Consultation Response from KC, Trees
2025/92180 adj, 16a, Town Gate, Scholes, Cleckheaton, BD19 6ET
Demolition of existing garage and erection of single storey dwelling with front and rear dormers
Date Responded: 12/11/2025 **Responding Officer: Hazel Irving** **Responding Ref: 12/98/t1**

T1 is protected by tree preservation order ref **12/98/t1.**

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 proposals show that a significant portion of the RPA would be encroached by the development, and it would also encroach the canopy of the protected tree. The degree of incursion is unacceptable as it goes against BS5837 recommendations and would jeopardise the health of the protected tree.

Furthermore, any proposals must ensure that future pressure for removal is avoided. The relationship of buildings to large trees can cause apprehension to occupiers or users of nearby buildings or spaces, resulting in pressure for the removal of the trees. 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.

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"