

# Planning

## Proof of Evidence (Trees)

### Town and Country Planning Act 1990 Section 78 appeal against the refusal of planning permission

**Witness:** Andrew Giles HND Lowland Forestry Management

**Subject of Evidence:** Trees

**Appeal:** APP/W0340/W/20/3265460

**Site:** Sandleford Park, Newtown Road, Newbury

**Proposal:** Outline planning permission for up to 1,000 new homes; an 80 extra care housing units (Use Class C3) as part of the affordable housing provision; a new 2 form entry primary school (D1); expansion land for Park House Academy School; a local centre to comprise flexible commercial floorspace (A1-A5 up to 2,150 sq m, B1a up to 200 sq m) and D1 use (up to 500sq m); the formation of new means of access onto Monks Lane; new open space including the laying out of a new country park; drainage infrastructure; walking and cycling infrastructure and other associated infrastructure works. Matters to be considered: Access.

**Date:** 7 April 2021

**Council Reference:** 20/01238/OUTMAJ

## Proof of Evidence

Andrew Giles - Trees

Council Reference: 20/01238/OUTMAJ

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# 1. Summary

1.0 My name is Andrew Simon Giles. I am the Senior Tree Officer for West Berkshire Council.

1.1 In my main proof I identify the impact the proposals will have on the trees, woodlands and hedgerows across the Sandford Park Site.

## 1.2 Monks Lane Access

The proposal, by virtue of one of the proposed accesses, will result in the extensive loss of the hedgerow and trees covered by TPO 201/21/1016 (W13)(CD17.6) along Monks Lane without satisfactory landscape mitigation, to the detriment of the amenity, visual quality and verdant character of this important thoroughfare street scene.

## 1.3 Ancient Woodlands

Ancient woodlands are considered “irreplaceable habitat” by virtue of the NPPF (para 175 (c) and glossary). Forestry Commissions and Natural England’s Standing Advice: Ancient Woodland, ancient trees and veteran trees: protecting them from development (CD8.31) states that in order to mitigate against damage there should exist buffer zones of at least 15 metres to avoid root damage. The development should be providing appropriate and more generous buffers as appropriate, to ensure unnecessary deterioration, isolation, fragmentation and harm to these irreplaceable habitats

The ancient woodlands are at serious risk of encroachment by the proposed development and post developmental pressures, especially Crooks copse.

The proposed new road, the ‘Crooks Copse Line’, linking the spine road to the A339 will isolate and fragment the Crooks Copse from the site destroying the connections between the ancient woodlands.

#### **1.4 Ancient/Veteran Trees**

The proposal will result in the loss of an ancient oak (T34) and the potential loss of a veteran oak (T127) to facilitate aspects of the development. The appellant has failed to explain why their loss cannot be avoided. The 'Wheatcroft' proposal retains T34 but results in the lack of adequate provision for the long term retention of this ancient tree.

The proposal will also result in construction works within the root protection area of four other veteran trees including T1, T31, T33 and T166 this will cause harm to irreplaceable veteran trees and a number of other important trees that are the subject of a TPO (CD17.6)

#### **1.5 Central Valley Crossing and Emergency Access**

The Valley crossing will result in the loss of important trees and hedgerows, resulting in the further loss of an important green link between two ancient woodlands, Barn Copse and Dirty Ground Copse.

#### **1.6 Park House School Expansion**

The 'Wheatcroft' proposal allows the retention of the ancient tree marked as T34 and the two Veteran Trees T33 and T31 but is within the buffer zone of the ancient woodland.

The alternative pitch location sketch (CD6.4) shows no working room around the edge of the pitch, no provision on how the trees will be protected long term from trampling and recreational pressure from the school children and visitors. The proposed expansion is likely to remove the existing hedge line, which will further isolate the veteran and ancient trees and as a result the proposal would fail to make adequate provision.

The access to the school grounds and sports pitch is not clearly shown on the drawing and will potentially significantly impact to the roots the veteran tree T31 resulting in deterioration of these veteran trees. The Appellant has failed to demonstrate how veteran trees would be protected in relation to the access.

### **1.7 Inconsistencies in the documentation submitted**

There are a number of significant inconsistencies between the plans submitted which makes it unclear which trees are being retained and which trees are being removed.

### **1.8 Tree Preservation Order**

A Tree preservation Order no. 201/21/1016 (CD17.6) was served on the site to protect specific trees, groups of trees or woodlands in the interests of amenity.

