

Planning Consultation Request

Town and Country Planning Act 1990

APPLICATION FOR PERMISSION TO DEVELOP LAND

Observations By:	KC, Trees
------------------	--------------

Application No.	2023/92448
Proposed Development:	Outline application for erection of B8 industrial unit
Location:	Former Cooper Bridge Water Treatment Works, Leeds Road, Huddersfield, WF14 0BT
OS Map Reference	SE 418038.9243 420988.8853
Applicant/Agent:	Kilmartin Plowman & Partners Ltd
Class:	LargeScale Major Developments

Your comments on the above proposal are requested. Please e-mail your comments in either a Microsoft Word or PDF Document to DC.Admin@kirklees.gov.uk by **15-Sep-2023**.

If you would like to contact the Case Officer: Ellie Worth for any reason then please do so on: Tel. 76061 .

The submitted plans and documents for the application can be viewed online at the Planning Service Website by holding down Ctrl and Clicking the link below:

<http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2023/92448>

*If the plans are not available online after 5 working days of the date of this letter then please e-mail: DC.Admin@kirklees.gov.uk

If I do not receive your response by **15-Sep-2023** then the application may be decided without the benefit of your views.

Dated: 25-Aug-2023

Mathias Franklin
Head of Planning and Development

**Consultation Response from KC,
Trees**

**2023/92448 Former Cooper Bridge Water Treatment Works, Leeds Road, Huddersfield, WF14
0BT**

Outline application for erection of B8 industrial unit

Date Responded: 18/09/2023

Responding Officer: D. Atkinson

Responding Ref: 36/92

Thank you for the consultation and I apologise for the late reply.

The site is constrained by a few trees that are protected by a Tree Preservation Order (TPO).

These are 36/92/t1, t2, t3, t4 and t5.

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.

In the tree survey provided (Ref 20960/AJB) the protected trees are/are within T1, G2 and G4.

As a result the tree survey needs to be updated, so it records the position, RPA and canopy etc. of the other TPO'd trees that are within G2 and G4, like it does with T1. This is so they can be properly taken into consideration within the design/layout of the car parking the vicinity.

There is also no Arboricultural Impact Assessment (AIA) provided with the application.

As described in Ref 20960/AJB paragraphs 1.1.4 and 5.5. Once a proposed development scheme has been formalised, the full implications for trees should be assessed within an Arboricultural Impact Assessment (AIA).

Without this assessment appearing to have been done or at least the assessment hasn't been provided. Trees, are not able to make full details comments at the moment and an AIA is needed.

However, from the information provided. The site does contain high value trees protected or not (i.e. T1, G2, G4 and T5) have high arboriculture and landscape value. As a result they're very desirable to be retained within the development. So that they can continue to provide value to the site.

As a result the design should treat the RPA, canopy spread and space provision for future growth as sacrosanct and hold the default position in terms of placing new structures around them.

The default position should be that structures (i.e. manufactured object, such as a building, carriageway, path, wall, service run, and built or excavated earthwork) are located outside the RPAs of trees to be retained.

Overall, in principle now there is no objection to the site being developed. However, there is a holding objection because more information is needed and as a result there is a holding objection. The proposal conflicts with adopted KC Local Plan Policy LP33 and LP24(i).