

From: [Steve Massey](#)
To: [Johnston, Christopher](#)
Cc: [Planning Comments \(SMDC\)](#)
Subject: SMD/2021/0539 - 20 Lancaster Avenue, Leek
Date: 06 October 2021 15:54:37

Chris

The application site is partly overhung by the crown of a notable early-mature Copper Beech tree situated in the Fowlchurch Road verge which lies within the operational area of Brough Park and forms part of the parkland setting to the leisure centre; the “standard” Root Protection Area (RPA) for this tree derived in accordance with BS 5837 will also extend into the application site.

The application is seeking outline planning permission, but to include details of access and layout at this stage.

No tree report appears to be submitted with the application, although the tree itself is clearly shown/identified and the new bungalow is proposed at an indicated 7.4m from the stem centre position. From my own measurements of tree stem diameter (0.49m) I have established that the RPA would be represented by a circle of 5.88m; clearly therefore the proposed bungalow footprint would be, at closest, a little way outside the RPA and on that basis (and given suitable temporary protection of the RPA during construction) there should be no significant adverse impact on the root system.

At its outer feathery extremities, the tree crown overhangs the site by a little more than is indicatively shown on the proposed layout plan and would probably just about overlap the south-west end of the proposed building footprint. This leads to the following comments:

1. It is possible that a minor amount of outer crown trimming could be required to accommodate the building; this could be acceptable if sensitively carried out, as it should involve no more than trimming back the extremities of the few longest small diameter lateral branch ends by a metre or so back to suitable side branching points, and indeed would be of virtually negligible impact on the form/condition of the tree especially if done whilst the tree is still in its early-mature form rather than waiting until limbs have grown longer and much more substantial in the future.
2. That said, if it is possible to shuffle the building footprint further from the tree (i.e. to the north-east) that would advantageous to the relationship between bungalow and tree crown, requiring less initial pruning and/or repeated pruning in the future, and also allowing the tree a bit more space for future growth without direct encroachment on/over the building. However, proposed position as shown is not objectionable.
3. If outline planning permission is now granted, it is suggested that future detailed design in terms of internal floor layout and fenestration aims to avoid primary windows (especially if sole windows) to principal accommodation rooms in the south-west elevation facing towards the tree.

I have no objection to this outline application including matters of access and site layout, although increasing clearance from the tree canopy through building footprint adjustment by any amount available would bring improvement. I would request that the following conditions be imposed in the event of approval:

1. The first action on commencement of development, prior to any further action (including any site clearance, site stripping, site establishment or formation/improvement of temporary/permanent access) shall be the erection of temporary tree protection barriers and advisory notices for the protection of the existing Beech tree to be retained adjacent to (outside) the south-west boundary of the site, in accordance with guidance in British Standard 5837:2012 *Trees in Relation to Design, Demolition and Construction – Recommendations*, and these shall be retained in position for the duration of the period that development takes place, unless otherwise agreed by the LPA. Within the fenced areas there shall be no excavation, changes in ground levels, installation of underground services, provision of hard surfacing, passage of vehicles, storage of materials, equipment or site huts, tipping of chemicals, waste or cement, or lighting of fires unless otherwise agreed by the LPA.
2. There shall be no parking by vehicles and no storage of materials in connection with the development hereby approved, anywhere on the grassed verges and open space along Fowlchurch Road at any time unless with the prior written agreement of the local planning authority.

I would also request the following informative be included on the decision notice in the event of approval:

1. The applicant is advised to consider a subsequent detailed internal floor layout and elevational appearance design which avoids primary windows, and in particular those which are sole windows to any particular room, serving principal accommodation, being located in the south-west elevation of the building facing towards the nearby Copper Beech tree, in order to design out potential future problems arising from shading and overbearing impact of the tree on the dwelling.

Steve Massey

Arboricultural Officer / Development Services
Staffordshire Moorlands District Council and High Peak Borough Council

Moorlands House, Stockwell Street, Leek, Staffordshire Moorlands ST13 6HQ
Tel: 01538 395788 Mobile: 07545 423071

E-mail: steve.massey@staffsmoorlands.gov.uk

www.staffsmoorlands.gov.uk www.highpeak.gov.uk

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