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To: [Berry, Ailsa](#)
Cc: [Planning Comments \(SMDC\)](#)
Subject: SMD/2021/0540 - The Dairy, Hollington Road, Freehay
Date: 03 November 2021 16:00:37

Ailsa

This is a retrospective application for an existing track, and following the appeal dismissal in relation to the previous planning application an arboricultural report now accompanies the current application, seeking to address and overcome one of the previous reasons for refusal/dismissal. The arb report recommends that a cellular confinement load support system be laid over the existing track where this is within the Root Protection Areas of existing trees – namely an Elm T1 and an Ash T2.

Whilst this is appropriate in theory, as it would be installed as a “no-dig” measure and would subsequently spread vehicle loads and reduce/avoid harmful soil compaction in the root zone, I consider that it would in fact raise some practical difficulties if installed retrospectively to the now-existing track. As it is a raised- surface structure some 105-175mm above existing ground, it would be more difficult to tie in to existing track levels, and this would especially be a problem where such special measures would be required within the RPA of the Elm T1 which runs right up to the edge of the highway carriageway – this would result in a 150-175mm step down to existing carriageway level off the end of the raised drive, clearly inappropriate and unacceptable. In addition, the cellular confinement sections added to the existing drive could be detrimental to the present low-key appearance which is in keeping with the rural character of the site/surroundings. And even given additional temporary tree protection measures during installation, there could be adverse impact on tree roots during the additional construction period.

Other factors to take into account are that the arb report notes that the Elm T1 has decay to its base and fungal brackets to the stem; in addition it may be showing initial signs of Dutch Elm Disease. This tree may therefore have limited future lifespan anyway, irrespective of development. Meanwhile the Ash T2 is, unfortunately, quite likely to becoming infected with Ash Dieback and may also have a limited retention period. Both trees will also have well established root systems beyond the track which will not have been, and will not be, affected by any potential compaction.

On balance, I consider that it may do more harm than good to require retrospective use of no-dig cellular confinement specification which would anyway be impractical, and given the potential limitations of tree condition/lifespan this could prove to be wasted effort; by the same token these trees should perhaps not be held as overriding constraints to the development, albeit retrospective. Therefore, I have no objection to the application and would suggest that notwithstanding the applicant’s arb report the suggested retrospective construction specification within Root Protection areas need not be required in this instance.

There has been some recent planting of new Hawthorn hedging and 5 Birch trees; it would be appropriate to impose a condition, if retrospective planning permission is now granted, to require these plants to be retained and properly maintained – as follows:

1. The new Hawthorn hedging and Birch trees recently planted along the access

track hereby approved shall be permanently retained and shall be properly maintained for a period of 5 years following planting to ensure successful establishment. Any plants which within this period are damaged, become diseased, die, are removed or otherwise fail to establish shall be replaced during the next suitable season.

Steve Massey

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