

Consultation Response from KC,  
Trees

2023/93714 Land off, Cumberworth Lane, Denby Dale, Huddersfield, HD8 8RU

Reserved Matters application (including the consideration of access, appearance, landscaping layout, and scale) for the erection of 10 dwellings pursuant to outline permission 2019/93906 for erection of residential development up to 10 dwellings, and discharge of condition 20 (waste arrangements)

Date Responded: 26/04/2024

Responding Officer: D. Atkinson

Responding Ref: 10A/03/t2

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

The site access is slightly constrained by a protected trees that is subject to Tree Preservation Order 10A/03/t2.

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.

However, it is unlikely that the tree will be an issue to potential construction traffic. It is still worth being aware of.

The proposed development appears to have given due consideration to the existing trees at the site in terms of layout and building the proposal, as it retains T2 and G5.

However, although they are foreseeable going to be able to be retained within the development at the construction phase, KC trees doubt that future residents will retain the trees once they are occupied. Due to foreseeable pressure to remove them (i.e. Seasonal nuisance, pressure to remove, shading etc.).

Overall, there is no objection to the proposal from a trees perspective subject to a condition for the proposed development be accompanied by an comprehensive Arboricultural Method Statement (AMS) detailing the specific protection measures necessary for each tree. This should specify the required fencing standard and positions (the creation of the Construction Exclusion Zone), acceptable construction techniques and necessary tree works.

The inclusion of a condition for new planting/soft landscaping should also be included.