

Planning Officer: Mr D Easton

Planning Application Ref: Y/127/21/RES

Location: Land at Bilsham Road, Yapton

Description of works: Approval of reserved matters (appearance, landscaping, layout, and scale) following the grant of Y/91/17/OUT for 250 No dwellings with associated parking, road/footway/cycleway provision, open space, landscaping, surface water attenuation & ancillary works (resubmission following Y/152/20/RES). this site is not CIL Liable as in Yapton Strategic Site

Comments on Application:

- I have considered this latest application by means of a desktop review, using the information and plans submitted as well as online resources. Previous consideration from site and familiarity with surrounding areas provides further insight to the proposal.
- There are significant trees and hedgerow across the site, many of which enjoy statutory protection (Tree Preservation Order). They will be adversely affected by these proposals. There is no supporting arboricultural information submitted with the application - a requirement of BS5837:2012. As such, were this application to now proceed, we will not have sufficient information to guarantee such trees would be adequately considered and protected. **Resolved** – The applicant has submitted Arboricultural Impact Assessment, Method Statement and Tree Protection Plan (Report), PJC Consultancy, ref: 5961/21-01 Rev –
- The Tree Survey data is comprehensive and accords with the requirements of BS5837:2012.
- Until such time as we have plans showing detailed layout overlaid with accurate tree data (root and crown spread shown), it is not possible to adequately understand what the relationship between built form and green infrastructure is likely to be. **Resolved** – PJC Consultancy had been provided by their client with FPRC General Arrangement Plan Ref: 7905-L-100 Rev I, on which to base their reports and tree protection measures. That Plan is available under the above planning reference and described as Landscape Proposals – Sheet 1-11 – 7905-L-100-111 REV.I
- Similarly, they have referenced Preliminary Engineering Layout Sheets 1 & 2 and appear to have incorporated key elements within their own Tree Protection Plan to reveal the impact from/viability of, surface water drainage proposals.
- Sites of this size and generally open nature but with established landscape features (trees and hedgerow), should be subject to the higher-level development principles, as promoted in our Supplementary Planning Documents. Those give instruction for avoiding Root Protection Area (RPA) incursion and providing further insurance with the use of 2metre buffer zones. **Arun District Public Open Space, Playing Pitches and Built Facilities** (Appendix 9) and **Arun Design Guide** (E.02 Landscape Structures & Trees, p48) - [Supplementary Planning Documents \(SPDs\) and other guidance | Arun District Council](#).
- There must be an overriding justification for RPA incursion, not a presumption (often mistakenly) that BS5837:2012 – Trees in relation to Design, Demolition and Construction promotes activity in the RPA. It does not. It presents a range of options to consider, where such incursion is unavoidable or where no reasonable alternative exists. **The Tree Protection Plan provided by PJC Consultancy illustrates multiple RPA incursion across the site and affecting trees protected by Preservation Order (TPO), where ample room is available to avoid direct interference.**
- I must await the necessary arboricultural reports and plans before commenting in detail on layout proposals, but it is already clear from Proposed Site Layout Full Site (dwg. 19284.P201) that a large, veteran oak (N of plots 93-95) (PJC ref. T8) will be heavily impacted by footway creation, drain reconstruction or enhancement, and change of land use (to rear garden) – all within the

nominal RPA. Such a tree ought to be considered for a 15metre RPA to ensure it remains viable for long-term retention and retains high ecological value (avoiding risk mitigation pruning). This was highlighted at /OUT stage and discussed with the applicant's project arboriculturist at that time (2018), so it is disappointing not to see that being observed at this stage. **Unresolved.** This level of RPA incursion and change of land use persists with the latest layout design and is both avoidable and unacceptable. It does not recognise T8's veteran status so will lead to it being diminished in the landscape and of reduced ecological value. Current Government guidance for making planning decisions in respect of veteran trees can be found in its entirety on their webpages: [Ancient woodland, ancient trees and veteran trees: advice for making planning decisions - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/ancient-woodland-ancient-trees-and-veteran-trees-advice-for-making-planning-decisions)