### **1.9 Conclusion**

The proposals will cause harm to policies ADPP1, ADPP2, CS3, CS14, CS17 CS18 and CS19 of the West Berkshire Core Strategy 2006 - 2026 (adopted 2012) and advice contained within the NPPF.

## 2. Introduction

### **Qualifications and Experience**

- 2.0 My name is Andrew Simon Giles and since August 2015 West Berkshire has employed me as a Tree Officer and now the Senior Tree Officer since 2019. I hold the Higher National Diploma in Lowland Forestry Management from Sparsholt College and the written section of the Arboricultural Association's Technical Certificate in Arboriculture from Merrist Wood College, Surrey. I regularly attend seminars on matters related to arboriculture and forestry. I have worked in the arboriculture and forestry industry for approximately 28 years and have wide experience in all aspects of tree management including planning matters relating to trees and presenting evidence for planning committees
- 2.1 I confirm that the evidence which I have prepared and provided for this appeal is true to the best of my knowledge. I confirm that the opinions expressed are my true and professional opinions.

### **Purpose and Scope of Evidence**

- 2.2 This Proof of Evidence has been prepared in response to Appeal APP/W0340/20/3265360 by Andrew Giles. It addresses primarily the refused scheme and also, as it pertains to trees, hedgerows and the woodland, to the updated information subsequently provided by the Appellant on 1.2.2021, by means of a 'Wheatcroft' Consultation.
- 2.3 My evidence reviews the trees, woodlands and hedgerow issues associated with the scheme proposals as provided by the Appellant and the actions taken by the development team to comply with current policy and guidance. It sets out to address the concerns of the Council, to consider the Reasons for Refusal of the Application and to determine to what extent the concerns may have been met by the additional information.

## Reasons for Refusal

- 2.4 Relevant to this Proof of Evidence, the Application was refused for the following Tree, Woodland and Hedgerow reasons as follows:
- 2.5 *Reason for Refusal 2: The proposed development does not form part of a well-planned comprehensive and satisfactory proposal for the SSSA in accordance with the Sandford Park SPD, nor does it secure the comprehensive delivery of the intended sustainable urban extension and fails to provide a holistic approach to the landscape, visual impact, green (and other) infrastructure for development of the whole of the SSSA.*
- 2.6 *Reason for Refusal 6: The proposal, by disregarding the importance to deliver a comprehensive and co-ordinated holistic development, is ill-thought out, will cause unnecessary substantial material harm to a whole range of interests of acknowledged importance, would fail to deliver a satisfactory form of development and is therefore unacceptable and inappropriate on a number of levels.*
- 2.7 *Reason for Refusal 8: the proposed development does not provide acceptable indications and therefore sufficient confidence and certainty, that it will not cause unavoidable deterioration of and harm to Ancient Woodland on the Site;*
- 2.8 *Reason for Refusal 9: the proposed development will cause harm to a number of irreplaceable priority habitats, comprising ancient and veteran trees and a number of other trees that are the subject of a TPO, without satisfactory justification and compensation or mitigation;*
- 2.9 *Reason for Refusal 10: the area of land identified for the expansion of Park House School results in the loss of trees and hedgerows (including an ancient tree) that could be avoided by an increase in the area proposed or an alternative proposal. Accordingly, the proposal is unacceptable as it fails to make appropriate secondary education provision to mitigate the needs of the development and ensure the satisfactory provision of a sports pitch;*
- 2.10 *Reason for Refusal 13: insufficient information has been provided in respect of surface water drainage and as such a full consideration of the impact of the*



*proposed development in these terms is not possible. Accordingly, the proposed development is considered unacceptable.*

## 3. Important definitions

3.0 For the purposes of this Proof of Evidence I have described Ancient Woodlands, Ancient Trees, Veteran Trees in accordance with the Forestry Commission and Natural England's Standing Advice updated on 5 November 2018 and referenced (CD8.31). The term Notable trees I have taken from the Woodland Trusts document: What are ancient, veteran and other trees of special interest? November 2008 (CD17.7).

### 3.1 Ancient woodland

Ancient woodland takes hundreds of years to establish and is defined as an irreplaceable habitat. It is important for its:

- wildlife (which include rare and threatened species)
- soils
- recreational value
- cultural, historical and landscape value

It comprises any area that has been wooded continuously since at least 1600 AD. It includes:

- ancient semi-natural woodland mainly made up of trees and shrubs native to the site, usually arising from natural regeneration.

