

From: James McCarthy <James.McCarthy@n-somerset.gov.uk>
Sent: Thursday, September 9, 2021 4:45 PM
To: Ursula Fay <Ursula.Fay@n-somerset.gov.uk>
Subject: 21/P/1766/OUT Land to rear of 54 & 56 Farleigh Road, Backwell

Hi Ursula

Further to the serving of TPO 1125, I offer the following comments in relation to the proposed development and tree retention.

The potential layout of the development on the whole creates few tree issues with the majority of the trees & hedges being located around the perimeter of the site. The layout can be designed to prevent encroachment in the RPA of retained trees and hedges whilst also taking into account future growth of the trees. The retention of hedges must also be taken into account ensuring that they can grow larger and therefore offer greater ecological and amenity value.

However, the proposed access into the site will require the encroachment into the RPA of the prominent, and recently protected, Pine and Spruce; the Pine is categorised as A2 offering the highest retention category. The significant difference in levels and the shape of the RPA (taking into account the existing highway) means that it is likely that the RPA of the tree will be affected by the proposed access (in terms of loss of rooting environment).

At this time, sufficient detail has not been submitted to demonstrate that the works will be outside of the RPA of the Pine and that there will be no impact on the health of the tree. It must be remembered that the RPA is a 'layout design tool indicating the minimum area around a tree deemed to contain sufficient roots and rooting volume to maintain the trees viability, and where protection of the roots and soil structure is treated as a priority' (section 3.7) and that 'The default position should be that structures (see 3.10) are located outside the RPA's of trees to be retained' (section 5.3.1). In this instance, there are no overriding justifications which mean encroachment into the RPA is acceptable and which will not cause harm to the Pine.

In relation to method statements relating to the works, if we do not agree to these up front, we cannot ensure that the methods used to put the road in will be suitable to its long term retention. If we condition the details of the drives construction in relation to the Pine, we could easily have to accept works which could cause harm to the tree or information may not even be submitted prior to works being completed.

Paragraph 131 of the NPPF states:

Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible. Applicants and local planning authorities should work with highways officers and tree officers to ensure that the right trees are planted in

the right places, and solutions are found that are compatible with highways standards and the needs of different users.

Added to this, Policies CS4 and CS9 of the Core Strategy and Policy DM9 of the Sites and Policies plan Part 1 seek to protect trees as they can make a positive contribution to the character and biodiversity value of an area. As protected trees will be affected they should be retained as part of the development and protected against future adverse impacts and pressures upon their natural life span. Furthermore, the Residential Design Guide – Section 2 paragraph 3.6.2 outlines the council's guidance on trees. The British Standard BS5837:2012 which relates to the Design, Demolition and Construction in proximity to trees, provides guidance on design. Paragraph 5.2 and 5.3 advise works should allow adequate space for long term retention of trees and consider future maintenance. The proposed access does not take these important points into account and could easily lead to the early loss of this prominent tree.

In particular, section 5.2.4 states 'Particular care needed regarding the retention of large, mature, over mature or veteran trees (4.5.11). Where such trees are retained, adequate space should be allowed for their long-term physical retention and future maintenance.' It is evident that the proposed access, which goes into the already restricted RPA and will require levels changes, will decrease the usable space available to the tree.

At this time, as sufficient information has not submitted which would ensure not only the retention of the Pine but also that there would be no works within the RPA of the prominent tree, I would have to recommend refusal.

Cheers

James

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