

From: David Massheder
Sent: 12 November 2021 12:40
To: Claire Turner; Ben Rainbow; Graham Kean
Cc: planning
Subject: RE: Planning Application WD/2021/2198/MAO

Categories: Consultee

Dear Claire,

My comments in regard to the arboricultural considerations for this application are as follows:

1. This is an outline application that seeks development of a large area of open agricultural land to the east of Uckfield.
2. The site is bounded to the south and south west by an extensive area of ancient semi natural woodland (ASNW) recognised by Natural England as Nightingale Shaw.
3. An arboricultural impact assessment (AIA) carried out to BS 5837:2012 standards has been submitted in support of the application. Briefly the key findings of the AIA are:
 - i. The site is host to a high number of higher quality arboricultural features providing significant biodiversity value and contributing to the wider landscape character.
 - ii. The proposed development would require the removal of a small number of C cat trees and a short run (approx. 17m) of hedgerow – these losses could be compensated for in the scheme landscaping proposal and by improving and extending retained pre-existing hedgerows.
 - iii. RPA encroachment occurs to tree group G4 and tree T2, the default position should be that structures are located out of the RPAs of retained trees, however the AIA identifies some existing hard standing in this area from a container storage area and therefore some RPA impact has already occurred. The proposal would provide an opportunity to mitigate some of the impact caused by this informal use.
 - iv. Provision for street lined trees does seem to have been made in line with the requirements of NPPF 131 and further detail of this would presumably be incorporated into the wider landscaping proposal in due course.
4. Whilst the standard recommended 15m buffer has been allocated to the ASNW surrounding the site, given the significant size of the development, a case may be made for a bigger buffer zone in order to limit the impact to the ASNW habitat to the south and south west of the site.
5. Veteran trees (VT) have been identified on the site, these are T6 Ash and G9 Oak, like ASNW VTs are recognised as irreplaceable habitat. I note that the AIA describes in detail the current standing in advice in regard to VTs and the required buffer zones, which should be 15x the stem diameter of the trees with no cap. However in the AIA schedule both T6 and G9 have capped RPAs of 15m in line with BS standards, rather than using the current standing advice for veteran trees, which would in fact make the RPAs 21m and 23.8m respectively. I would be grateful if the applicant could clarify this apparent anomaly and confirm that the appropriate RPAs have been allocated.

6. A surface water drainage solution is proposed to the south west of the site which would run through the ASNW habitat of Nightingale Shaw. Whilst it is noted that the outfall would be through a cleared/coppiced area and that coppice stools could be translocated, current standing advice states that the current condition of ASNW should not be taken into account when making a decision. The ASNW habitat remains despite the condition or form of the above ground tree population and compensation measures can only be considered where the case meets the 'wholly exceptional' threshold set by the NPPF, the circumstances of this proposal do not meet that threshold (NPPF footnote 63: For example, infrastructure projects (including nationally significant infrastructure projects, orders under the Transport and Works Act and hybrid bills), where the public benefit would clearly outweigh the loss or deterioration of habitat). This would be wholly unacceptable and contrary to both NPPF para 180c and WDC saved policy EN13.

Kind regards,

David Massheder | BA (Hons), Dip Arb L4 (ABC) | Tree & Landscape Officer

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From: Ava-Mariam Athar <Ava-Mariam.Athar@wealden.gov.uk>

Sent: 01 October 2021 16:14

To: Enforcement Environment <enforcement.environment@wealden.gov.uk>

Subject: Planning Application WD/2021/2198/MAO

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Kind Regards,

Ava-Mariam Athar | Technical Team

Planning and Environmental Services, Wealden District Council

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