Ancient woodlands are protected in the NPPF (para 175(c)).

### 3.2 Ancient trees

An ancient tree is exceptionally valuable. Attributes can include its:

- great age
- size
- condition
- biodiversity value as a result of significant wood decay and the habitat created from the ageing process
- cultural and heritage value

Very few trees of any species become ancient. Ancient trees are protected in the NPPF (para 175(c)).

### 3.3 Veteran trees

All ancient trees are veteran trees, but not all veteran trees are ancient. A veteran tree may not be very old, but it has decay features, such as branch death and hollowing. These features contribute to its biodiversity, cultural and heritage value. Veteran trees are also protected in the NPPF (para 175 (c)).

3.4 The term veteran tree is difficult to define but it encompasses three guiding principles:

- Trees of interest biologically, aesthetically or culturally because of its age
- Trees in the ancient stage of their life
- Trees that are old relative to others of the same species
- Trees that are old relative others of the same species

3.5 The British Standard 3998:2010 Tree Work Recommendations (CD17.2) defines a veteran tree as: *'A tree that, by recognised criteria, shows features of biological, cultural or aesthetic value that are characteristic of, but not exclusive to, individuals surviving beyond the typical age range for the species concerned (Note, these characteristics might typically include a large girth, signs of crown retrenchment and hollowing of the stem).'*

### 3.6 Notable trees

Notable trees are usually magnificent mature trees which stand out in their local environment because they are large by comparison with other trees around them. They are often taller than ancient trees and they may be fatter than many veteran trees but do not have any obvious veteran characteristics.

Most notable trees will be worthy of recognition regionally or locally.

- 3.7 For the purposes of the proof I have used the chart on page 4 of the Woodland Trust document titled: What are ancient, veteran and other trees of special interest? (CD17.7): **Chart showing typical relationship between girth and tree species growing in average conditions.** This shows the relationship between girth (circumference) and locally notable oak trees as 2.75 metres.
- 3.8 2.75 metres circumference gives a stem diameter of 87.5 centimetres ( $2.75/3.14$ ) for notable trees I have used a stem diameter of 90cm.

## 4. Monks Lane Access

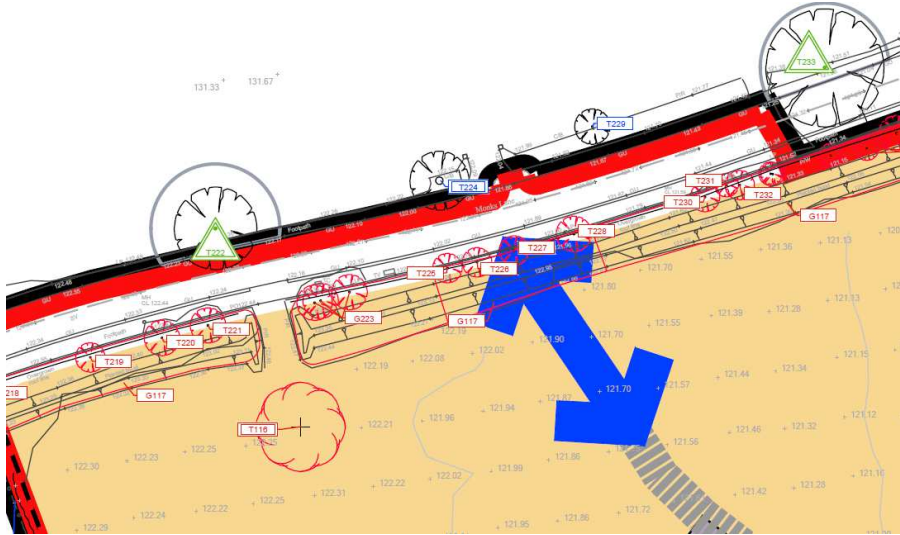
- 4.1 The proposal will result in the extensive loss of trees and hedgerow covered by TPO 201/21/1016 (CD17.6) along Monks Lane without satisfactory strategic mitigation, to the detriment of the amenity, visual quality and verdant character of this important thoroughfare street scene.
- 4.2 There are 3 notable oak trees that will be directly impacted by the proposed access: T116, T222 and T233. Table 4.2.1 below is taken from the Appellant's Arboricultural Impact Assessment (CD1.9); my comments relating to the trees are on the right hand side:

