

Planning Officer: Michael Eastham

Planning Application Ref: BN/29/20/DOC

Location: Land at Angels Nursery, Yapton Road, Barnham, PO22 0AY

Description of works: Approval of details reserved by condition imposed under ref BN/93/19/PL relating to **Condition No 15 - tree protection** and 27 - Construction Management Plan

Comments on Application:

Condition 15 - No development including site access, demolition or associated construction activities, shall take place on the site unless and until all the existing trees/bushes/hedges to be retained on the site have been protected by a fence in accordance with BS5837 (2012) and Section 9, to be approved by the Local Planning Authority for erection around each tree, group of trees and vegetation to a distance of 15m or to the Root Protection Area (RPA) as calculated in accordance with Table 2 of BS5837 (2012) to be agreed in writing by the Local Planning Authority. Within the areas so fenced existing ground must not be cultivated, nor must it be lowered or raised or added to by the importation and spreading of topsoil unless agreed by the Local Planning Authority. There must be no materials, temporary buildings, plant machinery or surplus soil shall be placed or stored thereon without prior written approval of the Local Planning Authority. No tree planting within 3.0 metres either side of the public sewers and all existing infrastructure should be protected during the course of construction works. No new soakaways should be located within 5m of foul rising main or foul sewer.

***Reason:** To protect tree roots from damage likely to lead to the loss of the tree in the interests of the visual amenities of the locality; and to ensure the retention and maintenance of trees and vegetation which is an important feature of the area and in order to safeguard the public sewer associated infrastructure, in accordance with Policy D DM1 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition to ensure that all the existing trees/bushes/hedges to be retained on the site are protected from the start of the site clearance and construction works.*

- I visited this location on 30th March 2020. It is a secure site with no permitted access. I was only able to partially view the interior from the main entrance and by heading a short distance south along the west boundary.
- West boundary perimeter fencing was available for close inspection and encouragingly of BS5837:2012 default standard. Interior fencing around significant retained trees appears to be of similar specification, although upright scaffold poles used to secure back-stays (required) have been replaced with a single stabiliser strut. I cannot be sure that all stabiliser struts are securely pegged, although some are – nonetheless, this is not of required standard.

Conclusions:

- The condition is clear in that Tree Protection Fencing (TPF) must be installed prior to commencement and importantly, in accordance with BS5837:20102. That is to say, it must be 'fit for purpose'. This development will be prolonged and involve multiple contract elements, with staged introduction of new personnel through to completion. As such, I consider it necessary and proportionate to employ the highest standard of protective fencing, which is both fixed securely and can be highly effective. This would apply to all locations where fencing is proposed, as per the Tree Protection Plan and to the specification already employed along the west boundary (<50m from B2233 Yapton Road).
- With respect to the date of this application, the exceptional circumstances nationally (Covid-19 restrictions) and in light of the majority of measures having been installed on site; it would be reasonable to discharge the condition whilst bringing to the attention of the applicant those shortcomings in TPF and our expectation that those will be resolved to our satisfaction at the earliest opportunity.
- This report should now be made available to the applicant's project arboriculturist and fencing contractor, so they can formulate a plan of action to be expedited in good time.

Advisory:

- *'The fence will consist of "Heras" type panels or similar braced at appropriate intervals and secured to keep in place'. Those panels are to be mounted on a rigid scaffold framework supported by back-stays and vertical poles at appropriate intervals and driven a minimum 600mm into the ground – so as to be 'fit for purpose' (as per Figure 2, BS5837:2012, Default specification for protective barrier).'*
- Ad-hoc site monitoring by Planning Officers and/or Tree Officer will be undertaken soon after commencement or once the site has been opened; to ensure that the tree protection fencing meets the above specification.

Recommendations:

- **I recommend the discharge of condition 15** under this application reference.

Mark Warwick

Tree Officer / Parks and Greenspace Team