

Burnett, James

From: Johnston, Christopher
Sent: Monday, February 08, 2016 3:35 PM
To: Planning (SMDC)
Subject: FW: SMD/2015/0813 & SMD/2015/0814 - 121/123 Tunstall Rd, Knypersley
Attachments: PAD/2015/0045 - 121 - 123 Tunstall Road, Knypersley

Please put on r drive and web for [smd/2015/0813 – Tree/Landscaping consultation response](#)

From: Massey, Steven
Sent: 26 January 2016 17:57
To: Simpkin, Rachael; Johnston, Christopher
Subject: SMD/2015/0813 & SMD/2015/0814 - 121/123 Tunstall Rd, Knypersley

Rachael, Chris

I have made comments on these two applications jointly, as they relate to (currently) one overall site, albeit containing two existing dwellings but in the same ownership, and there is just a single tree report covering the whole site. But I note that the applications appear to be allocated to different case officers so I am sending to both of you.

For background, I attach a copy of my pre-app consultation comments. The key points arising from pre-app, in relation to trees, are that a tree survey report in accordance with BS 5837:2012 has indeed been submitted to accompany the planning applications, and the layout for the proposed new dwellings has been amended quite significantly from that indicated at pre-app stage, including omission of one plot, and this results in a much better relationship with existing trees.

That said, there are some serious issues and concerns arising from the submitted tree report, which appears to be significantly inaccurate in several respects leading, in some instances, to potential conflicts in the proposed layout.

The tree report correctly reflects the fact that some of the existing trees are protected under an old (but still valid) TPO, whilst other trees are not protected, and the report's tree numbering/schedule differentiates between these.

Main issues/concerns with the tree report:

- Tree No. 1, scheduled in the report as a young/mature Larch, is in fact a mature Holly.
- The Root Protection Areas (RPAs) are, generally, under-represented in size on the plans compared to the sizes they should be, as derived from the stated stem diameters listed in the report schedule.
- However, in most cases which I checked, the stem diameters as stated in the schedule were in fact themselves notably smaller than I found them to be on measurement, suggesting they may have been inaccurately estimated rather than measured; this results in the as-drawn representations of RPAs being in several cases **substantially** smaller than they should actually be shown. Whilst in some instances this has no material effect on the assessment and acceptability of the proposed layout, in other cases it will do so.
- The applicant's tree report refers to the RPA being "a circular area of approximately 12x the stem diameter measured at 1m above ground level". In fact, BS 5837:2012 advises that the RPA for single stemmed trees should be calculated as an area equivalent to a circle with a radius of 12 times (*not "approximately" – my clarification*) the stem diameter, with Appendix C to the British Standard advising that such diameter should normally be measured at 1.5m above ground level.
- The applicant's tree report refers to the RPA being varied "by up to 20% of its area, where for instance, a concrete slab clearly limits growth, but is deemed to extend further elsewhere, so that the area of the RPA

remains the same". In fact the current British Standard does not suggest or promote the variation of RPAs (increase, decrease or off-set) by 20%, nor by any other specified amount (although the previous 2005 edition of the Standard did refer to the potential for off-setting by up to 20%, but this has been superseded by the 2012 edition). I believe this is what the applicant's tree report may be essentially attempting to get at. The 2012 edition does acknowledge that pre-existing site conditions or other factors may indicate that rooting has occurred asymmetrically, in which case a polygon of equivalent area should be produced. This implies the potential for variation in shape or off-setting of the initially centralised circular RPA, but should be based on sound arboricultural assessment of the relevant factors and likely tolerance of the tree to root disturbance. However, I believe that the substantially under-represented RPAs shown on the application plans arise from the inaccurate measurement of stem diameters and the significantly more inaccurate calculation or plotting of resultant derived RPAs, rather than from any conscious or justified suggestion that the individual RPAs should be acceptably reduced in any given case.

