

<b>Consultation Response from KC, Trees</b>
<b>2025/91542 Land at, Highmoor Lane, Hartshead Moor, Cleckheaton, BD19 6LW</b>
<b>Erection of 40 dwellings and associated works, including formation of new vehicular access and erection of cricket netting</b>
<b>Date Responded: 12/11/2025 Responding Officer: Hazel Irving Responding Ref: 03/17</b>

**There are trees within the site, as well as off-site trees within the neighbouring property, which could potentially be impacted by the development of these proposals. This includes trees protected by TPO ref. 03/17. The proposals include the removal of two healthy protected tree: Horse Chestnut T19 (03/17/t4) and Sycamore T10 (03/17/t5). The proposals conflict with Kirklees Local Plan Policy 33 and 24(i).**

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.

An amended AIA and AMS have been received dated 10/10/2025. The utilities route has been assessed within this latest AIA. The design has changed very little. The proposals now require the removal of 57 Cat B trees instead of 58 (because there was an offsite tree marked for removal on the previous iteration and this mistake has now been corrected) and 28 Cat C trees would still need to be removed. 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"

It does not appear that my previous comments have been addressed. Therefore, the objection from KC trees remains. Please see my comments dated 15/07/2025.