

Planning Officer: Anita Gardner

Planning Application Ref: FG/162/17/PL (3) Current comments in blue typeface

Location: 1 Upper West Drive, Ferring

Description of works: Demolition of existing detached garage & erection of 1 No dwelling

Comments On Application:

- There is a very fine specimen of a mature Sycamore in the verge outside which is the subject of a TPO.
- Some details have been provided but by an Architect and not an Arboricultural Expert hence there is no AMS & Tree Protection Plan nor a Method Statement & Tree Protection Plan submitted in support of this application.
- The footprint of the new building will be well within the Root Protection Area of this tree and will therefore require to be justified and the impacts of any root damage mitigated.
- An Arboricultural Report by Phillip Ellis Ref: UPDR/122/17 has been submitted for my review.
- A tree survey schedule has been submitted which accords with the principle requirements of BS5837 but I disagree with the majority of the data and gradings included within it.
- This tree is not over-mature it is in its prime and mature.
- This tree is taller than 9m.
- There is a discrepancy between the data shown on the Appendix A tree survey schedule and that included within the Appendix B Root Protection Schedule – in the TS is recorded as 770mm diameter and in the RPS it is recorded as 1070mm. This will need to be checked and verified as it has a significant impact on the size of the RPA.
- I would question the radial spreads recorded which I believe to be understated.
- I would assess this tree to have a life expectancy that exceeds 40 years not 10-20 as recorded.
- This tree is in good condition.
- This tree is definitely of A grading not C as recorded. Borne out by the fact that the Condition comments record no significant defects and the Action column records No Action being required so why is it of low C grading?
- At 6.1 it says undertake pruning works if recommended – I see nowhere that it states that pruning is required and yet the plan clearly shows the branches overhanging the footprint of the existing garage and the new building that is proposed. How are they going to erect scaffolding and construct this building without pruning back the canopy. This brings into play another factor in that no sunlight and shading data has been provided and no mention made of same in the report and yet the tree will be hard up against the building line on the east side of same? This brings into play yet another issue for me in that if this tree has to be pruned to even build the property let alone keep it clear of same in the future then this is 'pressure to prune or fell' and confirms my fears in this respect.
- Pile & Beam foundations might well prove to be a way of minimising the impact of development on tree roots BUT I see no evidence of cross section drawings having been submitted to show the existing and proposed levels to prove that this technique is suitable here and that a 'No Dig' solution can be applied with an above ground formed pile cap and supporting ground beams.
- Point 2. Under Appendix E is not acceptable as any excavation work this close to a mature tree would result in significant root damage so a 'No Dig' solution is sought here.
- The above AMS report comment remain valid as this has not been re-submitted for my comment.

- Carl Moore of Atterbury Moore Associates has submitted an emailed response to my No2 report and I now respond to this below.

Conclusions:

- The applicants Architects report has acknowledged that the RPA overlaps the footprint of the new build but has simply said that a 'suitable foundation system will minimise the damage to the existing root system'.
- However, one key element is missing in that the protective fencing is shown to be hard up against the new building and in this position it would hinder the construction process.
- The submitted report does not give me any confidence that this building can be constructed without significant damage to the root system and future 'pressure to prune or fell' due to its close proximity.
- I accept that the Abbey Pynford system would be appropriate here as it details a non ground bearing piled system that can find its own level regardless of current ground levels and will not pose a threat to tree roots.
- I also accept that a bungalow is a better option than a two storey standard dwelling but there remains the issue of the size and imposing presence of this tree that will dwarf the bungalow. They say they have allowed for this in the design but it does not get away from the fact that as soon as someone moves in they will want the tree 'Pruned or Felled' and despite the TPO cover we will be on the back foot as far as refusing consent is concerned as we allowed the development to proceed – in my view if this went to Appeal under the TPO we would lose!
- A limited amount of Protective Fencing can be erected here and there will need to be ground protection laid throughout the RPA of this tree on open ground areas – this can all be covered by a Condition requirement for a full and Detailed Method Statement.
- If they are convinced that they can make do with just the existing drive to work from then fine – this will also need to be described in the AMS and shown on the Tree Protection Plan.

Recommendations:

- This is a very tight site indeed to work on and squeeze what is proposed in very close to this fine tree.
- No mention has been made of levels differences across the site.
- There is also the issue of having a new building within close proximity to the crown of a large mature tree where light restriction to habitable rooms is bound to be a factor. It is highly likely that there would be 'pressure to prune or fell' if this layout were approved.
- In the absence of any supporting arboricultural information I have no confidence that this can be built without causing significant damage to the root system and crown of the Sycamore -which would undermine the TPO'd trees health and visual amenity value.
- I therefore recommend a **REFUSAL** for this application.
- The four bullet points above have not been answered to my satisfaction so I sustain an **OBJECTION** to the proposals with a recommendation to **REFUSE**.
- They have satisfactorily answered most of my points except for the 'pressure to prune or fell issue' which remains and I would therefore sustain my **OBJECTION** on this basis for the reasons described under Conclusions above.
- Given that I am only a Consultee on this project and that the Planning decision is to be made by others -- IF it proceeds to an approval then I would wish to see the following Conditions applied please:-

A) *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 the applicants must have provided and had agreed in writing by Arun DC the following items - in accordance with the current BS5837 recommendations:-*

1) An Arboricultural Implications Assessment (AIA) [in accordance with BS5837 Section 5.4]

- *Including a Tree Survey Schedule with Root Protection Areas (RPA) calculated and shown [in accordance with BS5837 Section 4].*

2) A **Tree Constraints Plan (TCP)** [in accordance with BS5837 Section 5]

- Showing the root protection areas accurately plotted onto a topographical survey base plan.

3) An **Arboricultural Method Statement (AMS)** [in accordance with BS5837 Section 6.1]

- Including full details of how retained trees will be protected and specifying mitigation measures where development is to take place within or immediately abutting their RPA.
- Full details of any Ground Protection measures are to be included [in accordance with BS5837 Section 6.2.3.3]
- Where trenching works to install new services is required through retained tree RPA's a full description of mitigation measures to be applied is to be provided along with detailed plans.
- It is also to include an auditable system of arboricultural expert site monitoring where development is to take place within or immediately abutting a retained trees RPA.

4) A **Tree Protection Plan (TPP)** [in accordance with BS5837 Section 5.5]

- Showing the trees which are to be retained and those which will be removed and any facilitation pruning works.
- Specifying materials and plotting the accurate locations of the tree protection barriers [in accordance with BS5837 Section 6.2]

B) 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 a **PRE-COMMENCEMENT Site Meeting** is to take place between the Arun DC Tree Officer and the Arboricultural Expert representing the site owners – at this meeting all protective fencing will be inspected along with ground protection measures – they will be assessed to verify that they are 'Fit for Purpose' as required under British Standard 5837 and have been erected and positioned exactly as shown on the **Tree Protection Plan**.



Consultant Arboriculturist