

**Consultation Response from KC,  
Trees****2024/93237 adj, 14, Whinmore Gardens, Gomersal, Cleckheaton, BD19 4HG****Erection of detached dwelling****Date Responded: 03/12/2024****Responding Officer: JD****Responding Ref: 47/80**

The trees to the south of the site are protected under TPO 47/80.

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 Arboricultural Impact Assessment (AIA) sufficiently details how this proposal may be achievable providing the advice given with in it is followed precisely.

Due to the trees being south facing the property is likely to be cast in shade for the majority of the day. This may lead to future pressure to have the trees pruned or even removed. This should be a material consideration prior to construction as consent for tree works is unlikely to be given for alleviating shade.

On the whole there is no objection to the proposals providing a condition for a detailed Arboricultural Method statement (AMS) is submitted and agreed by the LPA prior to construction starting. The AMS must reflect the advice given in the AIA precisely as there is potential for damaging these protected trees should it not be followed.

