

**Consultation Response from KC,
Trees**

2023/93097 Land adjacent to, 196 Wakefield Road, Earlsheaton, Dewsbury, WF12 8AH

Erection of 5 dwellings (class C3) and ancillary office accommodation, formation of associated access, car parking and landscaping

Date Responded: 09/04/2024

Responding Officer: Daneil Atkinson

Responding Ref: 30/95/g1

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

The trees adjacent to the site are protected by Tree Preservation Order 30/95/g.

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.

The developer appears to be not taken the advice of the project arborist onboard. The AIA and TPP submitted with the application describe a construction of the parking area/hard surfaces within the RPAs of the retained protected trees that would be constructed at the existing ground level.

The soil level at the part of the site has already been excavated/turned over by an excavator. With this being within the RPA of the trees, it could have caused disturbance/root severance.

Block B is proposed under the canopy of T6 (Ash). Ash can lose a lot of twigs and smaller branches in wind and more frequently have canopies with deadwood within them.

It is foreseeable the falling deadwood/general detritus and apprehension of the occupants (i.e. the tree is large and overhangs) will lead to pressure to prune the tree in order to reduce the overhang and/or perceived risk of harm from falling twigs and branches.

Overall, there is an objection to the proposal from a trees perspective. It is conflicting with adopted Local Plan Policy 33 and 24(i).