

**Consultation Response from KC,
Trees**

2024/90253 Land at, Cuckstool Road, Denby Dale, Huddersfield, HD8 8RB

Outline application for erection of residential development with associated biodiversity and open space enhancements

Date Responded: 25/04/2024

Responding Officer: D. Atkinson

Responding Ref: 10/20

The proposed development site is constrained by existing trees and woodland that are protected by Tree preservation Order 10/20.

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.

No arboricultural information has been provided as part of this application and no reference has been made to the impact on the protected trees during the construction of the proposed and once the site is occupied as part of the submitted details.

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

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 (BS5837:2012) and at the moment this proposal doesn't appear to have done so.

Where tree loss is deemed to be acceptable, developers are required to submit a detailed mitigation scheme.

Overall, there is an objection from a KC trees perspective, because the proposal is conflicting with adopted Kirklees Local Plan policy LP33.

The proposed new planting and soft-landing, drawing PWP 811 001 Rev. 00 looks good from a KC trees perspective and provides a good level of detail.