

Proposal: Side extension.

Application Number & Location: 22-0435 4 Brompton gardens

Date: 27/07/2022

Terminology:

Tree preservation order (TPO), root protection radius (RPR), root protection area (RPA), tree protection fencing (TPF), ground protection (GP), construction exclusion zone (CEZ), arboricultural impact assessment (AIA), tree constraints plan (TCP), arboricultural method statement (AMS), tree protection plan (TPP). National Joint Utilities Group (NJUG). British Standard 5837:2012 Trees in relation to design, demolition and construction – Recommendations (BS5837:2012). Cellular Confinement System (CCS).

- The proposal is for a side extension
- There are several prominent trees around the property which have previously been subjected to development activity.
- T3 the tree most likely to be impacted by the proposal has been categorised as an A class tree for which the Local Authority is in agreement. The tree is a semi mature specimen providing amenity and character.
- The previous group of properties including the offsite development commenced in 2017.

T3 has clearly been very stressed resulting in significant dieback and it has lost the majority of its major framework branches either through poor pruning or as a result of the previous development and it is now only just starting to recover and so its long term viability is still not assured.

This tree along with the ones around it are a significant feature of the site and provides a good level of amenity and these trees make an important contribution to the character and appearance of the local area. They are considered a constraint to the proposal.

There is a driveway to the north of the tree which has not been considered as part of the RPA. A visit to this site confirms that it is an extensive development which would have removed a significant proportion of the RPA of this tree, which previously was growing in an open ground setting with little constraints to root development. 4.6.2 (5837) The RPA for each tree should initially be plotted as a circle centred on the base of the stem. Where pre-existing site conditions or other factors indicate that rooting has occurred asymmetrically, a polygon of equivalent area should be produced. Modifications to the shape of the RPA should reflect a soundly based arboricultural assessment of likely root distribution. In this instance this has not been shown, when complete it is likely the incursion of the extension will be much greater.

5.3.1 (BS5837) The default position should be that structures (see 3.10) are located outside the RPAs of trees to be retained. However, where there is an overriding justification for construction within the RPA, technical solutions might be available that prevent damage to the tree. If operations within the RPA are proposed, the project arboriculturist:

- a) Demonstrate that the tree(s) can remain viable and that the area lost encroachment can be compensated for elsewhere, contiguous with its RPA;
- b) Propose a series of mitigation measures to improve the soil environment that is used by the tree for growth.
- c) The soil type and structure
- d) The likely tolerance of the tree to root disturbance or damage, based on factors such as species, age. Condition and past management

5.3.2 The cumulative effects of incursions into the RPA, e.g. from excavation for utility apparatus, are damaging and should be avoided. Where there is evidence that a tree has been previously subjected to damage by construction activity, this should be taken into account when considering the acceptability of further activity within the RPA. In this instance the driveway to the north and there is now a shed at the base of the tree, although it is unknown on the construction method of this but it is a contributing factor to the loss of soft ground (RPA) of this tree.

The constraints placed upon the tree have reduced the RPA of the tree and any further incursion should be refused, no overriding justification has been provided for the extension or means of mitigation or offsetting and although the applicants have proposed a piled or engineered foundation they have not demonstrated that the tree can remain viable.

The back exit of the extension shows a utility room and a single exit door, it is likely that hard standing (patio) will need to be constructed which will be within 2m of the stem of the tree further reducing the RPA of this tree, this patio area will be perpetually shaded by the presence of the canopy and so bringing the building closer to the trees on the boundary will result in conflict with the trees as they will affect outlook and cause shading and there is an increased chance for requests to prune the tree for reasons of light and perceived over dominance as well as seasonal debris, resulting in pressure to detrimentally prune or even remove trees.

5.2.4 of BS5837 also states that Particular care is needed regarding the retention of large trees which become enclosed within the new development (see 4.5.11). Where such trees are retained, adequate space should be allowed for their long-term physical retention and future maintenance.

Overall, although the incursion is perceived to be small it has not been adequately assessed in relation to the pressures the tree is already facing and its long term viability is not assured, any loss of mature tree cover in the area will diminish the sylvan nature and amenity that these trees provide.

Given the above, the scheme fails to adequately secure the protection of important trees which contribute positively to the character and appearance of the area. I therefore recommend refusal of the application under policies DM9.

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