

## ENVIRONMENT TEAM – PLANNING CONSULTATIONS



PLANNING REFERENCE: PA/ 2012/1407

**GROUP: TREES AND LANDSCAPE.  
LINE MANAGER:  
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**SUBJECT:** Planning permission to erect four bungalows, six flats and 1 communal building with alterations to existing public parking areas and form access to 14 car parking spaces for use by residents and visitors including hard and soft landscaping

**PARISH: Epworth**

**AUTHORISED IF NECESSARY: TEAM LEADER:**

**RECEIVED**

*By Development Control at 12:42 pm, Jan 08, 2013*

**PRINCIPAL: Ian Goldthorpe**

**DATE ISSUED: 8<sup>th</sup> January 2013**

### SUMMARY OF ADVICE

Please give a summary of the advice and using the following terms:-

- The dwellings within this proposal are considered to be too close to trees, some of which are protected by a tree preservation order. Unless adequate mitigation can be put in place as described below the application should be **refused** in its present form.

### TREES AND LANDSCAPE GROUP FUNCTION:

The Group provides advice to all upon tree and landscape matters. Its remit ranges widely taking in strategic and practical policy development for trees and landscape to the day to day management of the council's highway trees and the making of tree preservation orders. Advice on trees and development is given in accordance with the council's adopted Supplementary Planning Guidance "Trees and Development".

### DETAILED ADVICE:

Regarding this application it is considered that several of these trees are worthy of a tree preservation order as they contribute to the visual amenity of the street scene and are a link between the Conservation Area and the Old Rectory. The Beech tree also has heritage interest as it was planted to commemorate the Jubilee of the Women's Institute. A TPO was made on 21<sup>st</sup> December 2012 on the Beech tree and Oak Tree (T1 and T2 as per the tree report) in order to ensure that these are properly protected.

The tree report submitted with this application appears to have used BS5837: 2010 to assess the site, however this standard has now been superseded and BS5837: 2012 should have been used and any comments I make will use these standards. It

appears that the tree report was undertaken after the site layout had been decided as the development does not appear to take into account the size, species, condition or protection areas required around trees to ensure protection of their crowns or root systems.

The tree report has indicated 16 trees on this site, and all but 5 are according to the plans would be removed to facilitate this planning permission, with only one new tree being suggested to mitigate the loss of these. It is of concern that trees considered worthy of retention within the submitted tree report, particularly the Acer negundo (T10 of tree report) are also going to be removed if this application were to be given consent.

Of those trees to be retained there is a serious concern that this development will seriously affect the two Beech trees (T2 and T14 of tree report) and the Ginkgo (T3 of tree report).

BS5837:2012 Section 5 deals with the requirement to assess the constraints around existing trees, and although the tree report accurately represents consideration to protection regarding roots, it fails to give any proper consideration of the above ground constraints of the existing, and future height and canopies of the trees nor the special characteristics of density of foliage or shade issues that the trees will have on potential structures. This requirement is using the same type of criteria of the council adopted SPG has been using for a number of years.

The council adopted SPG trees and development suggests that the Beech (T2 of report) close to the road should have a distance of 11 metres between it and any development, and the Beech (T14) to the west of the proposed dwellings would require 12 metres radius protection zone from any dwelling. The dwellings are therefore considered too close to these trees on the present application.

Beech are particularly susceptible to any development in close proximity to them due to their rooting strategies and this would cause stress and dieback of these trees. Also, the proximity of dwellings appears to actually be touching the outer canopy of these trees. Beech cast very heavy shade and living in these properties in close proximity of Beech trees would be dark and oppressive. The suggested work on the tree report to crown reduce the Beech tree (T14) should not be undertaken as these trees do not survive such drastic works and considered to be poor arboricultural management of this tree.

The Ginkgo (T3 of tree report), taking into account the location of previous buildings on the site on the west side of the tree and the works to add car parking very close to east of the tree, further works around the tree for this development is likely to make the retention of this tree untenable due to further root damage.

At the other end of the spectrum, the Rowan (T6 of the tree report) is being retained even though the tree will be seriously affected by proposed development and the tree report suggests that it is of poor form and should be removed.

With many trees with amenity value being removed without sufficient mitigation for their loss, and many others that would be damaged through root and canopy damage due to the development being too close it is considered that this application would need to be redesigned give sufficient protection zones around the trees to be retained, or an Arboricultural method statement be submitted to indicate how they

intend to undertake works in the protection areas without causing damage to the trees (roots or canopies) as per BS5837:2012 section 6. If it cannot be adequately demonstrated within such a statement that works in such close proximity to the trees then this application should be refused.