

CONSULTEE RESPONSE (Council's Arboriculturist)

Date of inspection: 22 July 2022

Further comments: 9 August 2022

Reference: BN/65/22/PL

Proposal: Sever land and erection of 1 No bungalow with new vehicular access (resubmission of BN/14/22/PL). This application is a Departure from the Development Plan and is in CIL Zone 3 and is CIL Liable as new dwelling

Location: Land at rear of Cedar End, Eastergate Lane, Eastergate, PO20 3SJ

Case Officer: Ms M Tomalova

Comments on application:

The applicants have employed The Arboricultural Consultancy Ltd. to prepare an Arboricultural Impact Assessment & Tree Constraint Plan.

No Arboricultural Method Statement or Tree Protection Plan has been submitted for this project, despite construction work proposed within the root protection area (RPA) of retained trees. **Resolved.**

The applicants have employed The Arboricultural Consultancy Ltd. to prepare an Arboricultural Method Statement along with a Tree Protection Plan for this project.

Tree Survey data is comprehensive and accords with the requirements of BS5837:2012. I agree with the retention category ratings for on and off-site trees.

There is significant quantity of off-site/3rd party trees which overlap the development and all along the west boundary.

Trees of low quality are to be removed to facilitate development on the new plot. This is reasonable and of itself would not incur undue detriment to the visual amenity of surrounding area.

There does not appear to be a surface water drainage (and foul water sewer) strategy for the site. **Addressed.**

Foul and Surface water drainage features are shown located outside of and appropriate distance from retained trees. Dwg. no. 1671-SYM-00-ZZ-DR-A-0207 P04, Symmetry Architecture.

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 feature, soakaway or introduction of subterranean utility apparatus.

Drainage and service-runs in and out of site have not been shown and so there remains a risk of root protection area incursion to satisfy those requirements.

Conclusions:

The principle of development as described is certainly achievable without undue detriment to retained on and off-site trees, although we do not yet have sufficient arboricultural information in support of the application. **Resolved.**

Arboricultural information submitted meets the requirements of BS5837:2012 and provides a suite of tree protection measures sufficient to ensure retained trees can survive during and flourish post-development.

If an RPA of any tree which is proposed for retention overlaps the development, then BS5837:2012 requires that the Detailed Planning Application is accompanied by an Arboricultural Method Statement (AMS) and most importantly a Tree Protection Plan – to both describe and illustrate the mitigation measures which are to be employed to ensure the trees survive without detriment to their vigour and vitality and are given adequate protection both above and below ground.

An approved method statement and protection plan will need to address the following key element although not exclusively:

-Type and methodology for engineered solution to driveway construction within the RPA of off-site trees. **Resolved.**

Recommendation:

~~As it stands, I am unable to lend this scheme my support and so register an OBJECTION. If you are minded to approve the above scheme, I recommend the following condition is applied:~~

~~Condition 1~~

~~The applicant must submit an Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP) to the local planning authority for approval. Written confirmation of acceptance of both AMS and TPP must be issued before any works are commenced on site.~~

~~Reasons: To comply with BS5837:2012 and ensure the retention and protection of trees and vegetation which are an important feature of the area, in accordance with Policy D DM1 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition as the protection and retention of trees goes to the heart of the planning permission.~~

I recommend the above scheme for APPROVAL, subject to the following conditions being applied:

Condition 1

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, written confirmation is required from the Arboricultural Expert representing the site owner(s), confirming the following:

- I) Tree protective fencing has been inspected and found to be 'Fit for Purpose' as required under British Standard 5837:2012 and been erected and positioned exactly as shown on the Tree Protection Plan, dwg no. TPP.CE.0767.V1, 28/07/2022**
- II) Installation of 'No-dig' construction for driveway across RPAs has been completed under arboricultural supervision, utilising a cellular confinement system and finished with a temporary hard wearing course – all as described in the approved AMS and to act as ground protection throughout the construction phase of development.**

Reasons: To comply with BS5837:2012 and ensure the retention and maintenance of trees and vegetation which are an important feature of the area, in accordance with Policy D DM1 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition as the protection and retention of trees goes to the heart of the planning permission.

Condition 2

All activity at the site is to be carried out in strict accordance with: - Arboricultural Method Statement, ref. AMS.CE.0767.V1, 29 July 2022.

Reasons: To comply with BS5837:2012 and to ensure that retained trees are afforded due respect and appropriate levels of protection such that their ongoing health and vitality is not compromised, and they can continue to enhance the landscape and amenity of the area.

Mark Warwick

Tree Officer

Environment and Climate Change