High Peak B.C. – Tree Comments

Date: 24/11/22 **Planner**: Steven Gunn-Russell

Planning Ref: HPK/2022/0456 **Site**: Land at Dinting Vale

Trees on Site: Large areas of high quality woodland.
Significant lines of hedgerows.
Numerous tree groups containing good quality trees.
Other good quality individual trees.
92 proposed trees in planting plan

Tree Concerns:

- Large scale tree removal on site
  - 0.93 hectares of woodland,
  - 4 out of 10 groups of trees removed (140 trees)
  - a further 3 groups partially removed (unknown number),
  - 74 metres of established hedgerow
  - 8 individual trees)
- Removals consist of largely A and B class trees/groups/woodlands – nearly 1 hectare's worth of A & B class trees.
- Reduction in size and quality of existing woodland – Could the access to site be created via existing access to Adderley Place?
- Places pressure on woodland located in Green Belt.
- Insufficient replacement planting to mitigate lost tree benefits.
- Lack of street trees in the proposal.
- Proposed trees often to be planted just a couple of metres from building lines – future pressures to remove or prune excessively.
- Little chance for large canopied trees to be planted in the street scenes.
- Site overdeveloped forcing properties into opposition with the retained woodlands.
- Houses and gardens built too close to woodlands – persistent ongoing pressures and threats to retained woodlands.
- Plots 1-8 with trees growing at a higher level – leading to oppressive overhang.
- Plots 99 & 100 would be heavily impacted by the neighbouring woodland and in near constant shade.
- Plots 68, 80, 81, 82 has woodland edge within a few metres of building line.
- Plots 85-92 - gardens heavily impacted by overhanging branches.

Discussion:

From a tree point of view I have to object to this proposal due to the large negative impacts on the current tree cover of the site and also the long-term impacts that will be felt long into the future due the inability to replace the lost tree benefits. The development will also result in permanent ongoing negative impacts on the retained woodlands from the future owner/occupiers of many of the proposed dwellings due to the placement of dwellings close to trees and woodlands. This conclusion is also confirmed by the applicant's own Arboricultural consultant, who confirms the following in their Impact Assessment:

> *"The development would give rise to adverse effects that cannot be mitigated. It would not be possible to fully replace the trees and woodland that would be removed within the site in accordance with local policy, by total area, or in terms of the functions they currently provide. It would also cause fragmentation of Deciduous Woodland."*

Tree Removal & Access Road

The scheme will see the removal of a large proportion of high quality trees. British Standard 5837:2012, recommends that trees/woodlands categorised as A class should be retained, whilst B class trees should also be retained where possible. The proposal will see the removal of a hectare of A class trees from the site. As the applicant's Arb consultant confirms:

> *"The removal of woodland and trees from around the site perimeter and a larger area for access from the north would cause harm to Habitats of Principle Importance and a permanent degradation in the quantity and functionality of the treescape within the site. It would not be possible to mitigate or offset this harm within the site"*

Much of this tree removal comes from the necessity to create the access road into the site and the need to clear space for that. Has the applicant considered that the access road could come off the existing access to Adderley Place. This solution would greatly reduce the impact on the number of trees needing to be removed and reduces the number of junctions on Dinting Vale.

Altering the location of the access road would also result in the northern woodland (W5) remaining in one piece rather than becoming fragmented by the road. Current guidance is to link green infrastructure and woodlands as their benefits are increased the larger they are, rather than fragmenting them.

Tree Planting

The Council's policies require a 2 for 1 replacement for each tree removed for a development. It is not currently possible to give an accurate number to what that would equate to here. The Impact Assessment confirms that the following individual trees will be removed:

Individual trees	8
Trees in groups	140
Total	148

Beyond this a further 3 tree groups will be partially felled. Those groups contain 65 trees and judging by the plans in the AMS it is likely that G3 will see 10% removed, G4 90% removed and G10 80%, approximately 35 trees.

There will also be 0.93 hectares of woodland removed, which could equate to 350-400 trees in this area – this of course sets aside the increased benefits and habitats provided by them by being in a woodland.

So a realistic replacement planting figure in line with the council's 2 for 1 policy could amount to something between 1066-1166 trees.

Current proposals show that 106 trees will be planted with additional shrubs and hedgerows. This proposal falls exceptionally well short of the required figure, whilst the replacements will also fail dramatically in their ability to recreate the lost habitats, benefits and niches provided by the current woodlands.

Again as confirmed by the applicant's Arb consultant they confirm that no mitigation on site is either proposed or possible to make up for the loss that would be caused by this development:

Table 5 Summary of effects and mitigation *Receptor*	*(1) Adverse effect**	*(2) Mitigation proposed*	*(3) Mitigation possible*	*(4) Residual effect*
Tree cover	*Yes*	*No*	*No*	*Negative*
Tree condition28	*Yes*	*No*	*Yes*	*Pending*
Deciduous Woodland	*Yes*	*No*	*No*	*Negative*

> ***"Negative** residual effects cannot be mitigated or offset and represent adverse effects of the proposed development. They may be acceptable in the planning balance on consideration of other benefits delivered by the proposed development."*

Their guidance for planting on site is:

> *''A scheme of tree planting on the site should be secured via planning condition. It should maximise tree planting wherever possible and include:*
> *i) Small ornamental and/or fruit trees for every property*
> *ii) Mixed native hedgerow along all internal boundaries*
> *iii) Tree planting in all areas of tree removal for earthworks*
> *iv) Specimen tree planting in public spaces, including street trees"*

All four recommendations are absent from the applicant's proposed planting plan, whilst the exclusion of street trees flies in the face of current best practice and government guidance.

