

### **Description of Proposal**

Approval of Details Reserved by Conditions 5 `Landscaping and 7 `Arboricultural Impact Assessment' of EPF/2132/19 (New detached single-family dwelling to replace existing bungalow)

### **Relevant Site History**

EPF/1386/22 - Approval of Details Reserved by Conditions 5 `Landscaping and 7 `Arboricultural Impact Assessment' of EPF/2132/19 (New detached single-family dwelling to replace existing bungalow) – Details Refused

EPF/0650/23 - Approval of Details Reserved by Conditions 5 `Landscaping and 7 `Arboricultural Impact Assessment' of EPF/2132/19 (New detached single-family dwelling to replace existing bungalow) – Details Refused

### **Main Issues and Considerations**

The Council's Trees and Landscaping Team have commented on the proposal with the following comments:

#### **Condition 5 Tree protection**

The information provided is NOT acceptable to approve this condition.

There are several trees on this site that are legally protected by Tree Preservation Orders.

Condition 5 is a pre commencement condition – ie no works should commence on site until tree protection / arb method statement and site monitoring have been approved, and tree protection measures implemented.

The application form states that works commenced on site on 1st November 2022. However, I undertook a visit to this site on 3rd December 2019 and these works were well underway at that time. As part of that visit it was noted that no tree protection was in place, and that tree protection measures had not yet been submitted for approval. It was recommended that '*... as a matter of urgency that you contact your Arboricultural Consultant and arrange for them to provide advice, and produce a report for submission to satisfy the condition.*' (letter to Jazz Walia dated 3rd December 2019).

The report that has been presented with this current application is dated 20th March 2023. Within the summary section it states that '*This report outlines the tree protection methodology that shall be used to ensure that all retained trees are protected from harm during works.*' However, in section 12.1 it appears to acknowledge that the development is completed as the only 'supervision' visit recommended is 'after construction'. This is simply not acceptable. Tree protection is a pre commencement condition to ensure that trees are retained unharmed during the development processes.

Studies show that root damage as a result of inadequate tree protection can result in soil compaction which leads to the longer-term decline of a tree due to –

- crushing of the smaller roots.
- alterations to the soil structure – ie it reduces air spaces and air available to the roots for metabolism and changes the water content of the soil around the roots.

- Reduction of the permeation of air, water and longer-term nutrients into the root zone.

This will first be noticeable as die back in the crown, then the formation of dead wood and potentially the stability of the tree can become compromised.

It is for these reasons that tree protection conditions are attached to planning permissions, and why they are required to be in placed PRIOR to any demolition / construction activities.

We should not approve the information submitted as the mere fact that it has not been approved prior to commencement deems it unacceptable.

#### Condition 7 – landscaping

The information presented is acceptable in terms of being an appropriate landscaping scheme for the development, albeit that a timetable for implementation has not been included.

However, the wording of the condition is as follows - *Prior to any above ground works, full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) shall be submitted to and approved in writing by the Local Planning Authority.....*

A visit to the site was undertaken on 7th June, the house has been completed and is being lived in.

As such we do not consider that the condition could be approved.

#### **Recommendations**

The information provided is NOT CONSIDERED ACCEPTABLE to approve Condition 5 or Condition 7.