HORSHAM DISTRICT COUNCIL CONSULTATION

TO:	Horsham District Council – Planning Dept
LOCATION:	35 Churchill Avenue Horsham
DESCRIPTION:	Subdividing of existing plot and erection of a two storey 4 bedroom dwelling.
REFERENCE:	DC/25/01006
RECOMMENDATION:	**Holding objection / modification**

SUMMARY OF COMMENTS & RECOMMENDATION:

It is apparent from observations made on site and from viewing Google Street View images dated June 2024 that there have been some significant pre-application tree felling operations at the site. Whereby two mature Oak trees previously located in the rear garden of the property have been removed. These trees were visible from several public viewpoints in this built-up residential area; their removal has resulted in a loss of visual amenity to the locality and landscape harm. If they were still in situ, they would have been a major constraint on development proposals at the site. It is acknowledged that the trees in question were free from any planning constraints, such as a TPO that would have required planning permission from the Council to remove them.

The key consideration as to the suitability of the development proposal at the site is with the location of the new unit, and its parking area at the front of the property, with regards to the extent of proposed development within the t Root Protection Area (RPA) of a mature off-site Oak tree listed as being a notable tree on the Woodland Trust Ancient tree inventory, and the proximity of the trees crown to the Proposed dwelling. This tree is readily visible when viewed with the local landscape context, and it is considered to have an excellent level of visual public amenity value.

MAIN COMMENTS:

The tree in question has a stem diameter of 800mm, which gives it a circular RPA of 9.6M in all directions. The trees RPA extends under the soft ground area at the front of the property, where the new parking area for the unit is shown to be located, and the northmost front section of the new dwelling. The trees RPA is already heavily constrained by the existing built features in the area, such as the adjacent road and footways. The current industry standard BS 5837:2012 - Trees in relation to design, demolition and construction – Recommendations at para 7.4.2 Design recommendations - 7.4.2.3 -

"***New permanent hard surfacing should not exceed 20% of any existing unsurfaced ground within the RPA. This refers to any new hard surfacing with the RPA."***

The BS also states at para 5.3.1

"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(s) (see Clause 7). If operations within the RPA are proposed, the project arboriculturist should: a) demonstrate that the tree(s) can remain viable and that the area lost to 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. - 3.10 structure manufactured object, such as a building, carriageway, path, wall, service run, and built or excavated earthwork." i.e. a new driveway

Due to the existing hard surfaces within the trees RPA, already exceeding the maximum 20% threshold. The addition of the parking area and the front section of the dwelling in its current location brings the development proposal at the property into conflict with the minimum requirements of the BS.

Building the new parking area and part of the dwelling within RPA of the Oak tree in question, where it falls within the soft ground area at the front and side of the property, even with the use of technical solutions, should be avoided due to the potential for significant root damage and soil compaction to occur through the construction activities such as excavations, the installation of foundations, or the movement of heavy machinery can compact the soil, reducing oxygen and water availability, while also causing irreversible damage to the root system, particularly the fine feeder roots responsible for nutrient uptake. Such impacts could result in long-term decline or even the loss of the tree, underscoring the need to respect RPA boundaries.

To address my concerns with the proposed scheme, it would be beneficial if the application were supported by BS 5837 Arb impact assessment, methods statement, and a tree protection plan setting out how the tree will not be adversely affected by the development activity at the site. In addition, no new hardstanding should be placed within the trees RPA, where it falls with the soft ground area at the front of the property; the new parking area should be moved further to the south.

Additionally, the proposed dwelling should be moved to the east by no less than 2.5m further in the rear garden; this distance would allow for the building to be sited outside of the trees RPA, reduce to impact of the tree on the new dwelling in terms of crown encroachment towards to property, and it would also allow for some working space needed to erect the structure, such as space for scaffolding and materials etc.

ANY RECOMMENDED CONDITIONS: None at this stage	
NAME:	Andy Bush Arboricultural Officer
DEPARTMENT:	Strategic Planning (Specialist Team)
DATE:	29/07/25