The Arb report then goes on to confirm that the only solution would be to agree a suitable off site scheme:

> *"A scheme of off-site planting should also be provided to offset the shortfall in provision within the application boundary. These can each be secured via planning condition, if required."*

Should consent be granted then a significant section 106 payment/agreement will be required to ensure the lost tree benefits are recreated elsewhere in the Glossop area.

The planting plan also has a number of issues that would ultimately see many of the trees not reach maturity, which of course must be the aim for any tree planting plan. Many are planted within a few metres of building lines that will increase pressure to keep them pruned or even reduced, whilst many trees are dense canopied trees planted in front of main windows; again this will lead to significant pruning or removal of the trees.

Due to the small nature of the plots and the lack of incidental green space in the street scenes the chance for large canopied trees (those capable of providing the maximum benefits) to be planted in the streets is extremely small. Instead small, low value trees are largely proposed with some medium sized trees.

Planting plans need to be realistic and with the expectation that the tree(s) will be capable of growing to maturity without the need for significant pruning during that time. Planting plans should also include large canopied trees that have been shown to provide the maximum benefits.

<u>Over-developed site causing tree conflicts</u>
Beyond the level of the tree removals the scheme would introduce long-term problems for any future house owners with many plots based too close the retained woodlands.

The worst examples include plots 99 & 100, which will be surrounded on 3 sides by woodland with the houses themselves consigning their rear gardens to constant shade.

Virtually the whole of the west side of the development will see constant pressure as a result of overhanging branches into gardens. The current proposal is to prune the branches away from the gardens, which will provide temporary relief for the developer to sell the properties but those branch spreads will grow back and will lead to routine conflict with the future owners. This will lead to either significant crown reductions or tree removals to resolve the issue. This also appears to be the boundary that backs onto the Green Belt.

To resolve this issue there needs to be a buffer included in the scheme between the rear gardens of the proposed properties and the start of the woodlands. This should be 10 metres. This would allow for a mature branch spread and only small overhangs to the gardens.

In order to achieve this the scheme would either need a reduction in dwellings (I estimate approximately 20) or the inclusion of apartment buildings to create a higher density dwelling area.

Policies

The current proposals go against the following policies:

Policy EQ 9 Trees, woodland and hedgerows

The Council will protect existing trees, woodlands and hedgerows, in particular, ancient woodland, veteran trees and ancient or species-rich hedgerows from loss or deterioration.

This will be achieved by:

- Requiring that existing woodlands, healthy, mature trees and hedgerows are retained and integrated within a proposed development unless the need for, and benefits of, the development clearly outweigh their loss

- Requiring new developments where appropriate to provide tree planting and soft landscaping, including where possible the replacement of any trees that are removed at a ratio of 2:1

- Resisting development that would directly or indirectly damage existing ancient woodland, veteran trees and ancient or species-rich hedgerows.

Policy EQ 1 Climate Change

The Council will adopt strategies to mitigate and adapt to climate change. In addressing the move to a low carbon future for High Peak, the Council will plan for new development in locations and ways that reduce greenhouse gas emissions and adopt the principles set out in the energy hierarchy.

- A low carbon future for High Peak will be achieved by:

- Requiring new development to be designed to contribute to achieving national targets to reduce greenhouse gas emissions by using land-form, layout, building orientation, tree planting, massing and landscaping to reduce likely energy consumption and resilience to increased temperatures

Policy EQ 2 Landscape Character

The Council will seek to protect, enhance and restore the landscape character of the Plan Area for its own intrinsic beauty and for its benefit to the economic, environmental and social well-being of the Plan Area.

This will be achieved by:

- Requiring that development has particular regard to maintaining the aesthetic and biodiversity qualities of natural and man-made features within the landscape, such as trees and woodlands, hedgerows, walls, streams, ponds, rivers, ecological networks or other topographical features

Policy EQ 5 **Biodiversity**
The biodiversity and geological resources of the Plan Area and its surroundings will be conserved and where possible enhanced by ensuring that development proposals
will not result in significant harm to biodiversity or geodiversity interests.

The proposal also goes against the following parts of section 174 of the NPPF:

> 174. Planning policies and decisions should contribute to and enhance the natural and local environment by:
> a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
> b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
> d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;

Decision:
The application should be refused.

Conditions, Section 106 and Commuted sum payments:
Please come back to me should you be minded to grant consent to this application for details of conditions, section 106 payments and possible commuted sums.