



Re request to discharge Condition 14 (Arboricultural Method Statement):

Whilst fine as a generic approach for constructing a path along sloping woodland, the submitted statement fails to describe how this proposed 'woodland walk' will actually be constructed. In the absence of a 'marked out' route on the ground, it cannot be possible to know if this approach for cutting sections, embanking sections or constructing riverside sections will be designed adequately to correctly handle conditions of actual use, slope erosion or stream flooding at this site. This information is all essential as previous planning statements regarding the 'woodland walk' require it to be a long-lasting route, albeit omitting to mention whether it is to be maintained by the council, eg as a ROW, or by householder management fees, perhaps alongside the maintenance of other landscape or open areas of the housing site.

The onsite Kirklees Council notice showing the 2024 planning application (as at February 2025) to which, inter alia, this current discharge request relates, states that the application affects the following rights of way: 345/20, 477/10, 477/20, 477/30, 477/40, 477/50, 478/10, 478/20, 478/30, 478/50, 479/10, 480/10, 481/10, 481/20 and 482/10.

The above rights of way were legally created by Kirklees Council in June 2020 and there has been no onsite sign or notification of any intent to divert, annul or replace since that date.

Given this formal notice by Kirklees Council, all these rights of way still exist.

Whilst the consented housing can, of course, proceed, Kirklees Council needs to commence the process to legally divert paths to match the consented road/pavement/green space layouts and post formal notices of this intention onsite at Clayton Fields. The formal process should then be followed.

If the intention is that the 'Woodland Walk' is to replace the current RoWs 477/10 and 477/20, which run roughly parallel on open ground above, then this ought also be included in the notification and be designated as a PROW.

When all the above have been done, it will be seen that this 'Woodland Walk' can be constructed, and also maintained, as required per earlier documents and the condition can then be discharged.