



## **Agenda Update Sheet**

### **Planning Committee**

**Date: 9<sup>th</sup> February 2023**

## ITEM 5

DM/22/2634

No updates.

## ITEM 6

DM/21/3898

### **P27 Tree Officer comments**

'I'm afraid that all my previous comments on the application still stand.

Additionally, Magnolia is not a suitable tree, nor is Betula papifera. There may be limited scope for B pendula, but these are not long lived trees. DP37 favours native trees.

However, I still have no way of assessing the numbers, quality, species of the multiple trees to be removed as there is no AIA, tree survey etc.

Again , trees will be crushed around parts of the perimeter of the site and the tree pit shown is inadequate to support the long and healthy life of proposed trees.

Block paving is shown under RPAs of retained trees. This would have a significant impact on the trees and there does not appear to be a method statement as to how trees would successfully be retained, as well as the future pressure due to car parking under the trees, previously mentioned.'

**P57**, above the heading **Habitats Regulations**, insert the following paragraphs into the report.

### **Trees**

Policy DP37 in the DP states:

*'The District Council will support the protection and enhancement of trees, woodland and hedgerows, and encourage new planting. In particular, ancient woodland and aged or veteran trees will be protected.*

*Development that will damage or lead to the loss of trees, woodland or hedgerows that contribute, either individually or as part of a group, to the visual amenity value or character of an area, and/ or that have landscape, historic or wildlife importance, will not normally be permitted.*

*Proposals for new trees, woodland and hedgerows should be of suitable species, usually native, and where required for visual, noise or light screening purposes, trees, woodland and hedgerows should be of a size and species that will achieve this purpose.*

*Trees, woodland and hedgerows will be protected and enhanced by ensuring development:*

- incorporates existing important trees, woodland and hedgerows into the design of new development and its landscape scheme; and*

- prevents damage to root systems and takes account of expected future growth; and
- where possible, incorporates retained trees, woodland and hedgerows within public open space rather than private space to safeguard their long-term management; and
- has appropriate protection measures throughout the development process; and
- takes opportunities to plant new trees, woodland and hedgerows within the new development to enhance on-site green infrastructure and increase resilience to the effects of climate change; and
- does not sever ecological corridors created by these assets.

*Proposals for works to trees will be considered taking into account:*

- the condition and health of the trees; and
- the contribution of the trees to the character and visual amenity of the local area; and
- the amenity and nature conservation value of the trees; and
- the extent and impact of the works; and
- any replanting proposals.

*The felling of protected trees will only be permitted if there is no appropriate alternative. Where a protected tree or group of trees is felled, a replacement tree or group of trees, on a minimum of a 1:1 basis and of an appropriate size and type, will normally be required. The replanting should take place as close to the felled tree or trees as possible having regard to the proximity of adjacent properties.*

*Development should be positioned as far as possible from ancient woodland with a minimum buffer of 15 metres maintained between ancient woodland and the development boundary.'*

The final comments of the Councils Tree Officer have now been received and are reported in the update sheet. There would be a significant change to the northern side of the site with the removal of the existing trees and their replacement with hedging and 5 trees. The existing trees are not preserved and are not of sufficient quality to justify being protected by a Tree Preservation Order (TPO).

Whilst the loss of trees on the northern boundary is not in itself considered to be objectionable, it is not considered that the replacement planting would be adequate to help soften the development. It is felt that the weakness of the proposed landscaping around the northern side of the building is a further indication of the poor design of the overall scheme.

On the southern side of the site, the proposal would result in the loss of a Horse Chestnut, which does have a TPO. The applicants report advises that this tree has a wound and decay and is not suitable for long term retention. The Councils Tree Officer agrees that for a number of reasons, the health of this protected tree is compromised. As such, whilst regrettable, it is not felt that the loss of this tree in itself would be a reason to resist the application. However if lost, this tree should be replaced, with a heavy standard. The plans

show a new tree adjacent to car parking spaces 21 and 22 and it is felt that this could be a suitable location for a replacement tree.

Finally the Tree Officer is concerned about the potential impact on the boundary trees on the western side of the site from the car parking on this side of the development. Given the importance of this tree belt to softening the site from the Conservation Area to the west, it is felt that this is a legitimate concern. It is therefore felt that a further reason for refusal is justified in relation to this issue.

**P64** Add a further reason for refusal to read:

3. It has not been adequately demonstrated that there will not be an adverse impact on the trees on the western boundary of the site. These trees provide an important amenity function. It has also not been demonstrated that the proposed landscaping on the northern boundary of the site is of a sufficient quality to compensate for the loss of the existing trees and to help soften the proposed development. The proposal therefore conflicts with policy DP37 of the Mid Sussex District Plan 2014-2031.