4.2.1 Table1: Notable Oaks impacted by Access

Tree no.	Species	Dia cm @ 1.5m	Maturity	Category	Tree Works proposed	RPA Radius (m)	
T116	Oak	90	Over Mature	U	Fell	10.8	dead tree: Appellant has failed to demonstrate any measures for retention.
T222	Oak	90	Mature	A		10.8	off site but impacted by r/about on Monks Lane; Appellant has failed to demonstrate any measures for protection.
T233	Oak	90	Mature	A		10.8	off site but impacted by r/about on Monks Lane; Appellant has failed to demonstrate any measures for protection.

- 4.3 T116 has been identified as a dead oak in accordance with the AIA (ES: Vol 3: Appendices: G11a: Arboricultural Assessment and Method Statement (CD1.9). However, it is a prominent feature along Monks Lane and there is a significant amount of ecological potential as there is a large girth, major trunk cavities, significant decay holes, bark loss and significant amount of deadwood.

#### 4.3.1 Western access point on the AIA impact of scheme 3x Notable trees



- 4.4 As a result of the lack of appropriate provision for preservation and planting of trees as set out in the Town and Country Planning Act 1990 (as amended) section 197, the Council had significant concerns and, consequently, TPO 201/21/1016 (W13) (CD17.6) was served on the trees along Monks Lane to prohibit the cutting down of important trees without securing sufficient space for replacement planting to mitigate against their loss.
- 4.5 Tree T116 (TPO 201/21/1016 (T12) (CD17.6) is showing characteristics such as major deadwood in the branches and stem, flaking bark of a veteran/senescent stage tree and should be retained as an important feature and allowed sufficient space to decay naturally.
- 4.6 The proposal also requires the removal of 250 metres of hedgerow and trees along Monks Lane without securing sufficient space for the replacement planting.

## 5. Ancient Woodland

- 5.1 The Planning Authority considers that the 15m buffers metric in Sandleford Park SPD, Policies CS3, (CD8.14), are a minimum. It should be noted that since the SPD was adopted, standing advice has moved on as; the protection to Ancient Woodland and Ancient Trees has changed between NPPF 2012 and NPPF 2019. The SPD was drafted and adopted prior to NPPF 2019.
- 5.2 The 15m buffers should be a minimum in accordance with Ancient woodland, ancient trees and veteran trees: protecting them from development (CD 8.31) and the development should be providing appropriate and more generous buffers as appropriate, to ensure unnecessary deterioration and harm to these irreplaceable habitats. At the same time the existing connectivity of Crooks Copse with Highwood and Slockett's Copse, is at serious risk from the encroachment of the development proposals into the area of the northern valley, significantly narrowing that corridor beyond what is envisaged by the SPD strategic objective 5 and L4 (CD8.14).
- 5.3 The government standing advice from the Forestry Commission and Natural England to mitigate against damage to Ancient Woodland and Ancient Trees? *'Buffer zones should be '..of at least 15 times larger than the diameter of a veteran tree or 5m from the edge of its canopy, if that is greater'*. Please see reference (CD8.31) In addition to recommending a larger multiplication figure to that used in the AIA, the AIA also fails to incorporate any canopy measurement so it is impossible to assess if this distance would be greater. The Appellant has failed to demonstrate adequate protection but I consider it likely that the buffer zones are not in accordance with the aforementioned government standing advice.
- 5.4 The proposed development is highly likely to have significant impact on Crooks Copse. Furthermore, Highwood and Slockett's Copse are seriously at risk from the encroachment of the development. The North Eastern corner of Slockett's Copse is within the 15m buffer zone.
- 5.5 The WYG Sandleford Park, Newbury Appendix F17: **Woodland National Vegetation Classification Survey Report (ES: Vol 3: Appendices: F17: NVC Woodland Survey (CD1.9))** states *'Crook's Copse is one of the more botanically diverse woodlands within the site'*. By showing the development around at least