- Tree heights have in general been significantly under-estimated. Whilst precise tree height measurements are not required and estimates are normally sufficient for planning application purposes, the degree of under-representation of heights together particularly with the aforementioned inaccuracies in RPAs may have mis-informed the planning layout design and could be easily overlooked in assessing the applications by anyone unaware of these issues.
- Whilst there are a number of existing trees which are clearly insignificant to the wider character/structure/public amenity value of the site and/or are of poor quality, and are therefore correctly not included in the tree report schedule nor considered as any design constraint to the proposed development, there are a couple at least which have been omitted from the schedule and therefore not assessed for potential retention (despite seemingly having been included on the original topographical survey) which I would suggest should be retained. However, in practice these would not themselves form a *significant* design constraint.
- There are further trees which *are* listed in the schedule but again have been omitted from the layout, which could usefully be retained, but again this should not materially affect or constrain the proposed form of development.
- Tree G3b, a dead standing Birch stem, has been inaccurately plotted on the plans in terms of its position, but this has no bearing on development layout.

SMD/2015/0813 (Demolition of existing garage, construction of new detached garage, associated site works and minor changes to detached bungalow):

The proposed alterations to the existing dormer bungalow have no implications for trees.

The proposed demolition of an existing garage has no implications for trees.

The indicated position of the proposed new double garage would be, just, outside the (accurate) RPAs of existing trees, including those of an early-mature Holly and a twin-stemmed early-mature Lime at the Tunstall Road boundary to the south of the existing access, which are not shown to be retained but usefully could be. The proposed new garage would require the removal of various non-protected small trees along the existing drive, to which I have no objection.

However, the proposed new vehicle parking/turning area to the north-east of the existing driveway would extend significantly into the currently non-developed (accurate) RPAs of protected mature trees G1b and G1d, and require the removal of a mature Holly (Tree No. 1, mis-identified as a Larch in the schedule) which could again be usefully retained. Even allowing for the various RPAs, and the indicated mine shaft capping areas which presumably should be kept free of buildings, there would appear to be ample scope to re-position the garage a few metres further to the south-west and provide a turning head/additional parking area immediately to the north and west of the mine shafts, thereby allowing retention of the mature Holly and avoiding encroachment into the RPAs of trees which would be likely to lead to decline in their condition.

The application appears to indicate the retention of a non-protected mature Ash (Tree No. 4) at the western-most corner of the site, adjacent to the Tunstall Road boundary – with a recommendation for some crown cleaning and balancing work. However, this tree has a poor branching structure and appears to be in decline and I would suggest that removal and replacement would in fact be a better long term option.

SMD/2015/0814 (Demolition of existing dwelling and associated outbuildings. Formation of new site access and erection of 7No detached dwellings):

The application layout indicates the removal of two protected Sycamores G1e and G1f, and the applicant's tree report notes that both these trees have significant decay to their base and should be removed in the interests of safety (of the application site and the adjacent school grounds). I would agree with this assessment; however, since such removal would not be directly required to accommodate the proposed development, such removal should first be separately dealt with under TPO procedures as it would not be authorised by virtue of planning permission, if granted.

The application would require the removal of a mature Beech tree (No. 6) in order to create the proposed new access onto Tunstall Road. This tree is not protected, but is of significance (more so from within the site, being partly screened from view from Tunstall Road by the existing conifer boundary hedge). However, I agree with the applicant's tree report's assessment that the Beech 6 is in poor and declining structural and physiological condition, and it is considered that this tree is unlikely to have a sufficiently long future lifespan (irrespective of development) to require retention or justifiably form a layout constraint. I therefore have no objection to the indicated removal of this Beech 6.

The application indicates the removal of an early-mature Sycamore (No. 7), realistically required to accommodate the house at Plot 1. However, this tree, not protected, is of poor structural form and limited amenity, and I have no objection to its removal.

The application indicates the removal of a non-protected group of trees (G4) at/near the southern boundary. These include a dead Birch, 2 mature Chamaecyparis conifers and 4 Larch. 2 Sycamores are also referred to in the schedule for G4 but I could not find these on site. Also within the extent of G4, but separately listed, is a mature Oak protected as T7 under the TPO and shown to be retained. I would suggest that a few of this group could also be retained, in particular 2 or 3 Larch to the north-west of the Oak T7, but I would have no objection to the removal of the remainder of G4 (excluding T7 which should also be retained as indicated).

The tree report also includes some tree management recommendations for the group in the southern-most corner of the site, protected as group G3 under the TPO, although the originally noted 'Jersey' Elm appears to be long gone and the current group of Wych Elm stems are re-growth from the possibly mis-named original Elm. 2 of the Elm stems lean heavily to the south over the adjacent churchyard and are recommended for removal; the Norway Maple leans even more heavily to the north (suspected partial uprooting) and whilst recommended for crown reduction I would actually suggest complete felling in this case. Again, such felling, whilst appropriate, would not be directly required to accommodate the proposed development and should therefore be dealt with separately under TPO procedures.

