Consultation Response from KC, Trees
2025/91600 11, Cumberland Avenue, Fixby, Huddersfield, HD2 2JJ
Formation of means of access from the southern boundary with Fixby Road; formation of access driveway and erection of outbuilding to be used in connection with11 Cumberland Avenue, Fixby, Huddersfield, HD2 2JJ
Date Responded: 03/10/2025 Responding Officer: JD Responding Ref: HU4/71

All trees located at this site are protected by TPO HU4/71.

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.

The submitted plans appear to have a direct impact on some of the trees situates with 11 Cumberland Avenue. Trees would either need removal and or specific design options would be required for implementing a driveway within the RPA's of adjacent trees.

The tree survey submitted is a tree condition survey and not a BS5837 survey. There would need to be a BS5837 Arboricultural Impact Assessment produced in order for the Council to correctly gauge the level of impact on these protected trees. There would also need to be an Arboricultural method statement should there be an approved proposal to show how these trees will be protected during the construction of the development.

There is a holding objection until the requested documents are submitted.