- 90% of the boundary and introducing the Crook's Copse Link, Crook's Copse will be completely isolated and fragmented, by breaking up the woodland connectivity between the other ancient woodlands.
- 5.6 The Woodlands Trusts guide to planners for: Planning for Ancient Woodland Planners' Manual for Ancient Woodland and Veteran Trees, dated July 2019 (CD17.3). states the following under the heading 'Providing adequate buffers' on page 20: *As a precautionary principle, a minimum 50 metre buffer should be maintained between a development and the ancient woodland, including through the construction phase, unless the applicant can demonstrate very clearly how a smaller buffer would suffice. A larger buffer may be required for particularly significant engineering operations, or for after-uses that generate significant disturbance.*
- 5.7 The drainage strategy plan Illustrative Surface Water Drainage Strategy in the ES Vol. 3 Appendix K1, drawing number 10309-DR-02, (CD1.9) shows that the surface water flows directly into the ancient woodlands of Dirty Ground Copse, Slockett's Copse and drainage from the Northern section into Crooks Copse. This is unacceptable due to the potential for changing the water flow or drainage around the ancient woodlands and will cause harm by changing the amount of water uptake available. Potentially making locally drier conditions or alternatively saturating the rooting area. This is likely to put additional stress on the ancient woodland causing drought introduced stress or the water logging of trees. By causing the roots of the trees to die off. Further information can be found in the (CD17.2) BS3998:2010 section 6 'Management of the rooting environment'.

## 6. Ancient/Veteran Trees

- 6.0 The current NPPF (2019), para.175 c)(CD8.1). states '*development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient and veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists*'. Para 175(c) is subject to footnote 58 which provides examples of what might constitute "*wholly exceptional reasons*" such as nationally significant infrastructure projects where public benefit would clearly outweigh the loss or deterioration of habitat. The proposed residential



scheme is not nationally significant and I do not consider this residential development to fall within an “*exceptional reason*” under the NPPF.

- 6.1 Veteran trees are an integral and valuable part of the British landscape.
- 6.2 The proposal will result in the loss of an ancient oak (T34) and the potential loss of a veteran oak (T127) to facilitate aspects of the development. In both cases the application has failed to explain why their loss cannot be avoided.
- 6.3 The proposal will also result in works within the root protection area of including T1, T31, T33 and T166 veteran trees and their potential deterioration, the loss of a category ‘A’ tree within the central valley and the loss of a number of trees and hedgerow in relation to the extension land to Park House School (PHS). The Appellant has failed to demonstrate how such harm could be avoided or explore alternative approaches.
- 6.4 The proposed development will cause harm to a number of irreplaceable priority habitats comprising ancient woodland and ancient trees without “*exceptional reasons*” to justify the loss. Furthermore it causes harm to veteran trees and a number of other important trees that are the subject of a TPO, without satisfactory justification and compensation / mitigation. The proposal is therefore poor, unacceptable and inappropriate and contrary to Policies CS17 and CS18 of the West Berkshire Core Strategy Development Plan Document (Core Strategy, adopted July 2012) and contrary to para 175(c) NPPF.
- 6.5 The following table shows trees classified as veteran in accordance with the amended Arboricultural Impact Assessment submitted by Barrell Tree Care (CD 1.9). My comments are on the right hand side.

6.5.1 Table 2: Veteran Trees according to AIA

Veteran Trees according to AIA								
Tree no.	Species	Dia cm @ 1.5m	Maturity	Category	Tree Works proposed	RPA Radius (m)	Amended RPA 15 x Stem dia	
T1	Oak	90	Mature	B	Fell	13.5	13.5	No reason given
T31	Oak	110	Mature	A		16.5	16.5	RPA impacted by design
T33	Oak	100	Mature	A		15.0	15.0	RPA impacted by design
T34	Oak	130	Over Mature	A	Fell* Subject to Design	19.5	19.5	No reason given
T127	Oak	150	Over Mature	U	Fell/pollard	22.5	22.5	No reason given
T128	Oak	160	Over Mature	A		24.0	24.0	
T133	Oak	130	Over Mature	A		19.5	19.5	
T160	Oak	120	Over Mature	A		18.0	18.0	
T166	Oak	75	Over Mature	A		11.3	11.3	Impacted by cycle path/emergency access 'Upgrade'

6.6 There are 9 trees which the consultant has deemed veteran trees in accordance with the Arboricultural Impact Assessment (AIA) submitted and a third of these trees will be felled with no justification. The Ancient Tree Forum and guidance provided on the Arboricultural Association website under the section root Protection for Veteran trees demonstrates the roots of the veteran tree go beyond the 15 x the stem diameter in any event (CD17.5). This loss on the Appellant's own assessment is unacceptable and is contrary to the Standing advice from the Forestry Commission and Natural England, the NPPF paragraph 175c.

