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To: [Reuben Berriman](#)
Cc: [Planning Comments \(SMDC\)](#)
Subject: SMD/2023/0646 - 15 Villa Road, Cheddleton
Date: 20 June 2025 16:56:49
Attachments: [image001.png](#)

Reuben

I have the following comments on this application seeking full planning permission for a proposed open double garage and tack room, as revised:

Summary: objection, due to the likely adverse impact on the root systems of trees protected by TPO, which the application details fail to demonstrate would be avoided.

Details:

An arboricultural report in accordance with British Standard 5837:2012 *Trees in Relation to Design, Demolition and Construction – Recommendations* has been submitted with the application. The application site includes several trees protected within the “blanket” coverage of Area A1 under Tree Preservation Order No. SM.213. Of relevance are an early-mature Sycamore (denoted T2 and retention category B1 in the application arb report) to the rear of the proposed development and – especially – a mature Oak (denoted T1 and retention category A1) to the front. The arb report notes that the proposed building would be located fully within the Root Protection Area (RPA) of the Oak T1 and partly within the RPA of the Sycamore T2, and that special construction measures would be required to avoid damage to roots.

The guidance in BS 5837:2012 states at Para. 5.3.1 that the default position should be that all structures (including buildings, hard surfacing, built or excavated earthworks, and underground services) should be located outside the RPAs of trees to be retained. The guidance goes on to say that where there is an overriding justification for development within an RPA (my emphasis), technical solutions might be available that prevent damage to the tree(s) (my emphasis in both instances). The application details have been amended since first submission, partly in attempt to address development encroachment within the RPAs of these important protected trees.

Firstly, the proposed development clearly would be located within tree RPAs; however, the development would not bring any public benefits and is purely for the benefit of the applicant; the application does not demonstrate any overriding justification for developing within RPAs and I would suggest that there is none. That aside, anyone of course has the right to submit a planning application for any development as they wish, so we still also need to consider the likely impact of the proposal on trees, together with the effectiveness of any proposed mitigation measures.

The amendments submitted include details of proposed pile and reinforced slab construction for the garage/tack room. Notwithstanding the fact that the applicant’s arb report advises that even this type of construction should be above existing ground levels within RPAs, the amended details in fact show that the finished floor level of the garage would (understandably from a practical/use point of view) run flush with existing ground level, thus requiring an excavation

across the full footprint area of the building to accommodate the depth of the slab plus underlying blinding layer, in total a minimum of 275mm below existing ground level. This is in conflict with BS 5837 and the applicant's arb report. Major roots are evident at/projecting slightly above ground level around the base of the Oak T1, and it is not unreasonable to assume that there are likely to be woody roots and particularly fibrous/non-woody feeder roots just below and close to the existing ground surface radiating across the trees' rooting zones. Even a relatively minor excavation of 275mm or so could be deep enough to result in severance of or damage to significant proportions of the root systems – again especially that of the Oak T1.

The applicant's arb report and also BS 5837:2012 advise that there should be a ventilated air space beneath a suspended slab, to allow for gaseous and water exchange, but the application details as amended do not indicate this measure being provided either.

It could no doubt be pointed out that a garage extension has been constructed at 17 Villa Road (for which planning permission was granted in 1995, reference SM95-0372 or SMD/95/0087) which is also virtually fully within the (now current) RPA of the Oak T1. Whilst the foundation/floor construction details of the garage at No. 17 are not known it is probably reasonable to assume that no special construction measures were included. However, there are several changes in circumstances since the 1995 approval:

1. The consideration and protection of trees in the context of development is now much more advanced. The current 4th edition BS5837:2012 superseded the previous 3rd edition, itself not published until 2005 and superseding the second edition of 1991. Each revision has provided better-informed and more detailed advice.
2. The Council did not have a dedicated tree/arboricultural officer to advise on applications relating to trees until c.1996/97.
3. TPO No. SM.213 was made in 2001, so the trees were not protected at the time of the adjacent application and its approval in 1995.

Furthermore, Para 5.3.2 of BS 5837:2012 advises that the cumulative effects of incursion into RPAs are damaging and should be avoided. The fact that the garage at 17 Villa Road was allowed within the RPA of Oak T1 therefore does not justify but rather further weighs against now allowing another significant development encroachment into the RPA.

Damage to the roots of the Sycamore T2 and more especially the Oak T1 could lead to decline in condition of the trees, to the detriment of their current significant amenity value, and in turn lead to increased risk of branch shedding or more extremely their death and/or whole-tree instability.

The application details, even as amended, do not demonstrate an overriding justification for development encroachment within tree RPAs, and do not demonstrate that harm to trees would be avoided.

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