

Worthing Road, Southwater (Phase 4)

Rebuttal to Tree Officer Comments

Document Ref: BERK21219_Technote_(16.04.25)

Introduction:

ACD Environmental Ltd. (ACD) have been requested to produce a response to comments received from Horsham District Council (HDC) in relation to the approved development at Worthing Road, Southwater – Phase 4 (planning reference DC/18/1246), due to a S73 minor material amendment proposal for variance of condition 2 of associated application DC/24/0772.

Reference should be made to the following files in conjunction with this response:

- Horsham District Council consultation response (ref: DC-24/1158)
- ACD Tree Protection Plan (ref: BERK21219-03C_(phase 4))
- ACD Impact Assessment & Method Statement (BERK21219aia-amsB(phase 4))

Summary:

The comments received from Horsham District Council Assistant Tree Officer are as followed:

“The extent of new hardstanding proposed within the minimum recommended Root Protection Area (RPA) of oak tree T132 is too much and does not comply with the minimum recommendations of the British Standard. The tree is constrained by existing build and hardstanding to the East and thus designing to ensure that it does not have an excessive amount of new hardstanding within its unsurfaced RPA is critical to its longer term health.

The relationship of proposed plot 133 is too close to the Oak tree (ref: T130) subject of Tree Preservation Order no 0227.

The build out will foreseeably require development operations within its minimum recommended RPA, which despite being greenfield development has not been designed to enable robust protective fencing around the entire minimum recommendation in this respect.

This type of build out requirement is symptomatic of a design of new habitable build and associated amenity space that is too close to the tree and will foreseeably place additional future pressure on the tree for lopping/felling in the future.

New design should seek to ensure that the tree has a better designed relationship to the new housing development that recognises the value of the mature specimen to the visual amenity of the area.”

Andy Clout – asst. Arboricultural officer (HDC) – 25/09/2024

Response:

General:

It is observed in the first instance that the comments supplied state in the 'Recommendation' field that the content reflects "Advice" and there is "No Objection" which is further elaborated within the conclusion, recognising that there is scope "on balance" to approve the proposed S273 layout amendment with appropriate pre-commencement conditioning as recommended.

Given the large scale of the proposed development, any re-design of the current proposals would have a significant knock-on effect to the wider layout and result in the need for intensive re-design of multiple other disciplines required to deliver a suitable scheme which is considered dis-proportionate.

The current proposals specify technical design mitigation and protection recommendations taken from BS5837:2012 and specifies them in a practical way that can be feasibly implemented onsite without deviation.

An Arboricultural Method Statement within document BERK21219aia-amsB(phase 4) is already available for review in contrast to the development proposals.

T130:

The footprint for Plot 133 is shown outside of the projected RPA and canopy constraints for T130, Nevertheless, to attempt to alleviate the Tree Officer's concerns, the applicant has agreed to remove the former secondary side kitchen diner windows from Plots 131-133, to ensure no principal rooms are located on the side elevation facing on to this tree. Please refer to the end of this report for the relevant design drawings

A 1.5m offset of the robust protection fencing specification shown on the Tree Protection Plan from the footprint of the dwelling has been allowed for scaffold erection with Ground Protection specified to the east of the plot's footprint where fencing offset results in exposed soft ground within the RPA. Adequate ground protection and fencing can be incorporated into the scaffolding for the plot as per the figure included at the end of this report.

The existing western crown spread of the tree is shown to be currently far enough away from the 1.5m scaffolding offset so as not to require any pruning work to implement. The clearance available gives ample scope and time allowance for future growth of the crown before pruning would be required. At any such a point that any pruning does become required to provide suitable clearance from the dwelling, such work would almost certainly be confined to the tips of the crown and would not result in an increased distance from the plot to the tree canopy than is currently shown, with a suitable 1.5m clearance actually being closer than the current proposed relationship to the tree's crown.

Pruning to trespassing material from offsite trees and vegetation by homeowners is a common occurrence and part of good and expected property maintenance where trees are in proximity, the scope of which any potential buyer would have the ability to review prior to any purchase. Horsham District Council would also have a suitable level of control over the scope of any pruning that may be proposed prior to conduct through virtue of the aforementioned Tree Preservation Order (no. 0227), which would allow any scope of works to be approved/amended and prior consent required to be given before being legally undertaken. Any future residents would be made aware of the relevant statutory protections for the property at the time of purchase.

