

**Consultation Response from KC,
Trees****2026/90211 West House, Oxford Road, Gomersal, Cleckheaton, BD19 4AU****Erection of residential development for 9 dwellings with associated works****Date Responded: 20/03/2026****Responding Officer: JD****Responding Ref: 06/22**

The proposed development site is complex and in a historically significant location. There is TPO 06/22 which covers almost all the trees within or adjacent the site and this TPO was preceded by TPO SP2/70.

Northern Parcel

The proposed access point from Oxford Road – There is a live enforcement investigation into the felling of a TPO'd tree without permission in this location. The tree in question was situated directly adjacent to the south post of the existing access gate. When TPO 06/22/w1 was amended by request to not include the access gate so it could be maintained, the tree officer at the time stated that there were currently no trees within the area proposed to not be covered by the TPO, in effect meaning any trees present in this area were included within the amended TPO. This tree has been felled and therefore would require replacement planting in the same location. This effectively means the access point is not viable at this location.

Access road being built over T4's root protection area – Whilst the methods described in the submitted AIA and AMS "New surfaces to be constructed using 'no dig' cellular confinement system" are usually acceptable in instances of more minor incursions into RPA's, this proposal shows the road covering almost 50% of this trees rooting system. KC trees is of the opinion that this would have a detrimental effect on T4 and would also bring vehicles traveling on this road into very close proximity to T4's stem making the likelihood of damage high. There is also no pre-development pruning to be carried out on this tree which means the tree's canopy is likely to be struck by construction machinery due to the canopy hanging over the tree protection fencing.

Removal of 2 trees within G6 – Whilst the trees may be graded as category C trees individually they also are part of the wider woodland TPO and therefore their removal must be weighed against the combined effect on the wider woodland. This woodland has seen systematic felling over the years and is relatively thin and therefore these trees being removed would have a significant impact on the woodlands shape and structure. It is also noted that within the tree survey they are noted as having no defects that require any works on an Arboricultural level, meaning their removal would be purely to facilitate the development. For the reasons mentioned above this is not deemed acceptable justification for the loss of trees, making plot 7 unviable.

Other notes – It is also noted that TPO tree 06/22/t14 (stump can be seen on google maps aerial) was felled with permission, however this tree requires replanting as per conditions set when the tree was approved for removal). This is represented on the submitted tree information as part of the new planting proposed however it is situated immediately adjacent the turning point to the north boundary without sufficient forethought for future growth and the effect that may have on the turning point.

Southern Parcel

The proposed access point from Latham Lane – From a desk-based assessment it shows that between 2015 to present this used to be a completely tree lined boundary. All of which were protected either by SP2/70 in the past or 06/22 form 2022 onwards. Any trees with or without permission that have been removed from a TPO require replanting in the exact location they were removed from. Therefore, this gap where the access point is proposed should actually be populated with replacement trees. This makes the proposed access road unviable in this location.

G31 – The submitted tree survey has categorised these trees as category U stating “a group of three trees, all with severe lean, significant bark wounds and decay” There is no further evidence to suggest the degree of decay. Leaning trees are not necessarily dangerous and certain levels of decay can still be deemed safe for many years. There would need to be further evidence that these trees are in fact dangerous before the council would consider their removal. Again, these trees are significant and part of TPO 06/22/w4. Their removal must be weighed against the amenity they provide and adequate evidence must be provided before they can be considered category U trees. If further evidence is supplied and the council agree that the trees pose an unacceptable level of risk then replacement trees would be required to be planted in their place along with enough space to mature. This would make plot 1 and 2 questionable in their viability.

Conclusion

Due to the multiple issues outlined above KC trees cannot support this development as it directly conflicts with adopted Kirklees local plan policies 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”

In conclusion, the woodland setting including woodland fringe/edge, tree lined avenue and individual specimens/small copse within the site contribute significantly to the character and setting of the listed dwelling and for this reason make an on-going and positive contribution both to the heritage asset itself and to wider general amenity when viewing the site. The incremental loss of trees over a number of years threatens this character.