6.7 Standing advice from the Forestry Commission and Natural England, reads: '... leaving a buffer zone at least 15 times larger than the diameter of a veteran tree or 5m from the edge of its canopy, if that's greater'. In addition to recommending a larger multiplication figure, this advice does not set a maximum radius (BS5837:2012 sets this at 15m).

- 6.8 The Ancient Tree Forum and the Woodland Trust (CD17.3) consider that all ancient trees and mature veteran trees should be recorded in **Category 'A3' in accordance with BS5837:2012 (CD17.1)**. The standing advice also recommends a larger root protection area for veteran trees, '*at least 15 times larger than the diameter of a veteran tree*'. Previous guidance – BS5837:2012 – recommends the minimum root protection area to be a 12 times larger with a cap at 707m<sup>2</sup> (15m radius).
- 6.9 The calculations in the AIA show only the Root Protection area (RPA) 15x the stem diameter; it does not give an indication of the canopy spread of the trees which is potentially likely to give a greater figure than actually shown, again this goes against the standing advice, which is unacceptable.
- 6.10 The Table (3) below of trees which I have taken from the AIA (ES: Vol 3: Appendices: G11a: Arboricultural Assessment and Method Statement (CD1.9), which I believe should be considered for veteran status due to the stem size being greater than 90cm. There are an additional 46 trees (3 of them are off site but will be impacted) not noted in the AIA and 9 of them are identified to be felled, which equates to 20% of these veteran trees without reason or justification.
- 6.11 The amended RPA in the right hand column equates to a RPA 15 metres from the stem diameter. I cannot calculate the 5m from the edge of the canopy as, most unfortunately, this is not provided in the table.
- 6.12 Out of the 46 trees only 18 of them have no impact within the RPA. There is no overriding justification within the AIA (CD1.9) for this deterioration of these irreplaceable habitats.
- 6.13 I have made comments on the right hand side showing the impacts by the current scheme.

6.13.1 Table 3: Notable Trees and Veteran Trees not shown in AIA

Potential Veteran trees according to stem diameter over 90cm*									
Tree no.	Species	Dia cm @ 1.5m	Maturity	Category	Tree Works proposed	RPA Radius (m)	Amended RPA 15 x Stem dia		
T3	Oak	110	Mature	A		13.2	16.5	RPA impacted by road scheme	
T4	Oak	90	Mature	B		10.8	13.5	RPA impacted by road scheme	
T12	Oak	100	Mature	A		12	15	Potential impacted	
T19	Ash	100	Mature	B	Fell	12	15	No reason given	
T28	Oak	120	Mature	A		14.4	18	Impacted by cycle path/emergency access 'Upgrade'	
T29	Oak	110	Mature	B		13.2	16.5	Impacted by cycle path/emergency access 'Upgrade'	
T44	Oak	125	Mature	B		15	18.75	Impacted by the proposed development footprint	
T45	Oak	150	Mature	B		18	22.5	Impacted by the proposed development footprint	
T46	Oak	110	Mature	A		13.2	16.5	Impacted by the proposed development footprint	
T59	Oak	90	Mature	A		10.8	13.5	Impacted by cycle path/emergency access 'Upgrade'	
T61	Beech	120	Mature	U	Fell	14.4	18	*Fallen tree, can it not be retained and fenced?	
T76	Oak	90	Mature	A	Fell	10.8	13.5	no clear reason given why this is to be felled	
T77	Oak	90	Mature	A		10.8	13.5	Impacted by Central Valley Crossing	
T78	Oak	100	Mature	A		12	15	Impacted by Central Valley Crossing	
T79	Oak	100	Mature	A		12	15		
T81	Oak	90	Mature	A		10.8	13.5		

