

To: Muhammad Rahman, Development Management
From: Melinda Barham, Trees and Landscape
Date: 22nd July 2021
Your ref: PL/EPF/1272/21
Our ref:



**Address – 67 Lower Queens Road, Buckhurst Hill
Proposal – Proposed new 2 bedroom dwellinghouse.**

We have a HOLDING OBJECTION on this application on the grounds that it is contrary to –

Policy LL10 – Adequacy for the provision of landscape retention
Policy DM5 Submission version of EFDC Local Plan (Dec 2017) – *‘Development proposals must be accompanied by sufficient evidence to demonstrate that the retention and protection of trees (including veteran trees)...’*

Justification

There is a tree on / adjacent to the proposed area of development. Tree reports are required to support the proposal. What has been present in respect of trees is a ‘fee proposal’ letter.

It is not appropriate or acceptable to condition the provision of this information, even if there have been similar applications on the site. Tree reports (that address the current application proposal) should always be submitted for consideration as part of a planning application. To condition it is too late, as a tree reports findings may not be capable of influencing design, potentially resulting in loss or damage to important tree assets.

As required in the Council’s validation check list, existing and proposed plans should clearly show the whole site, including outbuildings and the trees on/adjacent to the site – this information should be taken from the Arboricultural reports. They should clearly show what is present on the ‘existing’ plans, and what is intended to be retained on ‘proposed’ plans.

We have a statutory duty to consider the preservation and planting of trees when granting planning permission, and our Local Plan Policies support this duty. The potential effect of development on all trees is a material consideration irrespective of whether they are protected by TPO/ conservation area status, or not.

At Planning Application stage (irrespective of whether it is a ‘full’ or ‘householder’ application) the feasibility of the proposal in relation to trees needs to be demonstrated. Lack of the necessary information is grounds for refusal. The following tree related information should be submitted –

- Arboricultural Impact Assessment to include - full tree survey and tree retention / removal plan.
- Evaluation of tree constraints.
- Retained trees and Root Protection Areas (RPAs) to be shown on proposed layout plans.
- Strategic hard and soft landscape design, including species and location of new tree planting.

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- Arboricultural method statement to demonstrate feasibility, without causing harm to the tree,, particularly when construction is said to be necessary within the RPAs
- Tree protection plan.
- Additional information eg a daylight / sunlight assessment, may also be required depending on the site conditions, retained trees and development proposal.

The default position is that structures (ie building, road, driveway, path, wall or service run) are located outside the Root Protection Area (RPA) of trees shown to be retained. Where there is an overriding justification for construction within the RPA, technical solutions to prevent damage may be explored, subject to additional provision elsewhere and other mitigation measures (eg to improve soil conditions).

No construction, including the installation of hard surfacing should be allowed within the RPA of any veteran tree.

All of the above should take into account the trees outside the site boundary and be produced in accordance with BS 5837:2012 Trees in relation to design, demolition and construction – Recommendations

Lack of the required information will be grounds for refusal, in that it has not been demonstrated that the proposal could be implemented without a detrimental impact on trees on or adjacent to the site (ie is contrary to Policy LL10 / DM5).

If an acceptable level of information has been provided and the trees have been fully considered and accounted for and there are no other tree or landscape related concerns, a recommendation for approval will follow subject to the inclusion of tree / landscape conditions.

Until such time as the above information has been provided and assessed we OBJECT to the application on the grounds that 'tree related information has not been provided. It has therefore not been demonstrated that the proposal could be implemented without a detrimental impact on trees'

On receipt of these documents we will be able to provide you with our revised recommendations.

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