

CONSULTEE RESPONSE (Council's Arboriculturist)

Date of report: 24 June 2022

Reference: **AL/49/22/PL**

Proposal: Demolition of all existing buildings and structures and redevelopment of the existing car salvage and recycling facility to provide 80 No dwellings and a co-working hub, with vehicular access from Fontwell Avenue, provision of public open space, landscaping, and other associated works. This application is a Departure from the Development Plan is in CIL Zone 3 and is CIL Liable as new dwellings

Location: Sussex Recovery Company, Fontwell Avenue, Eastergate, PO20 3RU

Case Officer: Mr S Davis

Comments on application:

I have considered this application by means of a desktop review, using the information and plans submitted as well as online resources. Previous consideration from site and familiarity with surrounding areas provides further insight to the proposal.

The applicants have employed HCUK Group to prepare an Arboricultural Impact Assessment (inclusive of an Outline Method Statement) along with Tree Protection Plans for this project.

Their assessment is based upon the following plan received from client: Proposed Site Plan, ref. 7334, 05/10/2021. I have been able to retrieve the same plan title but only of an earlier version, dated September 2021. The following comments I make remain valid provided any difference between those plans presents no additional arboricultural impact.

There are two significant on-site oak trees which are subjects of Tree Preservation Order (TPO/AL/2/21). Both are likely to be adversely affected by these proposals (HCUK Group, ref. T1 & T10).

With so few trees of higher value existing across the site, there is ample opportunity to design-out conflict with any development of the site. They are important constituents of the local landscape and could provide visual amenity and mature outlook to any scheme, so must be afforded sufficient room to allow future growth (above and below ground level) without constraint if they are to flourish post-development.

T1 - Can/will endure demolition of existing hard standing (if adequately supervised and supported by approved Arboricultural Method Statement), but a new access road is likely to require deeper and kerb-edged construction within the root protection area (RPA).

Opportunity exists to shift access south to avoid potentially damaging incursion.

The application of a morphed RPA seems to have been undertaken to fit the proposed access road rather than influence design of same. I suggest it is highly likely that roots extend farther than shown into the area of compacted ground (currently used for parking) and beneath the concrete access road. Root growth will have been resisted mostly by the presence of deeper construction (A29 carriageway) and so the tree will have compensated for that within the site.

It is unlikely that the highway authority would accept any 'No-dig' construction on their land whether existing or proposed for adoption.

T10 – RPA for this high value tree requires additional buffer zone (see guidance in Supplementary Planning Documents) to ensure no risk of construction overspill into exclusion zone. Furthermore this tree should not be confined but made a focal point from within the development. It must be afforded sufficient room to allow future growth and transition to veteran status, to prevent it being diminished in the landscape by application of risk mitigation pruning.

There does not appear to be an approved surface water drainage (and foul water sewer) strategy for the site. These fundamental elements of the design ought to be addressed to our satisfaction in association with layout proposals, so that we are not subsequently held hostage to flood mitigation measures which could then impact heavily on retained trees/landscape plans/open space provision.

I draw attention to the nominal root protection areas (RPA) of retained trees and their growth potential as obvious constraints to the siting of any SUDS (e.g., attenuation pond) or introduction of subterranean utility apparatus. The provision of appropriate buffer/easement around such features must also take into account that growth potential (roots), to limit the risk of damage occurring during future maintenance of the same, from compaction/contamination of the soil structure.

Conclusions:

Sites of this size and generally open nature but with established landscape features (trees and hedgerow), should be subject to the higher-level development principles, as promoted in

our Supplementary Planning Documents. Those give instruction for avoiding Root Protection Area (RPA) incursion and providing further insurance with the use of (minimum 2metres to be effective) buffer zones. **Arun District Public Open Space, Playing Pitches and Built Facilities** (Appendix 9) and **Arun Design Guide** (E.02 Landscape Structures & Trees, p48) - [Supplementary Planning Documents \(SPDs\) and other guidance | Arun District Council](#).

T1 and T10 are of such importance (high amenity/landscape value, potential heritage tree) and sensitivity (mature, growing in increasingly hostile surroundings) that they should represent major constraints to development. As such, it is reasonable for any proposal to avoid incursion into their nominal root protection area (RPA), especially where modifying a layout still permits the fundamental aim and size of the scheme to be delivered.

Layout should be revised to ensure successful long-term retention of T1 and T10.

Before the site is occupied or any machinery is introduced to the site or demolition work or construction work or alterations to existing ground levels takes place; a detailed and bespoke Arboricultural Method Statement (AMS) would have to be submitted (to include mitigation of impact on roots of retained hedgerow and trees from installation of garden fencing and grubbing out of vegetation H4 within RPA of T1).

Recommendation:

As it stands I am unable to lend this scheme my support and so register an **OBJECTION**.

Mark Warwick

Tree Officer / Neighbourhood Services