Tree no.	Species	Dia cm @ 1.5m	Maturity	Category	Tree Works proposed	RPA Radius (m)	Amended RPA 15 x Stem dia		
T111	Oak	90	Mature	B		10.8	13.5		Impacted by main access road
T116	Oak	90	Over Mature	U	Fell	10.8	13.5		dead tree * can it not be retained and fenced?
G120	Oak, Ash, hawthorn	125	Mature	B		15	18.8		
T121	Oak	90	Mature	A		10.8	13.5		
T122	Oak	100	Mature	A		12	15.0		
T123	Ash	100	Mature	A		12	15.0		
T125	Oak	120	Mature	A	*off Site	14.4	18.0		within Red line Boundary
T126	Oak	90	Mature	A	*off Site	10.8	13.5		within Red line Boundary
T129	Oak	90	Over Mature	C		10.8	13.5		
T130	Oak	100	Over Mature	C		12	15.0		
T142	Oak	*65	Mature	B	Deemed a potential Veteran tree according to the AIA	7.8	9.8		
T143	Oak	130	Over Mature	A		15.6	19.5		Impacted by cycle path/emergency access 'Upgrade'
T146	Oak	110	Over Mature	A		13.2	16.5		Impacted by cycle path/emergency access 'Upgrade'
T148	Oak	110	Mature	A		13.2	16.5		
T149	Oak	130	Over Mature	B		15.6	19.5		
T150	Oak	110	Mature	A		13.2	16.5		
T151	Oak	90	Over Mature	U	Fell/pollard	10.8	13.5		can it not be retained?
T152	Oak	100	Mature	A		12	15.0		
T153	Oak	150	Over Mature	C		18	22.5		
T154	Oak	100	Over Mature	U	Fell/pollard	12	15.0		dead tree * can it not be retained and fenced?
T155	Oak	140	Over Mature	A		16.8	21.0		
T158	Oak	120	Over Mature	A		14.4	18.0		
T159	Oak	130	Over Mature	B		15.6	19.5		
T172	Sycamore	100	Over Mature	U	Fell/pollard	12	15.0		can it not be retained and fenced?
T173	Ash	90	Over Mature	U	Fell/pollard	10.8	13.5		can it not be retained and fenced?
T174	Oak	90	Mature	B		10.8	13.5		
T199	Turkey Oak	90	Mature	B	Fell	10.8	13.5		No reason given
T222	Oak	90	Mature	A		10.8	13.5		off site impacted by r/about on Monks Lane
T224	Oak	110	Over Mature	U		13.2	16.5		off site impacted by r/about on Monks Lane
T233	Oak	90	Mature	A		10.8	13.5		off site impacted by r/about on Monks Lane

- 6.14 Jeremy Barrell of Barrell Tree Consultancy wrote an article for the Horticulture Week Opinion column on the 4<sup>th</sup> April 2014<sup>1</sup> discussing the National Trust felling of the Duke of Wellington Cedar (CD17.4), in which he described heritage trees as:

*'A living links to the past and bridges to the future, a natural connection between departed ancestors and generations to come'.*

- 6.15 The inconsistency in approach in clearly identifying the veteran trees within the AIA, has resulted in significant detrimental impact by the proposed development on these historic heritage features. All veteran trees should be classed as 'A3' in accordance with standing advice from the Ancient Tree Forum and the Woodland Trust.

Where possible, the buffer should:

- contribute to wider ecological networks
- be part of the green infra-structure of the area

It should consist of semi-natural habitat such as:

- woodland
- a mix of scrub, grassland, heathland and wetland planting.

- 6.16 The site has an abundance of Ancient/Veteran trees and the current proposed layout will involve the loss and the direct impact within the RPAs of ancient and veteran trees by development. The development is not deemed a wholly exception reason under the NPPF paragraph 175C.

- 6.17 Sandeiford SPD states: *'All-important existing trees and hedgerows will be retained and integrated into the development'*. Space needs to be provided within the development to allow for the proper growth and establishment of both existing and proposed trees.

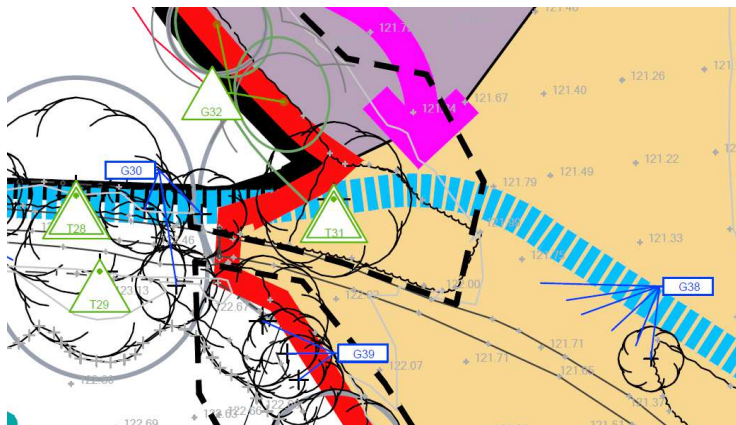
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<sup>1</sup> [BTC92-HW-Complete-290814-F.pdf \(barrelltreecare.co.uk\)](#)