Key elements of guidance:

- There must be wholly exceptional reasons and a suitable compensation strategy in place, before granting planning permission where development will result in the loss or deterioration of veteran trees.
- A buffer zone around T8 should be designed into the scheme, at 15x stem diameter or 5m beyond crown spread – whichever is greater. The stem diameter will need to be accurately measured to determine the precise extent of buffer zone as the 1500mm recording (PJC Tree Survey Schedule) likely assumes a capped RPA at 15metres. That cap defined in BS5837 is superseded by the latest government guidance on veteran tree consideration.
- Sustainable drainage schemes should not affect root protection areas or facilitate harmful effects such as from an altered water table.
- Development proposals including gardens within a buffer zone should not be approved.
- There does not appear to be an approved surface water drainage strategy for the site. This fundamental element of the design ought to be addressed to our satisfaction in association with layout proposals, so that we are not subsequently held hostage to flood mitigation measures which could then impact heavily on retained trees/landscape plans/open space provision.
- 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 (e.g., attenuation pond) or introduction of subterranean utility apparatus. The provision of appropriate buffer/easement around such features must also take into account that growth potential (roots), to limit the risk of damage occurring during future maintenance of the same, from compaction/contamination of the soil structure.
- Any improvements to existing or creation of new watercourses within the RPA of preserved trees to be fully considered, details provided in advance and to our satisfaction. Where there is a significant risk of damage to those trees arising from such operations, then an alternative strategy should be proposed.
- Our Drainage Engineer should be provided with latest information (including Tree Protection Plan) and re-consulted. Obvious areas of significant conflict with SUDs features and their buffer/easement:
 - i) T4 – Absence of buffer zone between RPA and attenuation basin 3.
 - ii) T5 – Attenuation basin 3 within RPA. Drain installation bisects RPA.
 - iii) T8 – Potential intrusion from culvert into veteran tree buffer zone (extent to be determined).

Conclusions:

- Whilst I anticipate amendments to the layout being required (in addition to the obvious conflict with a veteran oak mentioned above) the majority of development as described is certainly achievable without undue detriment to retained on and off-site trees. That said, we are yet to have sight of the necessary arboricultural report and plans to demonstrate this has been properly considered.

- Any areas of conflict between retained trees of higher value should be 'designed out' within a revised layout that upholds the higher-level development principles promoted within our Supplementary Planning Documents: Arun Design Guide and Arun District Public Open Space, Playing Pitches and Built Facilities. **Unresolved.** Unjustified incursion into the RPA of higher value trees has not been addressed within the latest layout, so does not meet our own SPD principles for design. Attention is drawn to the following oak, ash, and field maple of landscape value (and protected by TPO): **T3, T5, T8** (veteran), **T9, T18, T19** & T43 as being especially vulnerable to damage.
- Footway and services should be re-routed to avoid RPA of retained trees, whether the subject of TPO or not.
- As it stands, I am unable to lend this scheme my support and so register an **OBJECTION**. **Sustained.**

Recommendations:

1. The applicants will need to employ the services of an Arboricultural Consultant to carry out a tree survey exercise and then prepare an Arboricultural Impact Assessment (AIA) which must be inclusive of; a 'Tree Survey Schedule', a 'Root Protection Area (RPA) Schedule' and a 'Tree Constraints Plan' – with the trees accurately plotted on same.
 2. In the event that a 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 that the trees survive without detriment to their vigour and vitality and are given adequate protection both above and below ground.
- The applicant/agent should be invited to address the above areas of conflict and submit a design layout that respects the principles within our Supplementary Planning Documents (Trees) and government guidance relating to consideration of veteran trees.

Mark Warwick
Tree Officer / Parks and Greenspace Team