

**Consultation Response from KC,  
Trees**

**2026/90594 11 , Wood Street, Skelmanthorpe, Huddersfield, HD8 9BN**

**Discharge of condition 11 (arboriculture method statement) on previous permission 2024/91934  
for demolition of existing dwelling and erection of four dwellings**

**Date Responded: 02/07/2026**

**Responding Officer: Hazel Irving**

**Responding Ref: 03/22/t1**

There is a tree within the site subject to Tree Preservation Order 03/22/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.

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**The AMS does not satisfy Condition 11 as it does not demonstrate how protected tree T5 (TPO ref. 03/22/t1) can be safely retained through the proposed development.**

The extent of the proposed excavation for the working area and batter would threaten the health of the protected tree and potentially cause it to become unstable and dangerous over the highway. This was previously discussed on site with the project manager, arboriculturalist and engineer.

The full extent of the RPA must be enclosed with the Construction Exclusion Fencing where possible. This has also been previously communicated with the project arboriculturalist. We cannot accept the lesser protection as suggested within the AMS. Given that there would be damage to the roots of T5 along the area of the retaining wall, I see no justifiable reason why it should be acceptable for the development to risk any further disturbance to the rooting area.

**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"*