

**Consultation Response from KC,
 Trees**
2025/90657 54, Victoria Street, Clayton West, Huddersfield, HD8 9NW
Erection of three dwellings
Date Responded: 24/04/2025
Responding Officer: H Irving
Responding Ref: 03/08

The site comprises a parcel of land south of the property at the above address. Within the site boundary are two mature sycamores which are protected by TPO ref 03/08. These are located near to the Western boundary of the site, where the ground level is lower than the ground level to the East.

It is proposed to construct three, compact dwellings, with associated car parking spaces for 6 vehicles, immediately off Victoria Street, to be sited in front of the proposed dwellings.

An AIA produced by Tree Care Consultancy shows that to facilitate the proposals, 5 low value, Category C trees would need to be removed from the frontage and the two mature sycamores would need to be removed also.

The sycamores are protected by TPOs 03/08/t69 and 03/08/t68 and are identified within the AIA as T9 and T10 respectively. Both mature trees are large and offer significant amenity value and environmental benefits to the local area. However, T9 and T10 are recorded as BS5837:2012 Category U and as such are recommended for removal due to the presence of the fungal tree pathogen honey fungus *Armillaria mellea*.

Following a site visit, and considering the evidence provided by Tree Care Consultancy it would be acceptable for all seven trees to be removed (subject to replanting), if development proposals were consented. However, the two protected sycamores would have to be replaced by a tree species which could reach a similar size, as a Condition of their removal. These replacement trees would then be legally protected under the previous TPOs*.

To comply with S.206 of the Town and Country Planning Act 1990 and Kirklees Local Plan Policy 33 and 24 (i), the replacement TPO trees must be allowed the space they require to mature in this location, so that they can eventually take up the space of the existing large, sycamores. This is to ensure the future amenity of the local area, which the TPO was made to protect. The current TPO sycamores have formed wide canopies, which spread across most of the West of the site. Therefore, proposals that encroach too far into the existing tree canopies cannot be supported from an arboricultural perspective.

The main point of objection is that there would be significant pressure to remove or prune the replacement TPO trees, from the future residents, who would foreseeably object to tree canopies overhanging and shading most (and eventually all) of their rear garden.

Unfortunately, the current proposals conflict with adopted Kirklees local plan policy 33 and 24 (i), there is an objection from an arboricultural perspective. I hope the above is helpful, if you have any questions or points you wish to discuss, please get in touch and I would be happy to help.

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*"

* Ordinarily replacement planting should replace like-for-like, but in this circumstance, Oak (*Quercus* sp.) would be selected because it is a native tree species, which is less susceptible to *A. mellea* than sycamore due to its thick bark and tannins. This species has the potential to grow to a similar, large stature as the sycamores they would seek to replace, should they be removed following a successful planning application.