

**Consultation Response from KC,  
Trees**

**2020/93867 adj, Red Lea, 27, Church Lane, Mirfield, WF14 9HX**

**Outline application for erection of residential development and formation of new access**

**Date Responded:24/03/21 | Responding Officer:JR | Responding Ref: TPO 18/89**

There is concern about the access drive way which is proposed, weaving between the protected trees. Insufficient information has been provided with the application to clearly demonstrate that this access can be constructed while avoiding impact on the protected trees.

Given this is an outline application with access and layout to be decided at this stage, we would require an arboricultural method statement submitting in support of proposal, as per our guidance document available on our webpage. However, it appears that this level of detail has not been submitted.

<https://www.kirklees.gov.uk/beta/planning-applications/planning-application-guidance-trees.aspx>

Based on the current information it is difficult to see that a no dig system for the drive way is feasible. We would also expect to see technical details of the cellular confinement system which is proposed to be used. In addition, there is no information to show where all the utilities will be routed, are they intended to be down the driveway or through the tree group or will this be restricted. Is it possible to link to existing services while avoiding the trees.

Furthermore, given the tree and access constraints, how will construction access be facilitated. Is it anticipated that construction traffic deliveries etc will be using the proposed driveway, if so is there sufficient room to accommodate this and will the cellular confinement system be suitable for this type of traffic.

In addition the impact assessment lacks sufficient detail about the assessments set out in Section 5 of BS5837. Neither does the impact assessment give sufficient evaluation of the possible long term conflicts with routing a main access to a dwelling through, and in very close proximity to, protected trees.

Based on the current information the proposal cannot be supported and does not meet local plan policies:

LP 33:

*“The Council will not grant planning permission for developments which directly or indirectly threaten trees or woodlands of significant amenity value.*

*Proposals should normally retain any valuable or important trees where they make a contribution to public amenity, the distinctiveness of a specific location or contribute to the environment, including the wildlife Habitat Network and green Infrastructure networks*

*Proposals will need to comply with relevant national standards regarding the protection of trees in relation to design, demolition and construction.*

LP 24:

*“Proposals should promote good design by ensuring:- i) the retention of valuable or important trees “*

