



Tree Work Application Decision Notices

Zaid Hassan
9, Craig Close
Batley
WF17 0EX

For: Zaid Hassan

TOWN AND COUNTRY PLANNING ACT 1990 Town & Country Planning (Tree Preservation)(England) Regulations 2012

NOTICE OF REFUSAL OF CONSENT TO FELL AND/OR PRUNE

Application Number: 2026/90673

In pursuance of its powers under the above mentioned Act and Regulations and the Tree Preservation Order made by the Kirklees Metropolitan Council (hereinafter called 'the Council') as Local Planning Authority and pursuant to the application submitted to the Council on 19-Feb-2026:-

THE COUNCIL HEREBY **REFUSES** TO CONSENT TO THE CARRYING OUT OF THE FOLLOWING OPERATIONS TO THE PROTECTED TREE(S) TPO No. 23/77

At: 9, Craig Close, Batley, WF17 0EX

Proposal:

"WE ARE REQUESTING A SUBSTANTIAL CROWN REDUCTION AND CROWN THINNING OF THE TREE, INCLUDING REDUCTION OF LATERAL BRANCHES EXTENDING TOWARD OUR PROPERTY."

The **REASONS** for the Council's decision to refuse to grant consent are:

1. This tree forms part of a prominent landscape feature in the locality and as such contributes to public amenity consequently the grounds for the substantial pruning proposed must be weighed against the amenity it provides.

2. The tree is in apparent good health and shows no signs of obvious major defect which would make it a threat to person or property.
3. Light loss is not a justification for the level or type of work requested and the resulting detrimental effect this would have on the public amenity the tree provides.
4. Dropping leaves, flowers, seeds and shedding small and dead branches are natural occurrences in relation to living with mature trees and they are not justification for the pruning work requested.
5. There was no evidence provided to show that the issues with leaf litter, seeds and moss cannot be managed through normal routine property maintenance.
6. There are multiple trees in the vicinity so the reduction of this tree will not significantly reduce the accumulation of leaves, seeds and moss on your property.
7. There was no evidence submitted with the application to show that the tree poses any safety concerns or is dangerous as required in section 8 of the application.
8. Due to its potentially negative effects, crown reduction should not be carried out in addition to other crown pruning operations specifically crown thinning, according to BS3998, which would add to the amount of wounding and leaf loss. No justification was given as to why both pruning operations proposed should be permitted.
9. The works were not adequately specified within the works. All works should be specified in a relevant unit of measurement, such as metres.
10. As a legal charge on the land the presence of a protected tree shows during the land searches prior to purchasing a property. This is to allow any potential buyer the opportunity to consider the constraints, long term implications and maintenance requirements of living in close proximity to mature protected trees. With this in mind the issues described should have been a material consideration prior to purchasing this property.

1.

Should you wish to initiate an appeal, you should do so within 28 days of receipt of the notice. Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <https://www.gov.uk/planning-inspectorate>. Further information on the Planning Appeal process can be found online at the Planning Inspectorates website <https://www.gov.uk/government/organisations/planning-inspectorate>.

2.

Subject to the provision of the Tree Preservation Order, any person who has suffered loss or damage in consequence of any refusal (including revocation or modification) of consent under the Order or of any grant of any such consent subject to conditions shall, if he/she makes a claim within the time and in the manner prescribed by the Order, be entitled to recover from the Council compensation in respect of such loss or damage, provided that no compensation shall be payable in respect of loss or damage suffered by reason of such refusal or grant of consent in the case of any tree the subject of a certificate in accordance with Article 5 of the Order

In assessing compensation so payable, account shall be taken of:

- a) Any compensation or contribution which has been paid whether to the claimant or any other person in respect of the same trees under the terms of the said or any other Tree Preservation Order under section 29 of the Town and Country Planning Act 1962, or under section 203 of the Town and Country Planning Act 1990, or under the terms of any Interim Preservation Order made under section 8 of the Town and Country Planning (Interim Department) Act 1943, or any compensation which has been paid or could have been claimed under any provision relating to the preservation of trees or protection of woodlands contained in an operative scheme under the Town and Country Planning Act 1932; and
- b) Any injurious affection to any land of the owner which would result from the felling of trees subject of the claim.

A claim for compensation under the Order shall be in writing and shall be made by serving it on the Council, such service to be effected by delivering the claim at the offices of the Council addressed to the proper Officer thereof or by sending it by prepaid post so addressed, within 12 months from the date of the decision of the Council, or of the Secretary of State against the decision of the Council from the date of the decision of the Secretary of State on the appeal.

Any questions or disputed compensation will be determined in accordance with the provisions of section 179 of the Act (or as amended).

Dated: 31-Mar-2026

Signed:



David Shepherd
Strategic Director Growth and Regeneration

If you have any questions about the above decision then please contact the application's Case Officer Hazel Irving quoting application number 2026/90673 via one of the following methods:

Call: 01484 414909

E-mail: trees.planning@kirklees.gov.uk

Write to: Kirklees Council
Planning and Development Service

PO Box 1720
Huddersfield
HD1 9EL
