

**Consultation Response from KC,
Trees**

2025/93572 Land South of, Barnsley Road, Upper Cumberworth, Huddersfield, HD8 8NN

Outline application with all matters reserved, bar vehicle access into the site, for erection of up to 123 dwellings with associated works including open space, landscaping, drainage infrastructure.

Date Responded: 19/02/2026

Responding Officer: Hazel Irving

Responding Ref: 20/25

There is an objection to the outline proposals from an arboricultural perspective for the following reasons:

1. TPO 20/25/t1. The outline scheme does not propose to retain this protected tree, which is a prominent feature, considered by local people as an important landmark. All valuable trees should be retained in line with LP33, the NPPF and BS5837:2012.
2. TPO 20/25/t2. This tree is an impressive specimen and has been misrepresented within the tree survey; being recorded as three separate trees, instead of one triple stemmed tree. Recording the tree in this way skews the data to show a significantly smaller RPA than is likely to be present. There are incursions associated with the proposed pumping station into the RPA, which are likely to be significant and therefore unacceptable.
3. There is a drainage feature proposed through the Ancient Woodland Buffer Zone (AWBZ), which would discharge the surface water sewer to Park Dike, within Stephen Wood. Changes to the water table or drainage can directly affect ancient woodlands. This may result in damage or deterioration of an irreplaceable habitat. An alternate solution should be considered to avoid discharging surface water directly to the dike within the ancient woodland. For example, A SUDS feature would allow for surface water to be temporarily stored and slowly drain from the site, whilst creating valuable areas of seasonal wetland for increased biodiversity.
4. It is considered by KC Trees that both trees protected by TPO 20/25 would be worthy of Category A designation according to BS5837:2012 as these are: trees of high quality with an estimated remaining life expectancy of at least 40 years; trees of particular visual importance as arboricultural and/or landscape features; trees that are particularly good examples of their species.
5. No tree-lined streets are shown on the outline proposals. NPPF Ch.12 p.136 states that all new streets should be tree-lined to help to mitigate and adapt to climate change.
6. The layout design does not avoid direct tree impacts, or consider the ultimate, mature size of trees adjacent to proposed structures, as required by BS5837:2012 to avoid future conflicts.
7. Off-site trees are impacted by the proposed layout; again, as part of good design, setting plots far enough back from retained trees can avoid present and future conflicts.
8. The government guidance minimum distance of 15m between the edge of the ancient woodland and the proposed development is not observed within the plans. The Government Guidance *Ancient woodland, ancient trees and veteran trees: advice for making planning decisions* (January 2022) states that:

“For ancient or veteran trees (including those on the woodland boundary), the buffer zone should be at least 15 times larger than the diameter of the tree. The buffer zone should be 5 metres from the edge of the tree’s canopy if that area is larger than 15 times the tree’s diameter. This will create a minimum root protection area.”

9. As development is proposed within greenbelt land, adjacent to an ancient woodland it is expected that a greater buffer zone should be implemented to conserve the landscape character of the area, offset the impacts associated with the change in land use and reduce the human pressure on the ancient woodland. The Woodland Trust guidance suggests a minimum buffer zone between ancient woodland sites and new developments of **50m**. Please see the extract from *Planning for Ancient Woodland: Planner’s Manual for Ancient Woodland and Veteran trees* (July 2019) below:

“As a precautionary principle, a minimum 50 metre buffer should be maintained between a development and the ancient woodland, including through the construction phase, unless the applicant can demonstrate very clearly how a smaller buffer would suffice.”

There is an objection from an arboricultural perspective. The outline 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"

NPPF Ch.12 p.136 (Dec 2024):

"Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined ⁵², that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible. Applicants and local planning authorities should work with highways officers and tree officers to ensure that the right trees are planted in the right places, and solutions are found that are compatible with highways standards and the needs of different users."