It is further observed using available street-view imagery that tree T130 has historically undergone a relatively significant whole canopy reduction – this shows a precedent of ‘acceptable’ pruning scope previously granted for the tree which could potential be re-implemented has been created, and it is also reasoned that the justification for this previously approved work was for purely aesthetical reasons given the current distance of the tree to the property within the boundary it is located, and therefore any future pruning that may potentially be required due to re-growth and ensuring a suitable relationship with an adjacent dwelling in the future would therefore, surely, be of a far more justifiable stance.

T132:

It can be seen using available street imagery that this tree has also previously undergone crown reduction works, this time in the form of a far more significant and unsympathetic ‘pollard’. Given the mature age of the tree and the historic significant reduction in crown material in comparison to the assumed unaltered rooting structure which supports it, it is reasoned that the demand by the tree for future additional root growth will have been diminished given the reduced structure that it is needed to be provided for, and that future vigorous root growth for this trees is unlikely to be required.

Whilst the proposed surfacing encroachments within the projected RPA to surpass the recommended 20% by an additional 4.84%, it is reminded that no-dig surfacing is to be implemented with no excavation into the existing soil occurring (with the exception of a shallow ‘scrape’ to remove any surface vegetation) and that the permeable profile of the surface will allow continued gaseous and water exchange into the soil below – it is therefore reasoned that the actual change to the rooting environment due to this proposed surfacing would be minimal regardless of the exceed in percentage.

It is further reasoned that the proposed encroachment is for the designated parking of a singular Plot (no.118) and therefore, unlike other surfaces, the presumed traffic intensity would be minimal (for x1 set of residents) and of mainly restricted to residential vehicular use. The specification of a Cellular Confinement System (such as CellWeb®) of between 100mm-200mm to be included within the profile of the surface can be used to disperse compactional forces of between 3t up to 60t, exceeding the 1.947t average weight of new cars in the UK (2024)¹ by over one-third.

¹ <https://www.autocar.co.uk/car-news/new-cars/average-weight-new-cars-rises-nearly-400kg-seven-years>

Conclusion:

It is concluded that the current S73 minor amendment proposals include suitable means of mitigation and protection from impacts against trees T130 and T132 and should be considered acceptable with the inclusion of the pre-commencement condition requirement as recommended by the Horsham District Council Tree Officer which will ensure that the specified protection and technical mitigation measures are strictly followed onsite for the duration of the development.

Methodology has been given in the associated Arboricultural Impact Assessment and Method Statement report for implementation of technical no-dig designs and for the installation of protective fencing and the need to have it accurately set out, braced and considered sacrosanct during the development.

Any potential future pruning will be unlikely to exceed the historical reductions already implemented against each tree, with the use of TPO's allowing the ability to any potential scope of future pruning works to be reviewed, amended and conditioned by Horsham District Council prior to approval and conduction.

Following the above it is considered the need for significant re-design of the layout proposals is disproportionate.

Henry Pinn *Arb L4 (ABC)*

LANTRA qualified Professional Tree Inspector

Senior Arboricultural Consultant

16th April 2025

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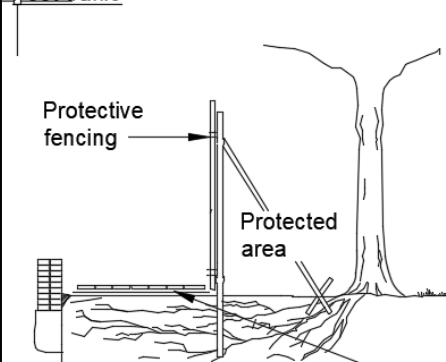
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TREE PROTECTION AND GROUND PROTECTION INCORPORATED INTO SCAFFOLDING

The area of ground is within the RPA of the adjacent retained tree. Ground protection must be installed according to the following specification/schematic.

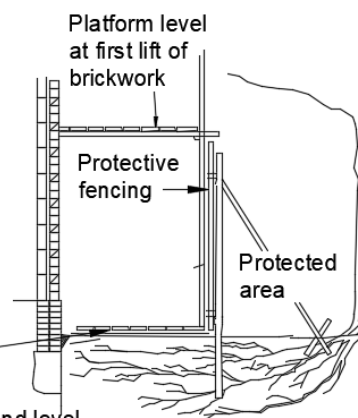
GROUND PROTECTION WITHIN ROOT PROTECTION AREAS

Foot traffic



Ground undisturbed and protected by additional level of scaffold boards mounted 150mm above ground level

Scaffolding



For pedestrian movements the installation of ground protection as shown will suffice.