The application appears to imply the removal of an existing Conifer hedge along part of the Tunstall Road boundary, and a mixed evergreen hedge along part of the south-east (school) boundary. Whilst these hedges do not have important public amenity value as such, their removal is not required to accommodate the proposed development (other than a section of conifer hedge across the proposed new site access position onto Tunstall Road). I would suggest that their retention may be appropriate, at least initially pending occupation of the new dwellings if approved, as they could provide valuable existing visual screening and some noise attenuation screening for occupiers in respect of the adjacent busy main road and school respectively.

The proposed layout plan shows significantly under-represented RPAs for the non-protected Oak (Tree No. 8) and protected Sycamores (G2a and G2b) and protected Oak (T7) along the southern boundary, and for the protected Sycamore (G1g) at the eastern boundary. However, this does not raise concerns with the submitted layout as indicated, since the proposed dwellings would still be comfortably outside the accurately amended RPAs of these trees. In addition, by contrast to the pre-app indicative layout the application proposal shows rear gardens of

minimum 11m length and this is considered to provide sufficient distance from tree canopies so as not to create serious issues from shading and overbearing type effects (notwithstanding the under-estimated tree heights in the tree report). *In this regard*, the proposed layout for 7 dwellings would be considered acceptable.

The proposed layout plan also shows significantly under-represented RPAs for the protected Lime T4 and Pine T5 to the north of the house at Plot 7. Whilst this house as proposed would remain outside the accurately amended RPA for T4, the house footprint and drive to Plot 7, together with the garage footprint and drive to Plot 6, would encroach within the accurately amended RPA to the protected mature Pine T5 which is arguably the most significant individual tree on the whole site. This would cause potentially serious damage to roots, leading to decline in condition and possibly early loss of this tree. In this regard the proposed development as submitted is not considered acceptable and I object to the application in its current form.

The opportunity should be explored to amend the layout to address the problem issues; it is acknowledged that this may involve the use of different house types and/or a reduction in the number of units, rather than simply minor positional adjustments. However, given appropriate amendments based on/respecting more accurate tree survey data and plotting, the tree-related constraints should not constitute a fundamental obstruction, which cannot be resolved, to a residential development generally of the form currently shown.

As a final point on layout/design, I would comment that the proposed layout leaves little opportunity for any worthwhile structural landscaping within the enclosed "courtyard" frontage of the scheme, and as a result the development could be visually dominated by built form, roads/drives and parked vehicles. It may be possible, in considering layout amendments to address the tree impact issues, to provide greater opportunity for some more substantial structural landscaping within the public area of the scheme.

Both applications:

I will await further notice from you regarding any subsequent amendments submitted (and I am happy to be involved in any further discussions in relation to this) before confirming my final comments/recommendations and, if appropriate, providing suggested conditions for use if planning permission is to be granted for the application(s) – *conditions would be required in this event.*

Steve Massey

Arboricultural Officer
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Burnett, James

From: Massey, Steven
Sent: Monday, June 22, 2015 4:44 PM
To: Simpkin, Rachael
Subject: PAD/2015/0045 - 121 - 123 Tunstall Road, Knypersley

Rachael

I have the following comments on this pre-application enquiry:

Main Issues with Regards to Trees

There are several trees protected by TPO on this site. Some months back I visited the owners and confirmed which trees are protected (there are also quite a few others which are not in the TPO). Generally the TPO trees are situated at/near the boundaries, the main exception to this being a mature Pine denoted T5 which is adjacent to the existing drive in front of the two existing houses. Protected trees, non-protected trees and the Root Protection Areas (RPAs) of protected trees are all shown on the submitted documentation. The trees on this site are generally prominent and make a significant contribution to the setting of the property and the general character and amenity of this part of Knypersley, in keeping with the wider local tree cover on nearby sites (church, schools, established residential properties etc).

