

**Consultation Response from KC,
Trees****2024/92779 land at Providence Street, Earlsheaton, Dewsbury, WF12 8HZ****Outline application for residential development****Date Responded: 09/07/2025****Responding Officer: Hazel Irving****Responding Ref: 02/24**

There is a TPO affecting the site Ref: 02/24, confirmed 8th of May 2024. 02/24/G1 protects a group of sycamores in the northern corner of the site, adjacent to 10 Providence Street and 02/24/W1 protects a mixed broadleaf woodland located in the southern portion of the site.

A significant portion of the canopy cover has been removed from the site without a felling license in 2024. Regarding the Forestry Commission action against the landowner, the criminal case is with the Crown Prosecution Service, awaiting a trial date from the Magistrates' Court. It is the Forestry Commission's intention to serve a Restocking Notice on the site. This would require replanted trees to be maintained within the site for a period of ten years.

An Arboricultural report produced by JCA Ltd dated June 2024 ref: 21873/EW was submitted in support of the application. This survey was carried out after the felling was carried out at the site (including the removal of the TPO sycamores from 02/24/G1). An amended illustrative layout has been submitted and reviewed (Ref ILLUSTRATIVE MASTERPLAN (REV B)). This was accompanied with plan ref. ILLUSTRATIVE MASTERPLAN PARAMETERS OVERLAY (Drawing Number: 24 5721 04, dated August 2024).

The illustrative overlay plan shows that trees remaining on the site will be retained and the existing woodland would be enhanced with additional planting. This is to be comprised of 17 indigenous species (*Oak, Beech, Hornbeam, Whitebeam, Silver Birch, Field Maple, Bird Cherry, Wild Cherry, Rowan, Alder, Native Apple, Elder, Lime, Hawthorn, Guelder Rose, Hazel and Holly*), to fill in any gaps. A total of 230 individual trees would be planted as part of this proposal.

The submitted Tree Survey awarded Category B status to most of the trees remaining onsite which suggests that felled trees may have included category A or B trees, therefore the proposals would conflict with adopted Kirklees local plan policy 33 and 24 (i). The trees which stood on the frontage of Providence Street would have been valuable for retention. Therefore, it is imperative that trees are re-established along the frontage.

Five new trees are proposed to be planted along the frontage of Providence Street, to mitigate loss of the removed tree belt. These would offer some amenity value and screening into the site. However realistically, the space allowed between the highway and the buildings is limited within the proposals and these trees would be planted in-between driveways, which would also limit the available rooting area. It is unlikely that there is adequate space for even smaller tree species, such as rowan or birch to mature in these locations without conflict or removal by residents.

Instead, we would expect to see a generous verge on the frontage of Providence Street to accommodate tree planting to replace the tree belt which has been removed without the appropriate consent. There must be ample space to accommodate larger tree species, which would capture more carbon, live longer and offer more in the way of ecosystem services and habitat value. Therefore, the design cannot include plots directly off Providence Street.

The illustrative masterplan shows tree planting throughout the development located beside driveways, which again, would constitute smaller species, which are unlikely to be retained due to foreseeable conflicts with future residents. Many of these are sited south of proposed buildings and would cast shadow on the homes. Tree planting locations must be sustainable to reasonably ensure future tree cover within the site.

If planning permission was to be granted, the details of reserved matters would include:

- AMS and Tree Protection Plan.
- 10-year woodland management plan, detailing replanting, management interventions and woodland enhancements.
- A detailed planting scheme, including sustainable tree planting locations with appropriate species and a landscape management plan to outline how new trees will be maintained.
- KC trees will amend the TPO 02/24 to include the agreed landscaping scheme and enhanced woodland.

There is an objection to the current proposal from an arboricultural perspective. The proposal conflicts with adopted Kirklees local plan policy 33 and 24 (i).

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"