For further details see BS5837:2012 Section 6

Figure 1: Indicative specification of how adequate ground protection and tree protection fencing can be incorporated into development scaffolding offset from plot footprint

Figure 2: Excerpt from Geosynthetics product data sheet for the weight capacity of Cellweb® Cellular Confinement Systems (DR: 100/v1/29.09.14)

- **75mm Cellweb confinement system**
For foot and cycle traffic. This also provides a control measure for crust compaction
- **100mm Cellweb confinement system**
For domestic traffic, such as cars and transit vans up applicable up to a 6t gross weight
- **150mm Cellweb confinement system**
For emergency access and refuse collection applicable up to a 30t gross weight
- **200mm Cellweb confinement system**
For H.G.V and construction traffic applicable up to a 60t gross weight

In some specific conditions 2 layers of Cellweb 100mm can be installed for the construction phase of traffic. On completion of the construction phase, the top 100mm can be removed. The bottom 100mm can remain in situ to provide a permanent access for cars and transit vans.

For higher demand weight applications, the Cellweb system can be layered to create a 300mm system.

Depth of Cellweb	Unit	Gross Vehicle Weight (GVW)	Application
200 mm	Kg	< 60,000	HGV & Unusual – Crane / piling rig
200 mm	Kg	< 50,000	Heavy Construction Traffic
150-200 mm	Kg	< 30,000	Standard Construction Traffic & Refuse vehicle
150 mm	Kg	< 16,000	Emergency Access & Tractors
100-150 mm	Kg	< 9,000	Delivery Vans
100-150 mm	Kg	< 6,000	Car Park: Cars & Light van
100 mm	Kg	< 3,000	Domestic Traffic: Cars
75 mm	Kg	< 1,000	Pedestrians (with cyclist) path

Note: This is a general guidance for the depth of Cellweb according to Gross Vehicle Weight for a firm and stable subgrade (CBR>3%). If the ground conditions are poor and/or unstable please Geosynthetics Ltd to provide a site specific design.

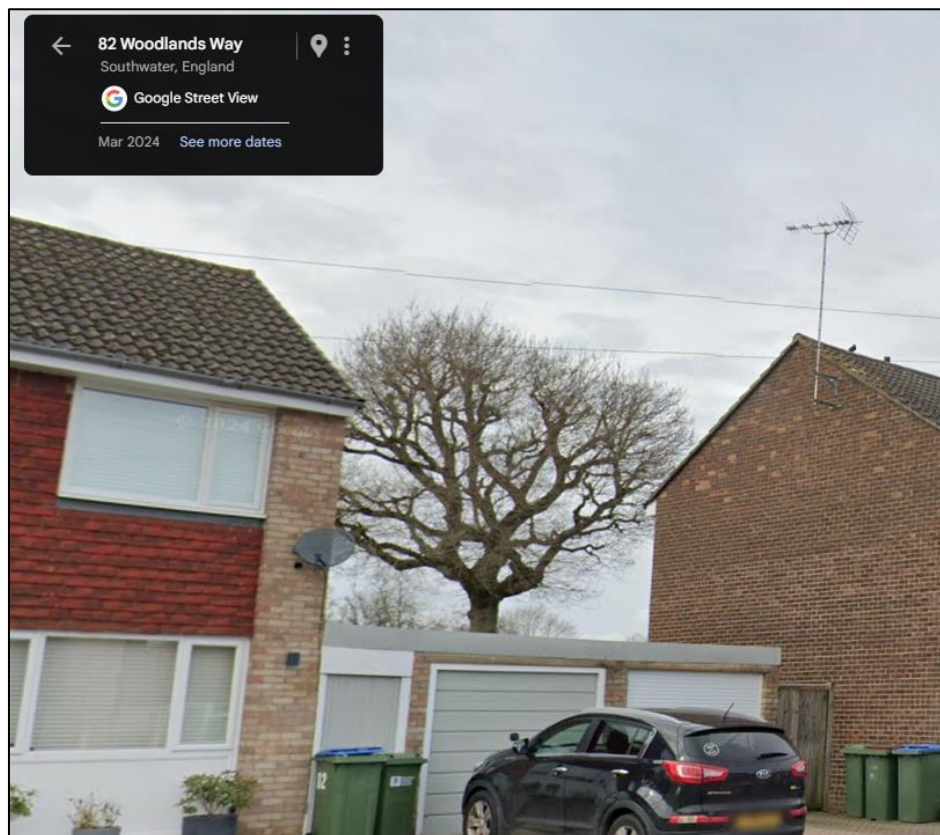


Figure 3: Screenshot taken from Google Streetview (March2024) showing tree T130 to the rear of existing property having previously been reduced

Figure 4: Screenshot taken from Google Streetview (image March 2024) showing T132 to having been historically significantly pollarded



Figure 5: screen shot of design drawing showing amended house type elevations (not to scale)



Figure 6: Screen shot of design drawing showing amended house type layout (not to scale)

