

Planning Officer: Michael Eastham

Planning Application Ref: BN/84/20/PL

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

Description of works: **Application for variation of condition 2 (approved plans) imposed on planning permission BN/93/19/PL for the development of 95 dwellings; and consequential changes to other conditions following commencement of development.**

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.
- My understanding is that this application seeks to vary a condition which relates to site layout and so invites comment regardless of any previous approval in that respect. I take the view that no layout received to date for this site satisfactorily accommodates those few trees wholly within it and are the subject of Tree Preservation Order.
- Approved plans listed under the above condition which are of specific interest and found under planning ref. BN/43/16/PL:
 - Site plan 2124/127 Rev B, Public Open Space areas
 - Block Plan 2124-01
 - Site plan 2124/02 Rev A, Public Open Space areas
- This latest application promotes:
 - Site layout P19-0723-10 Rev P
 - Site layout P19-0723-10 Rev Q
- As a general principle of design, careful consideration should be given to the intended land use beneath existing canopy of established trees and the potential for further tree growth. With such a large and open site to work with I would expect a layout proposal to have placed great emphasis on eliminating future 'pressure to prune' of retained trees. Furthermore, there would need to be a compelling argument in favour of any Root Protection Area (RPA) incursion as this site clearly lends itself to a harmonious design that avoids any direct interference with established trees of current and future landscape value. This is especially relevant where there are relatively few established trees of moderate-high quality, as is the case here.
- In respect of Site layout P19-0723-10 Rev Q, I can simply re-iterate comments made in relation to Rev P as I observe no material difference in arboricultural implications from the latter:
 - Our drainage engineer makes reference to a proposal for the infilling of a watercourse. I was not able to retrieve that information for myself so am not able to assess its impact on any retained trees, but I would like to draw attention to the potential for significant harm to trees in general where the soil level is raised or lowered over the rooting area. It is hard for me to imagine a scenario where the infill of an established watercourse cannot be avoided with a sympathetic and imaginative design. **RESOLVED.** Our drainage engineer has no sustained objection overall. Infill of watercourse along E boundary ought to have minimal implications for retained trees.
 - The intrusion into the RPA of T64 oak and T65 oak (both TPO) is both unsatisfactory and avoidable. These trees need to be given plenty of room to develop into late-maturity without coming under pressure to prune or remove. **UNRESOLVED.** Pruning to facilitate construction now proposed on W aspect of T12 involving crown reduction of 2metres. Future residential pressure to prune further is highly likely due to shade-bearing.
 - The group of T85-T87 incl. poplar (TPO) are a management concern post-development being so close to residential dwellings. The proposal of play areas in and about the crown spread of those trees is ill-advised from a safety perspective as well as curtailing their growth potential. **UNRESOLVED.**
 - There will need to be careful analysis of soil type when considering appropriate foundation type/depth for built structures within potential distance of influence as well as provision of no-dig construction within RPA's. It may be desirable to avoid such costly mitigation and future risk management with a more evasive design, perhaps extending the area of open space west of the treeline. **UNADOPTED.**

Conclusions:

- 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 to demonstrate this has been properly considered - or is even an aspiration given the proposed Site Layout.** It seems unlikely we are to be presented with such a scheme.
- The construction of an attenuation basin along the southern boundary would involve the grading of soil (excavation) from deep within the RPA of substantive tree groups G5 and G6. This is a far from ideal proposal and there is a high probability of significant harm to trees.
- This latest proposal does not improve on that which has previously been submitted. That said, it appears similar if not identical to that which gained approval under BN/93/19/PL and is supported with a Tree Protection Plan (BN/29/20/DOC) although I can find no associated Arboricultural Method Statement. Omission of the latter is cause for great concern, as it suggests no provision has been made to protect the Root Protection Areas outside of the Construction Exclusion Zones (Protective Fencing). If we permit this layout without further tree protection measures, those TPO trees will be damaged and the large poplars may not survive the development.
- As it stands, I am unable to lend this scheme my support and so register an **OBJECTION**.

Recommendations:

- The applicants will need to employ the services of an Arboricultural Consultant to submit an Arboricultural Method Statement (AMS) and also a revised Tree Protection Plan – to both describe and illustrate the mitigation measures which are to be employed to ensure that the trees survive without detriment to their vigour and vitality and are given adequate protection both above and below ground. The applicants have employed RPS Group Plc to prepare an Arboricultural Impact Assessment & Method Statement along with a Tree Protection Plan for this project. The Tree Survey data accords with the general requirements of BS5837:2012 although I find it unhelpful not to have a RPA schedule front and centre for easy interrogation of Tree Protection Measures from site. I am broadly in agreement with the retention category ratings for on and off-site trees.
- If there is no appetite to promote the changes to layout I have identified as desirable, and you are minded to approve the application in current form – I recommend the following conditions be applied:
 1. A **Site Meeting** is to take place between the Planning Authority's Tree Officer and the Arboricultural Expert representing the site owner(s) within 14 days of a decision notice permitting this development – at this meeting all protective fencing and ground protection measures will be inspected to verify they are 'Fit for Purpose' as required under British Standard 5837:2012 and have been erected and positioned exactly as shown on the **Tree Protection Plan** dwg. no. 702 Rev A, October 2020.
 - A schedule of Site Monitoring/Supervision visits and Reporting Procedures prepared by an Arboricultural Expert will be required and their extent will be agreed on at the site meeting to the satisfaction of the Planning Authority's Tree Officer.

Reasons: To comply with BS5837 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.

2. All activity at the site is to be carried out in strict accordance with: - **Arboricultural Impact Assessment & Method Statement, RPS Group Plc, ref. JSL3362_770, October 2020**
- If there is deemed to be a need for any Utility Service Route connections to bisect retained tree Root Protection Areas/Zones, then prior to their installation a Method Statement prepared by an Arboricultural Expert must be submitted that stipulates how this can be achieved without adverse impact on tree roots. Written approval and confirmation of acceptance of this Methodology must be issued before any works are commenced out on site.

Reasons: To comply with BS5837 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.

3. Any tree pruning considered essential to enable the agreed development must meet the requirements of BS3998:2010
- Tree work – Recommendations:
- Where whole branches are to be removed and final cuts made close to the trunk or branch union they are to be made as shown in Figure 2 of BS3998:2010
 - Where branches are to be shortened back the final cuts are to be made at the correct angle shown in BS3998:2010 and adjacent to a live bud or lateral.
- Reasons: In the interest of continued health and vitality of trees and to accord with current industry guidelines and sound arboricultural practice.

Mark Warwick
Tree Officer / Parks and Greenspace Team