

Sender : David.Gower@rugby.gov.uk  
Received Date : 2024-03-01T09:48:29Z  
Recipient : Ella.Casey@rugby.gov.uk  
Subject : FW: See attached letter regarding planning application  
R24/0111  
Dear Ella,

Thank you for the consultation.

The application site (a former recreation ground and pavilion associated with the adjacent General Electric Works) contains a large volume of established trees of mixed species and varying age classes.

The primary Arboricultural features on the site are the stock of mature Lime trees (considerable in number) surrounding the ex-sports field (double rows to the east and to the west, south west and north) and to the western extent of the application site there is a row of 16 early mature and mature London Plane trees. Collectively, these trees form a significant Arboricultural resource, visual amenity and biodiversity feature within an urban area characterised largely by Victorian terraced housing which is by and large devoid of mature tree cover.

For these reasons, a significant number of these trees were protected by virtue of Tree Preservation Order (TPO) no.311 confirmed and modified by Rugby Borough Council on 18th June 2008. TPO plan scan attached.

Existing trees are an important factor on development sites and are a material consideration in the UK Planning system. Trees can offer many benefits, for example, provide visual amenity, softening or complementing the effect of the built environment and adding maturity to new developments, whilst providing opportunities for wildlife, screening the negative visual impact of development, provide shade, reduce wind speed, turbulence and intercept rainfall.

The applicant/agent has instructed and submitted an Arboricultural Impact Assessment in relation to existing trees within the application site and as per the recommendations of BS5837:2012 (Trees in relation to design, demolition and construction - Recommendations). BS5837:2012 is an important design tool which identifies key Arboricultural assets which have the potential to benefit and enhance new developments. Where tree retention is proposed the objective should be to achieve a harmonious relationship between trees and structures than can be sustained in the long term.

Having visited the application site and reviewed the information submitted, there are a number of major concerns that have arisen.

It is perhaps unfortunate that over the last 16 years or so since the TPO was made that there has been a lack of grounds maintenance on this site and that there is now a considerable stock of self-seeded trees that have emerged (e.g. Birch and Goat Willow) which has hindered the collation of the Arboricultural Impact Assessment that has been submitted and there are a number of ambiguities contained within it.

For example, to the west and with regard the line of early mature/mature London Plane trees (TPO ref 311- G1). These trees have not been plotted/assessed at all and as per the requirements of BS5837:2012. Instead, at this location it is plotted as "W3 species: Lime and Sycamore". The London Plane trees are the principle Arboricultural feature here located on a raised embankment area and are highly prominent and visual within the context of the local area and as viewed from Edward Street. There is an area of scrub/young self-seeded Birch and Willow immediately to the north of the London Planes. It appears that all of this area is proposed for removal to facilitate development. This is of concern especially as it appears there has been no consideration/rationale/assessment with regard how this protected London Plane tree group can be successfully incorporated and as per the key principles of BS5837:2012.

Another ambiguity that is apparent is that there are 2 tree removal plans. They have conflicting information. The first Ref: SK202 shows an area of trees labelled as "G4" opposite proposed plots 46-49 to be removed. The "Tree Impacts and Protection plan" within the Arboricultural Impact Assessment shows this area as "G3" and doesn't show any tree removal. Within this area are at least 2 mature Lime trees contained within "G2" of TPO no.311 which have not been plotted. They must be plotted individually and all of their constraints plotted and considered as it appears the proposed plots and new access road is in very close proximity to a mature TPO lime tree which may be negatively impacted upon. Similarly, if other trees are proposed for removal at this location e.g. non TPO'd birch and willow trees, it must be clear as to exactly what and where the trees are and how the retained trees will be successfully retained.

Towards the northern boundary of the application site near to proposed plots 50 and 56 a number of tree removals are proposed to facilitate the proposal. One of these trees is TPO'd (labelled T68 in the tree report). This tree is contained within TPO no.311 G3 and is one of 6 mature Lime trees. The tree is a significant mature tree upwards of 20 metres in height with a stem diameter of 71cm. No rationale has been provided for its removal. Consideration must be given for its successful retention to maintain the continuity of the TPO group.

Towards the eastern boundary of the site and adjacent to residential properties at Princes Street there is a double line of mature Lime trees. The line of Lime trees nearest Princes street have historically been pollarded at a height of approximately 5 metres and with re-growth are now upwards of 8 metres in height. These trees are not TPO'd. Approximately 8.5/9 metres inwards of this line is another line of 13 mature Lime trees. They are upwards and over of 20 metres in height and form "G4" of TPO no.311. Again, the Arboricultural Impact Assessment does not plot these trees individually. They are plotted on the "Tree Impacts and Protection Plan" as a Woodland (Ref: W2) with generic estimations of height, diameter and crown spread measurements. For example, stem diameter is measured at 63cm with a radial crown spread of 5 metres for all of the trees. I measured some at 72cm diameter with some having a radial crown spread of 8 to 9 metres in a westerly direction towards proposed housing plots. The measurements have implications for "root protection area's" (12x stem diameter) and how proposed dwellings will fit in close proximity. The "Tree Impacts and Protection Plan" shades an area in red where trees will be removed. It is not clear at all how this impacts the line of Lime trees. For example how many trees will be removed and why? To the northern extent of this double line of Limes (including 3 TPO silver Birch) again there is proposed block removal of trees with no indication as to exactly which trees will be removed and retained.

