

Planning Officer: Ms M Tomalova

Planning Application Ref: AL/66/21/PL

Location: Land Rear (South) of Sundown, Littleheath Road, Aldingbourne, BN18 0SR

Description of works: 1 No. 4 bedroom detached dwelling with a detached 3 bay garage (2 open bays and 1 enclosed), associated foul field drain, storm soakaway, new front boundary treatment, roof mounted PV & Ground Source Heat pump System (resubmission following AL/62/19/PL). This site is in CIL Zone 3 and is CIL Liable as new dwelling

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.

Application background

- There was no arboricultural information submitted with the application AL/62/19/PL. Following a Refusal from the Local Planning Authority an Appeal was lodged. The Inspector's Decision was that the Appeal be allowed, and planning permission granted, subject to conditions. Arboricultural consideration was provided at Condition 4 in their report - *'Prior to the commencement of the development hereby permitted a scheme for the protection of all retained trees and boundary vegetation shall be submitted to and approved in writing by the Local Planning Authority. The approved tree protection scheme shall be fully implemented prior to the commencement of any other works on site and shall thereafter be maintained for the duration of the construction of the development.'*
- The applicant subsequently submitted an Arboricultural Report from Beechdown Arboriculture Ltd. in support of A/31/21/DOC. The absence of any comment from the Tree Officer and established conflict between existing on and off-site trees with the proposed surface water drainage strategy, led to a Refusal.

Note: *'The risk of project delay due to material constraints being identified only at a late stage is avoided by the early procurement of a tree survey.'* British Standard 5837:2012 - Trees in relation to Design, Demolition and Construction.

Current application

- The applicants have employed Beechdown Arboriculture Ltd. to prepare an Arboricultural Report (January 2021) inclusive of Method Statement, along with a Tree Protection Plan (plus Addendum, May 2021) for this project. The Tree Survey data has not been presented in an easy-to-interpret schedule inclusive of crown/stem dimensions and root protection area (RPA) calculations. Furthermore, it only lists seven trees for consideration whilst twenty-one are shown on the Addendum plans that will or could be affected by this development. As such it does not adequately inform or accord with the requirements of BS5837:2012.
- The Tree Protection Plan fails to adequately illustrate the relationship between tree root protection areas and development proposals. Whilst accurate data and interpretation may have occurred, we cannot adequately appreciate the impact on trees from this style of illustration. Ideally, we need to see the RPAs/Block plan/Drainage proposals overlaid, to understand the relationship between and viability of each element.
- There does not appear to be an overriding justification for the siting of a dwelling within the RPA of Oak (T1). Furthermore, the installation of subterranean utility apparatus using conventional methods of construction carries a high risk of damage to what appears on paper to be the most valuable tree on site. Notwithstanding the proposed level of supervision during trench excavation and results (unsubstantiated) of exploratory root investigations, there is ambition that larger roots will be

appropriately retained. Such a proposal might incur a *fait accompli* for the tree in the event substantial root material is encountered within the area of excavation – with damage resulting and potential decline. I find this unjustified level of risk unacceptable and recommend that element of drainage strategy be abandoned.

- There is neither an approved or apparently even a supportable surface water drainage (and foul water sewer) strategy for the site. Those fundamental elements of the scheme 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, hedgerow and landscape plans.
- I draw attention to the nominal root protection areas (RPA) of retained trees and their growth potential as obvious constraints to the 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:

- There must be overriding justification for RPA incursion, not a presumption (often mistakenly) that BS5837:2012 – Trees in relation to Design, Demolition and Construction promotes activity in the RPA. It does not. It presents a range of options to consider, where such incursion is unavoidable or where no reasonable alternative exists.
- A sympathetic and high-quality development of this site is certainly achievable without undue detriment to retained on and off-site trees, although we are yet to have sight of the necessary arboricultural report and plans which can support that.
- Trees of lesser quality and landscape value would inevitably have to be sacrificed to facilitate this type and scale of development. Such losses could be reasonable in extent and of themselves would not incur undue detriment to the visual amenity of surrounding area.

Recommendation:

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

Mark Warwick
Tree Officer / Parks and Greenspace Team