

Planning Officer: Mr S Davis

Planning Application Ref: AL/42/19/PL

Location: Nyton House, Nyton Road, Westergate, PO20 3UL

Description of works: Construction of a 10 No. bedroom dementia unit with attached covered walkway in the grounds of Nyton House Care Home and including the conversion of an existing garage into a staff day room, the erection of a new garage with laundry room, garden store & external bin store, demolition of various outbuildings and sections of wall and the re-landscaping of the existing garden areas. This application affects the setting of a listed building.

Comments on Application:

- I undertook a site inspection on 15th August 2019, having full access across the site to assess the potential impact on trees.
- The applicants have employed **mh architects** to prepare a Tree Survey and Tree Protection Plan for this project. The Design and Access Statement refers (p12) to an accompanying tree report from CBA Trees but I cannot see this has been provided.
- The tree data provided is accurate and accords with the requirements of BS5837:2012 and I agree with the retention category ratings. That said, the survey is incomplete as it fails to record those off-site trees which overlap the development and may be affected by the same – notably a mature eucalyptus adjacent the NE corner of the main parking area.
- The proposed main building footprint and access path will intrude into (perceived 3rd party) off-site tree T4 – birch's root protection area (RPA).
- The existing timber office building which sits on a substantial concrete pad is proposed for demolition. I can see no reference made to whether the existing pad is to be retained or broken up and dug out. If it is the latter, that may well occur within the RPA of T10 – yew, a tree of significant merit.

Conclusions:

- Tree survey data is incomplete and should include all off-site trees which overlap the development.
- There is no supporting arboricultural report nor importantly a method statement which both describes and illustrates the mitigation measures which are to be employed to ensure that retained trees overlapping the development survive without detriment to their vigour and vitality.

Recommendations:

- As it stands, I must register an **OBJECTION**.
- For me to be able to overcome this objection, I will need to see an Arboricultural Impact Assessment and Method Statement inclusive of a revised Tree Protection Plan, ideally prepared by an arboricultural consultant, defining which trees are to be retained and which trees are to be removed and how they would propose to protect the retained trees and if necessary mitigate any adverse impact on the root systems of these trees – thus complying with the recommendations of BS5837:2012 – Trees In Relation to Design, Demolition and Construction.
- I recommend the making of a Tree Preservation Order in respect of T10 to preserve its place in the landscape. I attach a TEMPO form and GIS plan for this purpose.

Mark Warwick
Tree Officer / Parks and Greenspace Team

Nyton House, Nyton Road, Westergate, PO20 3UL



Scale 1:1000 @ A4

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TREE EVALUATION METHOD FOR PRESERVATION ORDERS - TEMPO

SURVEY DATA SHEET & DECISION GUIDE

Date: 15th August 2019

Surveyor: Mark Warwick / Tree Officer, Parks and Greenspace Team

Tree details

Tree/Group No: T1

Species: Yew / *Taxus baccata*

Location: Nyton House, Nyton Road, Westergate, PO20 3UL

OS Map ref: E 493482

N 105597

Part 1: Amenities assessment

a) Condition & suitability for TPO; where trees in good or fair condition have poor form, deduct 1 point

- | | |
|--------------------------|-------------------------|
| 5) Good | Highly suitable |
| 3) Fair | Suitable |
| 1) Poor | Unlikely to be suitable |
| 0) Dead/dying/dangerous* | Unsuitable |

Score & Notes

4

* Relates to existing context and is intended to apply to severe irremediable defects only

b) Retention span (in years) & suitability for TPO

- | | |
|-----------|-----------------|
| 5) 100+ | Highly suitable |
| 4) 40-100 | Very suitable |
| 2) 20-40 | Suitable |
| 1) 10-20 | Just suitable |
| 0) <10* | Unsuitable |

Score & Notes

5

* Includes trees which are an existing or near future nuisance, including those clearly outgrowing their context, or which are significantly negating the potential of other trees of better quality

c) Relative public visibility & suitability for TPO

Consider realistic potential for future visibility with changed land use

- | | |
|---|---------------------|
| 5) Very large trees with some visibility, or prominent large trees | Highly suitable |
| 4) Large trees, or medium trees clearly visible to the public | Suitable |
| 3) Medium trees, or large trees with limited view only | Suitable |
| 2) Young, small, or medium/large trees visible only with difficulty | Barely suitable |
| 1) Trees not visible to the public, regardless of size | Probably unsuitable |

Score & Notes

3

d) Other factors

Trees must have accrued 7 or more points (with no zero score) to qualify

- | |
|--|
| 5) Principal components of arboricultural features, or veteran trees |
| 4) Tree groups, or members of groups important for their cohesion |
| 3) Trees with identifiable historic, commemorative or habitat importance |
| 2) Trees of particularly good form, especially if rare or unusual |
| 1) Trees with none of the above additional redeeming features (inc. those of indifferent form) |

Score & Notes

1

Part 2: Expediency assessment

Trees must have accrued 9 or more points to qualify

- | |
|-------------------------------|
| 5) Immediate threat to tree |
| 3) Foreseeable threat to tree |
| 2) Perceived threat to tree |
| 1) Precautionary only |

Score & Notes

3

Part 3: Decision guide

- | | |
|-------|-----------------------|
| Any 0 | Do not apply TPO |
| 1-6 | TPO indefensible |
| 7-11 | Does not merit TPO |
| 12-15 | TPO defensible |
| 16+ | Definitely merits TPO |

Add Scores for Total:

16

Decision:

Definitely merits TPO