regeneration and Strategy

## **TOWN AND COUNTRY PLANNING ACT 1990**

### Appeals to the Secretary of State

- \* If you are aggrieved by the decision of your Local Planning Authority to refuse consent for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State for Communities and Local Government under the provisions of the Tree Preservation Order.
- \* If you want to appeal then you must do so within twenty-eight days of the date of this notice.

You should use forms which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel: 0303 4445000). A copy of the completed appeal form should be sent to, Calderdale MBC Planning Services, C/O The Town Hall, Crossley Street, Halifax, HX1 1UJ.

- \* The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- \* The Secretary of State need not consider an appeal if it seems to her that the Local Planning Authority could not have granted consent for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements.
- \* In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based its decision on a direction given by her.

### **ONLINE APPEAL SERVICE**

The Planning Inspectorate have introduced an online appeals service which you can use to make your appeal online. You can find the service through the Appeals area of the Planning Portal – see [www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs). The Inspectorate will publish details of your appeal on the internet (on the Appeals area of the Planning Portal). This may include a copy of the original planning application form and relevant supporting documents supplied to the local authority by you or your agent, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only provide information, including personal information belonging to you that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal.