

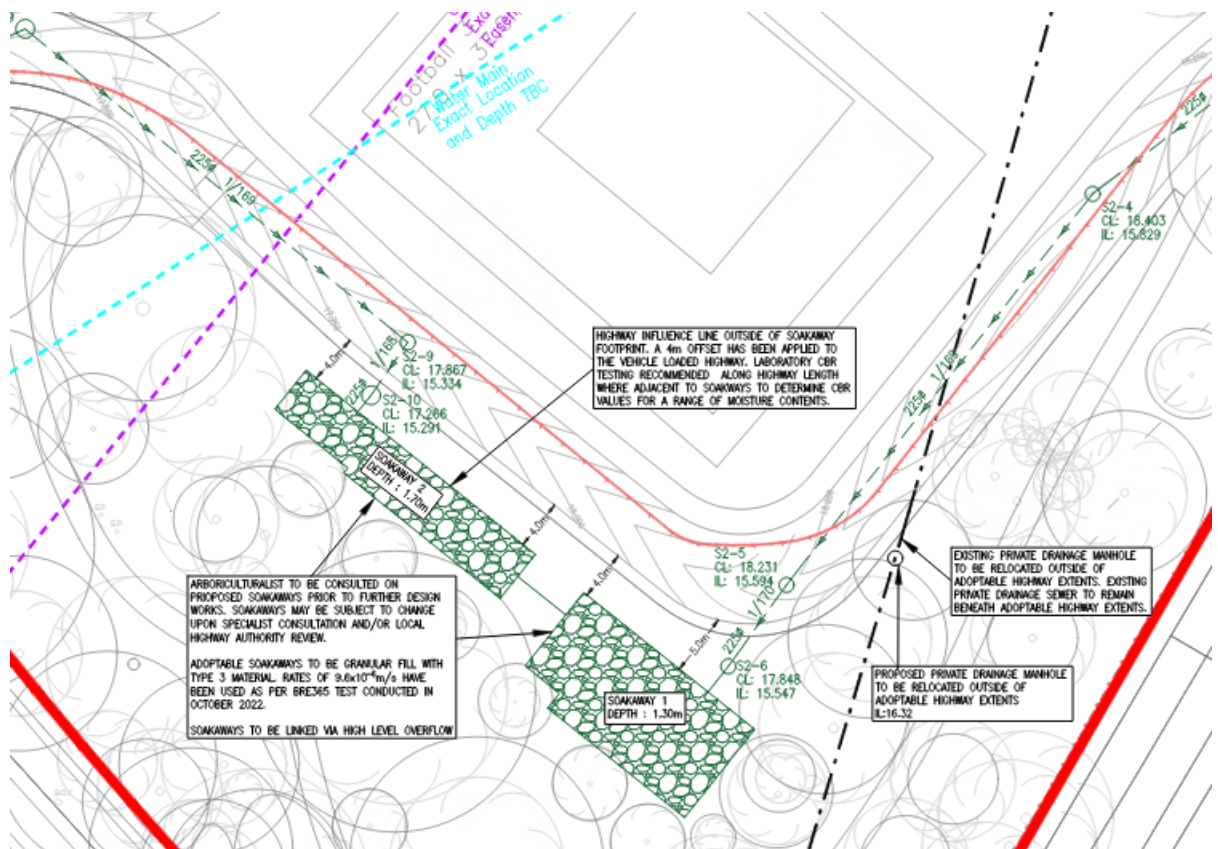
Tree and Landscape Officer Comments dated 3rd August 2023

1. The appellants rebuttal in respect of drainage works within the RPA of trees states:

“The positions of soakaways are now clearly indicated on the proposed drainage plan (100406_01_0500_01) which demonstrates that these soakaways would not be positioned within the RPA of retained trees. While the final design of these soakaways would be subject to further investigation, their design has been informed by site investigation work and soakaway trial pit results and their position informed by the tree survey information and the RPA calculated in accordance with British Standard 5837 2012. Therefore, there should not be any significant damage to TPO trees from the movement of drains and excavation of soakaways”

In response, the applicant attention is drawn to latest submitted drawing (14 June 2023 100406 01 0500 03. 0.P04) noting drawing 100406 01 0500 01 submitted Sept 2022 has been superseded. Comments relate to the latest drawing.

The part of the above statement *“final design of these soakaways would be subject to further investigation”*. The design is not complete, BS 5837 addresses tree and construction, it does not address hydrology or SUDs. This will fundamentally change the hydrology of the adjoining woodland and potentially bring the woodland soil into an anaerobic state. A screen snippet within the committee report and below taken from drawing received June 14th 2023 clearly shows construction within the RPA.



2. The applicant states: *“The proposed drainage plan (100406_01_0500_01) shows that it is possible to implement the proposed drainage without having a significant negative impact on the retained trees. Should the development be approved, we would have no objection to a condition requiring the implementation of drainage be detailed within an Arboricultural*

Method Statement (AMS), detailing tree protection measures, including temporary tree protection fencing to be installed prior to the works and arboricultural supervision during the works, to provide the LPA with reassurance that the drainage proposals could be implemented without resulting in any negative impact.”

In response, the most recent drawing received 14 June 2023 (again see snippet in the report) shows construction is within the RPA, clearly stating it may be “subject to change”. There is no assessment of the full impact on the trees. The Arb assessment 3 April 2023 fails to fundamentally address the percolation and drainage rates through the woodland. Given the potential impact and loss of trees it is inappropriate to deal with by condition due to the potential negative impact on trees.

3. The NPPF requires that the tree line streets be established. In respect of this the applicant offers the following comments: *“NPPF Paragraph 131. States “Planning policies and decisions should ensure that new streets are tree-lined. Unless, in specific cases, there are clear, justifiable and compelling reasons why this would be inappropriate”. The Detailed Off-plot Planting Plan provided by FPCR clearly indicate that new tree planting is being provided on both sides of the main street which will create the effect of tree lined streets within the development and that retained trees within the south of the site would line one side of the main access road, as it is clearly not feasible to provide trees on both sides of this street with the land north of the proposed road outside of the applicant’s ownership.”*

In responding I have had regard to appeal decisions APP/R4408/W/20/3263538, APP/R4408/W/20/3263535 and APP/W0734/W/21/3268784, The Environment Targets (Woodland and Trees outside Woodland) (England) Regulations 2022, drawing received June 01 2023, drawing ref 37921 Rev L 3792 2 Rev L. superseding FPCR drawing of April 2023. The landscaping scheme clearly is at variance with the FPCR document, shows no tree fronting plots 1 to 22, 34 to 42, plots 54 to 73, 77 to 85.

With regards the FCCR documents species the 2022 environment target regulations require 16.5% canopy coverage by 2050.

Species selected *Carpinus betulus* ‘fatigata’, *Tilia cordata* green spire, *Acer campestre* nanum, *Corylus colurna* are all of poor structural form, 30% weaker than a standard, known to fail unpredictably under low loading, as such they are suggested as not appropriate for urban high use area. *Amelanchier* is suggested as a broad crowned large shrub not in scale with the surrounding tree scape. *Larix Phytophthora ramorum* is known to be in the country as such the planting of larch is advised against.

Of the 89 proposed trees, due to health/structural integrity, 2 trees are expected to be reasonable retained to 2050.

As an example the drawing does not show sufficient information, i.e. expected future growth *Tilia* green spire has a 10 to 12m crown width potentially growing inside some houses if left to grow to full size.

In summary there are clear conflicts between drawings, species that are strongly suggested as not in scale or viable long-term retention.

4. Change in use (fundamentally changes the environment and risk regime for the area).

The applicant strongly disagrees with this stating that the site is currently a school and while they would accept that it is a low traffic area in terms of footfall, fundamentally the area is still accessible to children. In response the HSE document “Management of the risk from falling tree or branches” clearly differentiates between areas that could be in use 24/7 i.e. residential properties, public roads. Fundamentally the school has limited public access,

limited to students, parents the majority of which are present during school hours and term time.

5. Retention of trees to maturity.

Soil rooting volumes have not been included, yet a significant number of trees are proposed in hard surface area which with standard construction will result in low soil root volumes. Projecting the future crown spread of suggested trees does show them growing through buildings. Retained tree future growth clearly shows a conflict due to impact on proposed properties.

At a basic level good practice guides DTAG or BS 8545: 2014 have not been complied with.

6. The appeal decisions (referred to above) gives clear specific guidance on meeting NPP131 under this guidance the site does not meet the requirements for viable retention or density.
7. BS8545 and DTAG, it is not the Council's place to design a scheme for an applicant but to point them in the direction of good practice, both documents clearly demonstrate a fundamental flaw in the design.
8. TPO retained trees, as previously stated and shown in the screen snippet shows the proposal does interact within the RPA of retained trees. The development does not take into account future growth of trees, fundamentally changing the character of the area.
9. Trees local to the area can be demonstrated to exceed the 22m height and 22m spread, this is given as a maximum. Plots 46, 53, 54, 83 and 84 all have trees adjacent. It is reasonable to suggest retained trees would be retained to full maturity with development taking place. The properties should be located to allow this rather than there being a presumption that trees will be removed once they outgrow a location due to a new property.