

**Consultation Response from KC,
Forestry Arb Team**

2025/91870 Land off, Roslyn Avenue, Netherton, Huddersfield, HD4 7EW

Variation of conditions 5 (plans), 29 (ecological design strategy), 32 (site access works and road marking improvements), 33 (internal estate streets scheme), 34 (play area), 37 (information boards), 39 (vehicle parking areas surface and drainage) and 41 (bin storage area and waste collection point) of previous permission 2023/93503 for outline application for residential development of 82 dwellings and associated works, with layout and access as considerations

Date Responded: 28 August 2025

Responding Officer: J A Gardner

Responding Ref: AG/2025/91870

Proposed housing density along the eastern boundary of the site places properties too close to semi and early mature trees growing along the boundary of Kirklees Council owned land. It is recommended that the number of properties on this development be reduced in order to ensure suitable stand off from existing established trees along the boundary.

Foundations for properties 66, 67, 68, 69 measure as being within 7m and for property 65 within 10m of established high water demand species although submitted drawings may not be accurate for this purpose. Proposed paths and outbuildings to the rear of 65 to 68 are within 3m, in the case of 67 within 1m, of stems with future subsidence and root damage claims against the Council probable.

With the only outdoor space available to properties 66, 67 and 68 being subject to heavy canopy shading, likely damage to structures from natural canopy growth and seasonal leaf fall etc it is anticipated that further frequent requests for pruning will result in significant on going impact to these trees with associated increased risk of infection by pathogens.

Whilst no published equivalent Kirklees Council planning policy has been identified, recommended minimum distances for the species broadleaves found in this boundary line, including Salix and Quercus, are in excess of 10m (reference Leeds City Council Guideline Distances from Development to Trees revised Feb 2021).

It is further noted that the proposed property boundary with 32 Roslyn Avenue excludes a line of established trees within the development land parcel which, if not included in the registered boundaries of new properties, will cause friction over legal responsibilities in regard of safety maintenance.

The Arb Team understands that concerns regarding rooting zones and associated damage to the ancient woodland on the northern boundary are being addressed in detail by Planning. However, it is important to note that a minimum 15m buffer must be maintained between ancient woodland and any development.