

**Consultation Response from KC,
Trees**

2024/93079 The Radcliffe, 444, Huddersfield Road, Mirfield, WF14 0EE

Change of use and alterations to care home unit 2 to form 10 self-contained apartments

Date Responded: 29/07/2026

Responding Officer: Hazel Irving

Responding Ref: 10/92

There are trees and hedges within the site, as well as off-site trees within the neighbouring property, which could potentially be impacted by the development of these proposals. **All trees included within the arboricultural survey are subject to TPO ref. 10/92.**

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.

All trees included within the survey are legally protected by a TPO and must be retained to preserve the amenity value they provide to the local area. There is an objection 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"