

Planning Officer: Ms Myer

Planning Application Ref: Y/43/21/DOC

Location: Land East of North End Road and West of Church Lane
Nursery, Yapton, BN18 0GA

Description of works: Approval of details reserved by condition imposed under ref Y/18/20/PL relating to **Condition Nos 4 - pre-commencement site meeting**, 5 - contamination, 7 - surface water drainage and 8 - maintenance & management of surface water drainage

Comments on Application:

- I walked the site on 11th May 2021, with John Oakley / Contracts Manager of Bear Construction, with reference made to approved Tree Protection Plan, ref. 18063-BT1 and Arboricultural Assessment and Method Statement, ref. 18063-AA-AN, Barrell Tree Consultancy.
- Construction above damp course level is advanced across the site and to above first-storey level.
- Whilst existing Tree Protection Fencing (TPF) is either inadequate or non-existent, I found no evidence of obvious damage having occurred to retained off-site trees as a result of this development. That said, the situation is clearly far from satisfactory and in the absence of any site monitoring reports to the contrary - we cannot be confident that damage has not occurred, which is the fundamental aim of the Tree Protection Plan.
- The plan and supporting Arboricultural Impact Assessment & Method Statement promote BS5837:2012 and 'fit for purpose' fencing, to effectively form a construction exclusion zone around retained trees, as is standard practice. The following is a list of anomalies and omissions I observed:
 1. T12 & T13 have been removed. Both were shown to be retained and Category C (low value). The former was located on the site boundary and I am told was removed to facilitate installation of perimeter close-board fencing. The latter was in the garden of adjacent dwelling. Neither tree was the subject of a Tree Preservation Order.
 2. Fencing around T3 was not 'fit for purpose', being sat in movable block trays and bound only by a single cable-tie = an easily defeated Construction Exclusion Zone. Soil levels have also been raised over a substantial part of the tree's root protection area (RPA), the depth of which does not appear obviously problematic but ought to have been properly considered in advance during on-site discussion with the project arboriculturist.
 3. Fencing alongside G22 was <20% installed and inadequately so. Sat in movable block trays and with a single, easily accessible clamp between panels = an easily defeated Construction Exclusion Zone.

Note: Photos can be made available on request.

Recommendations:

- I leave it with you to decide whether to pursue a *breach of condition* and/or seek replacement trees for T12 and T13.

- The applicant should make a copy of this report available to their project arboriculturist and invite them to advise on how to meet their ongoing obligations at the site. I draw particular attention to current and anticipated activity within the one Precautionary Area yet to be constructed within, and correct position/installation of protective fencing.
- I cannot recommend a discharge of Condition 4, as it now demands an unachievable outcome. Perhaps the applicant ought to apply for the condition to be removed. Such an outcome would reinforce the need for them to meet the above recommendation and provide us with written confirmation that their project arboriculturist has been satisfied.

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- For the record, I note the positive and conscientious attitude of Mr Oakley during our site meeting, followed by a helpful email received today showing restoration of 'fit for purpose' fencing alongside G22 (to be sent separately), notwithstanding I am concerned that he did not appear adequately informed of the Tree Protection Measures / Methodology required for this development.

Mark Warwick
Tree Officer / Parks and Greenspace