

[REDACTED]

From: Mark Warwick
Sent: 11 May 2018 12:06
To: Anita Gardner
Cc: Planning.Responses; Tracey Headley-Smith
Subject: A/20/18/DOC

Hi Anita

Please find attached my comments/observations for your consideration.

Regards,

Mark

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Planning Officer: Anita Gardner

Planning Application Ref: A/20/18/DOC

Location: Land North of Roundstone By-Pass, Angmering (formerly Haskins GC)

Description of works: Application for approval of matters reserved by condition imposed under Appeal reference APP/C3810/W/16/3151980 (A/162/15/PL) relating to condition 5 (Tree Protection)

Comments on Application:

Condition 5 – ‘No equipment, materials or machinery shall be brought on site in connection with the development hereby permitted, and no works, including site clearance or any other preparatory works, undertaken until the tree protection measures set out in as shown in Figures 2 and 3 of British Standard BS 5837:2012 Trees in relation to design, demolition and construction - ‘Recommendations’ have been erected on site in locations in accordance with details submitted to and approved in writing by the local planning authority and agreed in writing as complete by the local planning authority. The protection shall be retained until the development is complete and nothing shall be placed within the fencing, nor shall any ground levels be altered or excavations made without the prior written consent of the local planning authority’.

I refer in part to previous comments submitted by our appointed Arboricultural Consultant, Mr Bernie Harverson, in his very detailed report. After several site meetings with various site agents and managers over a period of several months, he arrived at a position where he was satisfied that the vast majority of agreed Tree Protection measures were in place (21st September 2017) and had a commitment from the site manager that day to apply the final necessary extension of fencing around one of the two retained purple-leaved beech trees. He was therefore able to support the start of construction phase at the site.

I was subsequently asked to visit the site on April 23rd 2018, in response to a reported concern about the impact of ongoing construction work in close proximity to trees (T1 and T2).

The following is a list of omissions, alterations and incomplete actions, observed at the time of my inspection and with direct reference to the Tree Protection Plan, dwg. no. 4386/17/A submitted by PJC Consultancy, dated 03/04/2017. I include photographs taken at the time of my inspection.

Tree no. T1

Insecure fencing extends from 3-4m on all aspects in a broadly rectangular configuration. Some of the HERAS fence panels are sat in movable block trays, others are simply resting on the ground. There are no stabilizing struts, ground penetration of uprights nor are the panels adequately clamped together; the whole structure can be moved around as it suits and offers little if any resistance to an impact. There is an obvious gap in the enclosure which appears to have been deliberate so as to allow deep excavation within the intended Construction Exclusion Zone (CEZ). There are no Tree Protection notices attached to the fencing (Figs.1 & 2).

Tree no. T2

Insecure fencing extends from the following aspects (N-5m, E-1m, S-1m, W-2.5m) 3-4m in a broadly rectangular configuration. Some of the HERAS fence panels are sat in movable block trays, others are simply resting on the ground. There are no stabilizing struts, ground penetration of uprights nor are the panels adequately clamped together; the whole structure can be moved around as it suits and offers little if any resistance to an impact. The agreed hammerhead extension of the CEZ to the south (by way of compensation for Root Protection Area intrusion on other aspects) is absent and the ground has been subject to heavy compaction from tracked plant movement. Fragments of recently torn roots up to 50mm diameter were clearly evident in this area. There are no Tree Protection notices attached to the fencing. Excavation has occurred on the tree’s east side to a depth of 500mm and to within 1.5m of its main stem, culminating in the severance of multiple roots to a diameter of 30mm (Figs.3 & 4).

Tree nos. T3 & T4

Tree Protection Fencing is absent from within the site perimeter and allows for unconstrained access up to the boundary hedgeline. There is no ground protection in place (Figs.5 & 6).

Conclusions:

- Tree Protective Fencing throughout the site is absent in places and where partially installed to standard is not 'fit for purpose' and so does not provide the necessary level of protection for retained trees. It would appear that pre-positioned fencing has been altered and in some cases removed entirely to facilitate construction work without the agreed constraints. The developer has failed to meet their obligations in respect of tree protection as detailed in the condition.
- I anticipate that both T1 and T2 will undergo a gradual but progressive decline. They are now sufficiently compromised in respect of their projected ongoing vitality so as to be unviable for long-term retention. They appear to remain stable at this time but now have increased vulnerability to environmental stresses and the ingress of pathogens which could lead to disease and accelerated rate of decline.
- These trees are unlikely to continue to provide the long-term amenity value, which was previously apparent and recognised by their inclusion in a Tree Preservation Order.

Recommendations:

- I am unable to sign off on this condition as they have demonstrably failed to meet their obligations. In the absence of any practical measures that would allow for adequate preservation of T1 and T2 in the landscape, I cannot seek further input from their appointed arboricultural consultant and now leave you to decide whether you wish to pursue the matter of a breach of Planning Condition here.
- In respect of T3 and T4, the developer should be asked to erect the agreed Tree Protection Fencing as a matter of urgency.
- The developer should now be required to compensate for the anticipated demise of T1 and T2 with an adequate tree replacement planting programme, to be agreed with the Planning Department.
- As a minimum requirement, this should include the following:
 - An additional five Whitebeam (*Sorbus aria Magnifica*) at spacing and of size, to achieve a continuous linear grouping along the sites south boundary. This is an enhancement of their current proposal detailed in Landscape Strategy Plan, dwg. no. 873/L4A.
 - The introduction of one extra Dawyck beech (*Fagus sylvatica Dawyck*) at the location of T1 (once removed) of size as specified for elsewhere across the site.



Fig.1 – View NE towards T1



Fig.2 – View NE towards T1



Fig.3 – View NE towards T2



Fig.4 – View SW towards T2



Fig.5 – Looking W towards T3 & T4



Fig.6 – Looking SE across site

Mark Warwick

Tree Officer / Parks and Greenspace Team