The submission document suggests that the RPAs for trees e and f within TPO group G1 should be off-set to the west to reflect the relatively recently constructed existing detached garages within the pre-app site close to these trees which may have constrained root development within the site. However, within the school grounds to the west, and fairly close to the trees, is a surfaced playground/pitch area which is also likely to be within the RPA and may also affect root growth/condition, and offsetting is not considered appropriate in this instance. It would be better to show the RPAs centred on the tree stem positions and acknowledge that they may well have been compromised to some extent by the previous garage construction. In practice, given the presence and previous construction of the two garages and surrounding hard surfacing, the RPAs to these particular trees may well be less of a constraint than the need to achieve suitable separation from tree crowns in order to avoid excessive shading and overbearing issues.

Generally the indicative layout plan shows that new dwellings/garages/drives would be located outside the identified RPAs of protected trees. The exceptions to this are the proposed new turning area for the existing dwelling 121, and potentially the proposed new dwellings near the eastern boundary which could encroach within the correctly centred RPAs of trees G1e and G1f as noted in the preceding paragraph. It is noted that in some cases the proposed dwelling footprints would coincide precisely with RPA boundaries, leaving no space for any peripheral underground services which may be required and which should also avoid encroachment into RPAs.

However, I have concerns that in most cases the indicated new dwellings would be very close to tree crowns, and this could cause problems with issues such as excessive shading and overbearing (affecting houses and gardens) leading to pressure for felling/lopping of protected trees which could be more difficult to resist if we approve a layout generating inappropriate proximity to trees.

The TPO is an old Order made in 1968 and reflects/protects those trees which were considered to be significant at that time. In the intervening years, other trees have been planted or have since grown to become more significant, and notwithstanding the obvious intention from the submitted indicative layout to make provision for retention of protected trees, there are now others which may also be considered worthy of retention as part of the existing mature landscape structure of any redevelopment of the site – in particular some of those around the existing site access off Tunstall Road. This could influence the detailed siting of the proposed new garage and turning area for retained dwelling at 121, although at this stage there would appear to be a useful amount of flexibility over the specific siting of these elements.

There are no doubt other trees which are still not of great significance and whose removal (whether for development or otherwise) would be acceptable.

Conclusions

Given the fairly sizeable open areas of the site not affected by trees (protected or otherwise) and existing development of 2 dwellings, garages and extensive hard surfaced areas, it is evident that the site could comfortably accommodate some residential re-development without harmful impact on or poor relationship with important trees. I therefore have no in-principle objection to a residential development scheme on this site, although I have some reservations over the specific layout submitted.

Most of the indicated plots would, to varying degrees, be adversely affected in terms of living conditions due to the overly close proximity to existing mature trees. This would have an impact on both dwellings and gardens. This suggests that the submitted indicative layout represents something of an overdevelopment beyond a realistic capacity which recognises on-site constraints. This is arguably reflected by the fact that several of the proposed plots have very short garden lengths (some around 7 – 8m, others only around 3.5 – 4m) with dwelling elevations likely to be immediately adjacent to the outer edges of tree crown spreads and substantial areas of some gardens being beneath the crown spreads.

The proposed new garage and turning area to serve the retained dwelling at 121 should be re-positioned to avoid encroachment into the RPAs of protected trees and to allow greater retention of (non-protected) frontage trees.

Validation

Any subsequent planning application should be supported by a full tree survey and arboricultural impact report in accordance with BS 5837:2012. Whilst it is evident that much of this survey/assessment has already been carried out, there should be more consideration given to achieving suitable separation between dwellings and tree crowns in addition to avoiding direct harm to root systems.

In due course an arboricultural method statement would be expected, detailing tree protection measures during construction and working method specification for demolition of existing buildings and removal of existing hard surfacing within RPAs. Whilst this could potentially be conditioned under any permission granted, it would be preferable to have such information up front in support of an application (probably more relevant for a full application than outline).

Steve Massey

Trees and Woodlands Officer
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From: Simpkin, Rachael
Sent: 09 June 2015 15:54
To: 'Plant, David (Place)'; Massey, Steven
Subject: PAD/2015/0045 - 121 - 123 Tunstall Road, Knypersley

Hi David / Steve,

Please see pre-application advice attached for the intensification of this existing residential site raising potential highway and tree issues.

I would be grateful if you can provide a response by the 23rd June if at all possible please.

Kind regards,

Rachael

Rachael Simpkin
Senior Planning Officer
Development Management

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