



Graham Ash  
Graham Ash Architects  
65 Leigh Road  
**EASTLEIGH**  
SO50 9DS

**My Ref:** D2335AIAL1

27<sup>th</sup> November 2023

Dear Graham,

**RE: 30 VALLEY ROAD, CHANDLERS FORD, EASTLEIGH SO53 1GP  
PROPOSED REDEVELOPMENT  
EASTLEIGH REF: F/23/95474**

I have seen the comments from the Council's tree officer relating to the redevelopment proposals at the above site and have my own observations about those points as follows. This letter is effectively a supplement to the arboricultural impact assessment report submitted with the application my ref: D2335AIA.

- 1 Insufficient site-specific information:** It is a reasonably well-established principle that the arboricultural submissions in support of a planning application may discuss some matters in principle, to establish the acceptability of proposals, with full details to be provided as a condition of consent, often by way of an arboricultural method statement. The Council will understand that providing full construction and services details at the application stage may be disproportionately expensive and with a significant degree of risk. With the grant of consent subject to conditions, the applicant may get access to the additional resources required to fill in the information blanks and satisfy the Council's requirement for relevant and acceptable details. BS5837 flags up potentially tree-sensitive operations with recommendations for dealing with them, and that is the general approach that has been followed in the AIA report.
- 2 Precedent of existing buildings:** It is reasonable to assume that the presence of buildings is likely to inhibit the development of roots under them. Even if the foundations are not particularly deep, there is generally a lack of moisture compared with open ground, with root development preferentially where there is more water. I accept there may be roots under the structures, but the construction proposals include the use of measures such as pile or pier and beam, so that even if there are significant roots under the structures, the construction principles proposed would cause minimal damage.

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- 2.1 Precedent of surfaces:** A planning application for a dwelling at 12A Western Avenue, Poole BH13 7AL effectively in place of a tennis court on a well-treed site in Poole was refused consent by the Council and went to appeal (Poole Council ref: APP/15/00517/F). The tennis court was within the RPAs of 11 trees. The Council argued that the presence of the tennis court would not have significantly constrained root development. The appeal inspector concluded that suitable conditions could ensure the well-being of trees during construction. In my view, similar principles apply here, and it would be reasonable for conditions to be applied to a consent requiring satisfactory construction details to be submitted and approved.
- 3 Retaining walls:** Retaining walls can be installed without causing harm to retained trees, in principle and in practice. On this site we are looking at existing changes of levels managed by unsatisfactory means, such as poor-quality retaining structures or no structure at all. Even without redevelopment, the situation round the footprint of the existing garage structure is not acceptable and would need remedial work if that structure were to be retained. Retaining structures would not need to be substantial engineered masonry or concrete structures, but could serve the required function as stone-filled stepped gabions or preformed interlocking elements such as Permacrib© with a limited and acceptable effect on retained trees.
- 4 Surfacing:** Surfacing can also be installed without causing harm to retained trees, in principle and in practice. I accept that levels information will help inform detailed specifications, but even if the solution was to have no excavation of any kind, this would not have a significant impact e.g., on the necessary levels of buildings to accommodate surface levels. In respect of large areas of surfacing, it would all be water permeable within RPAs, allowing for more or less normal drainage and gaseous exchange, with no harm to retained trees.
- 5 Services:** The recommendations in NJUG 4 were aimed at worse scenarios than exist at 30 Valley Road. They were for the installation and maintenance of fibre optic and other cabling in urban and suburban streets where there were no practicable alternatives to digging trenches by hand within RPAs. For this site, hand digging within RPAs is reasonably practicable and would ensure no significant harm to tree roots. Running surface water to an existing stream / ditch would require minimal additional excavation.
- 6 Pressure on trees post occupancy:** In respect of the expectations of new occupants, I stand by my conclusion that they would have a clear expectation and understanding of the role of trees and the management opportunities, based on the history of the development and on even just a casual reading of Eastleigh's position on trees and tree work applications for protected trees. I refer again to the appeal inspector's decision for the Poole site: *Once the dwelling is occupied, there would remain the control over harmful tree works of ... the specific Tree Preservation Order. It is the case, evident from the site inspection, that tree litter can build up, but ... that should not pose a significant problem and any claim for lopping or felling could be readily refuted. Branches do appear to*

*overhang the footprint of the building, in the way that they overhang the tennis court (as they do the existing garages at 30 Valley Road), but that is not to say that permission would be given for harmful work without good reason, and safety considerations would have to be taken into account even if the land was to remain open but as part of the garden' to 30 Valley Road. The inspector took the view that the existing safeguards of TPO and common law were sufficient and reasonable to deal with future pressures to fell and prune, and I agree with this reasoning and conclusion.*

- 7 **Policy:** The objections refer to policy DM1 (of the Draft Local Plan 2011-2029) and the Trees and Development SPD (Eastleigh Borough Council *Trees and Development Supplementary Planning Document* Consultation Draft May 2012). Policy DM1 is itself generic and therefore somewhat subject to interpretation. What is clear is that the application is compliant because it makes efficient use of the site, and because it takes full account of the context of the site. It is compliant because it does not involve the loss of trees, and the measures proposed would limit the risk of damage to trees to a small and acceptable degree. In respect of the SPD, the applicant is committed to providing additional information in a timely manner as requested (and see also the comment in paragraph 1 above). There is a presumption in the application in favour of retaining existing trees, and the application demonstrates that tree retention has been fully considered.

I have seen your preliminary observations about managing tree-related matters in response to the Council's comments and note your view that relevant and satisfactory specifications can be prepared for dealing with the matters raised. In my view it is reasonable to conclude that the proposed development is practicable without significant harm to retained trees, and that the required additional information can and should be provided in response to relevant consent conditions. I conclude that for these reasons the proposals should be acceptable to the Council in tree terms and there should be no tree-related grounds for a refusal of planning permission.

Please call me if you would like to discuss any of these points.

Yours sincerely



Jonathan Fulcher DipArb FArborA