These trees are located on the top of a steep embankment which accentuates the height and significance of the trees. It appears that those trees proposed are retention are incorporated into residential gardens with no assessment or consideration to how this can be achieved successfully (trees have larger canopy spreads and stem diameters than as stated in the report). It would likely lead to complaints and apprehensions about the trees being too big and too overbearing on the properties. Given the change in gradient rising up to the trees what are the proposals in term of level changes/grading and re-landscaping? There will likely be a negative impact within root protection area's of mature TPO Lime trees which could prevent their future viability as amenity features going forward. It appears that this has not been considered.

Indeed, BS5837:2012 in "5.3 Proximity of structures to trees" makes reference to this and recommends that the default position should be that structures should be located outside tree root protection area's. Also, a realistic assessment must be made of any proposed development on the trees and vice versa and should take into account the characteristics and condition of the trees, with due allowance and space for their future growth and maintenance requirements. To maximize the probability of successful tree retention, the following factors should be taken into account during the design process a) Shading. b) Privacy and screening. c) Direct damage. (Below-ground damage to structures can occur as a result of incremental root and stem growth. Above-ground damage can occur to trees and structures by the continuous whipping of branches against the fabric of a building. Branch ends might have to be cut back periodically, possibly affecting the shape of the tree. Structures should therefore be designed and/or located with due consideration for a tree's ultimate growth, so as to reduce the need for frequent remedial pruning

or other maintenance). d) Future pressure for removal. e) Seasonal nuisance.

All trees must be plotted and surveyed accurately and their constraints considered as per the recommendations of BS5837:2012 to ensure successful tree retention.

Again, the Lime and Birch trees to the east as a collective Arboricultural feature are of high value within the context of the local landscape with external views of the trees from around the site e.g. from York Street and Princes Street. The Arboricultural Impact Assessment categorises the Lime trees (as per BS5837:2012 recommendations) as "B1" and "B2" Trees of "moderate quality". The Lime trees must be considered as "A1/2" trees ("high quality trees that are essential components of groups or formal/semi-formal Arboricultural features and a tree group of particular visual importance" be retained and considered fully within a development scheme as appropriate.

As with all other established mature TPO trees cover around the site they have potential to enhance a proposed development by way of providing screening and a green buffer zone to surrounding existing residential properties, offering biodiversity credentials, and visual amenity. Retention of mature trees works favourably in open spaces rather sub divided into individual gardens.

Unfortunately within the plans presented it does not appear that full potential of existing tree stock has been realised with a significant loss of mature TPO tree stock proposed and placement of proposed development plots inappropriate locations with regard retained mature trees.

Replacement tree planting is recommended within the tree report in way of mitigation. Looking through the species palette these are largely smaller growing street trees which whilst do have their own individual merits will never reach the stature and significance of what is already en-situ. Again, ambiguities are present for example crab apple trees planted in streets (best suited in wider open spaces) are generally regarded as problematic and a nuisance with regard seasonal fruit fall and street cleansing issues that will arise. Within the proposed central public open space, tree species palette consists primarily of Hawthorn, Birch, Willow, Alder and Prunus. I would recommend a reduction (and substitution of birch) in close proximity to proposed plots. They can cause problems with regard seasonal nuisance (excessive pollen/seed). Recommend further consideration given to enhance Lime tree planting to the eastern boundary of the open space.

Overall, full and proper consideration has not been given with regard existing landscape features and as per Policy NE3: Landscape Protection and Enhancement of Rugby Borough Council Local Plan (June 2019). Therefore, I object to the application as presented and I recommend consideration is given to all points as raised above to ensure all key trees are assessed and successfully incorporated.

Regards

David Gower

Arboricultural Officer

Rugby Borough Council

-----Original Message-----

From: RBC.planning@rugby.gov.uk <RBC.planning@rugby.gov.uk>

Sent: Friday, February 9, 2024 1:48 PM

To: David Gower <David.Gower@rugby.gov.uk>

Subject: See attached letter regarding planning application R24/0111

Hello

Please see attached letter regarding planning application R24/0111 at Land North of Rounds Gardens, Rugby for Redevelopment of the former football pitch and tennis courts associated with the adjacent employment use, including demolition of the existing pavilion and all other remaining structures and enclosures relating to the previous use of the site; and the erection of 134 dwellings, accesses, landscaping, parking, drainage features and associated works.

Many thanks

Rugby Borough Council