

**Consultation Response from KC,
Trees**

2025/91126 36, Oxford Road, Dewsbury, WF13 4LL

**Erection of two detached dwellings and detached single garage with associated external works
(within a Conservation Area)**

Date Responded: 10/12/2025

Responding Officer: H Irving

Responding Ref: 97/90/a6

There are trees within the site, as well as off-site trees within the neighbouring property, which could potentially be impacted by the development of these proposals. This includes tree(s) protected by TPO ref 97/90/a6.

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.

Additionally, trees within the site are protected by the Northfields Conservation Area.

It is proposed to remove protected horse chestnut, **T7** to facilitate the widening of the driveway, off Reservoir Street. There is an existing driveway in this location, which runs along the Eastern boundary. Therefore, it is questionable as to why this existing driveway could not be retained, in its current format, avoiding the need to remove the tree.

Additionally, the new hard standing proposed for the driveway of Eastern plot extends excessively within the RPA of retained, early mature sycamore **T6**. New hard surfacing must only be sited within the RPAs of retained trees where it is unavoidable, as construction within the RPA should accord to the principle that the tree and soil structure take priority and the most reliable way to ensure this is to preserve the RPA completely undisturbed. In this case, the extent of the proposed new hard surfacing would jeopardise the health of this valuable, protected tree.

Buildings and other structures should be sited allowing adequate space for a tree's natural development, with due consideration given to its predicted height and canopy spread. This is to ensure that the protected trees are not threatened by future pressure for removal. Protected trees within **G1** are threatened by the proximity of the proposed garage, which is sited within the RPA.

KC trees cannot support the current proposal as it would significantly impact TPO trees prominently visible along Reservoir Street, as well as protected trees along the Western boundary. 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"