

From: [Steve Massey](#)
To: [Berry, Ailsa](#)
Cc: [Planning Comments \(SMDC\)](#)
Subject: SMD/2021/0444 - Lynmore, 113 Leek Road, Stockton Brook
Date: 16 November 2021 11:25:06

Ailsa

The application has been latterly supported by submission of a tree survey/arboricultural impact assessment report; this identifies various existing trees along the highway frontage (south-east) and side (south-west) boundaries of the site, all bar one of which (an early-mature Ash denoted T5 in the application arb report) are individually protected under TPO No. LR.10.

Work has started on site in advance of application determination, and this has included partial removal of an existing brick retaining wall around the paved yard area at the side/rear of the dwelling, together with excavation and removal of part of the raised rear garden area supported behind the wall, in order to create footprint area at main dwelling ground level to accommodate the proposed new rear extension (which is larger in extent than the existing utility room it is to replace) together with pedestrian access from the side of the house past the proposed extension and into the back garden.

As detailed in the arb report, this excavation of previous raised garden area has encroached into the standard Root Protection Area of the mature Lime tree denoted T7 in the report (and protected as T59 in the TPO) with some evident exposure of/damage to small diameter woody roots (<25mm diameter) and fibrous feeder roots. It is considered unlikely that this extent of root damage will cause immediate/short term decline in condition of the tree, or any instability; however, it remains to be seen whether there are any longer term effects on tree condition/vigour which can sometimes take many years to manifest.

Tree T7 has been assessed as being in good physiological condition, and fair to good structural condition with only some dead wood noted in the crown – which is characteristic for the species and readily dealt with and periodically removed where required, by routine arboricultural maintenance (which for such work would be exempt from TPO control thereby not requiring application to and consent from the local planning authority simply to remove any significant sections of dead wood). Given its good overall condition, and with regard to its species, the Lime T7 may be anticipated to be more tolerant of minor root damage than, say, trees already in poor condition or those of less resilient species. It may also be relevant that the retaining wall to the yard area, whilst well established, does not appear to be very old, and its original construction may well itself have had some previous impact on tree roots which seems not to have subsequently caused the trees any great problems.

From the area figures given in the arb report, approximately 5.5% of the nominal circular RPA of T7 has been affected. Whilst this damage to roots technically constitutes unauthorised work to a protected tree and is an infringement of the TPO, this relatively minor encroachment is in practice unlikely to have a significant effect on the condition, stability or amenity value of the tree in this instance. With regard to the proposed development, the excavation has already taken place and any damage to the roots already occurred; this would not now be undone by refusal of planning permission followed by reinstatement of the retaining wall on its previous line and backfilling of previous raised garden ground levels, although if not already done

following the advice in the application arb report any exposed roots should be clean-pruned with sharp secateurs to minimise risk of decay/disease. It is also essential that there is no further encroachment of damaging activity such as excavation of ground levels within the Root Protection Areas of any of the protected trees.

In conclusion I see no real benefit in now objecting to the application at this stage; I would request that the following conditions be imposed in the event that planning permission is granted:

1. Within two weeks of the date of this permission, any exposed tree roots visible in the face of the raised ground level excavation to the west and south-west of the existing dwelling shall be clean pruned perpendicular to the direction of root growth using a sharp, designed for purpose pruning tool such as secateurs.
2. Within three months of the date of this permission, the re-aligned retaining wall to the west and south-west of the existing dwelling shall be constructed to accommodate the development hereby permitted including side access path to the rear garden, and the ground levels backfilled behind the retaining wall with good quality topsoil to tie-in with existing raised garden levels, such retaining wall construction and backfilling being carried out without any construction machinery/plant access or temporary building materials/topsoil storage on the raised garden area.
3. Subject to accommodation of work as required and specified under Conditions 1 and 2 above, **(*****re-number to suit condition numbering on final decision notice*****)** temporary tree protection barriers and advisory notices for the protection of existing trees to be retained shall be erected prior to any continuation of further work in connection with the development hereby approved, in accordance with guidance in British Standard 5837:2012 *Trees in Relation to Design, Demolition and Construction – Recommendations*, and as set out in the Hamps Valley Ltd BS5837:2012 Tree Survey Report dated 7th September 2021 submitted in support of the application hereby approved, and these shall be retained in position for the remaining 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.

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@staffs Moorlands.gov.uk

www.staffs Moorlands.gov.uk www.highpeak.gov.uk

Do you really need to print out this Email? Be green - keep it on the screen.

This email is intended for the addressee(s) only and may contain sensitive, privileged or confidential information that could be protectively marked. If you are not the addressee please do not use the information in any way. If you have received this email in error please notify the sender immediately and delete it from your system. Thank you.

The Council may be required to disclose this email or any responses to it under the Freedom of Information Act 2000. The way in which we handle personal information is set out in our privacy notice and is available at <https://www.highpeak.gov.uk/YourData>