## 7. Central Valley Crossing and Emergency Access

- 7.1 The Valley crossing will result in the loss of a number of important trees and hedgerows. T69 a Birch 'B' Grade, G68 (which is described in the Arboricultural Impact Assessment (CD1.9) as an overgrown hedgerow containing Hazel, Thorn Goat Willow and Holly). This linear group of trees provides an important 'green link' between two ancient woodland sites of Barn Copse and Dirty Ground Copse, (see appendix 1 below Sandleford Park Existing Green Links and Sandleford Park Barn Copse & Dirty Ground Copse Existing Green Links).
- 7.2 T76 is a mature oak of 90cm making it a notable tree and 'A' grade, shown to be removed without giving details of the reasons why. The building of the Valley Crossing is also likely to directly impact the rooting area of two notable trees marked as T77 a mature oak of 90cm 'A' Grade and T78 a mature Oak of 100cm 'A' grade.
- 7.3 The emergency access goes through the centre of a veteran tree marked as T31 on the AIA:

### 7.3.1 Direct Impact of access road on veteran tree



The Emergency access upgrade to 3.75 metre bonded surface along Greenham 9 footpath will directly impact a number of trees including some notable trees and some trees identified on the Ancient Tree Inventory as veteran, the trees are as identified on the AIA:

#### 7.3.1.1 Table 4 Significant and Veteran trees impacted by the Emergency Access

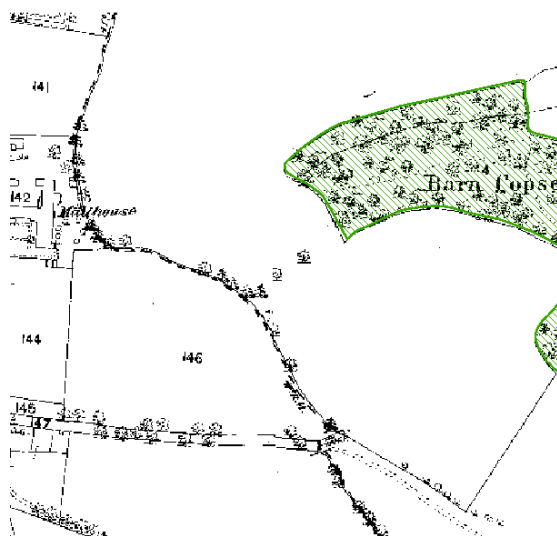
Tree no.	Species	Stem Diameter	Maturity	Category	Notes
<b>T31</b>	Oak	110	Mature	A	Minor limb failure, veteran status on ATI, RPA to be modified to 16.5m radius
<b>T56</b>	Oak	70	Mature	A	-
<b>T57</b>	Oak	85	Mature	A	Deadwood throughout
<b>T59</b>	Oak	90	Mature	A	Some deadwood and epicormics growth
<b>T143</b>	Oak	130	Over mature	A	Large open canopy, retrenching crown
<b>T145</b>	Oak	80	Mature	A	Large deadwood
<b>T146</b>	Oak	110	Over mature	A	Beginning to re-trench, veteran potential
<b>T163</b>	Oak	80	Mature	A	Deadwood
<b>T164</b>	Oak	60	Mature	B	One sided canopy, old tree
<b>T166</b>	Oak	75	Over mature	A	Veteran, significant deadwood, re-trenching crown



## 8. Park House School Expansion

- 8.1 The updated and amended plan submitted by IDP reference Alternative Pitch Location Sketch Dwg. no. 001-01122020B (CD6.4) revises the location of the pitch adjacent to the RPA of T33. The 3 veteran oak trees have had the RPAs altered to 15 x the diameter. Even with the revised location the pitch is still within the RPA of T31, on the edge of T34 and within the 15 metre buffer zone of the ancient woodland.
- 8.2 There is no lighting scheme shown, there is no space for spectators, there is no access point to the school.
- 8.3 The land has been sought to enable the expansion of the school. The existing school boundary hedgerow would more than likely need to be removed and this land incorporated into the school site, with a new boundary created around the edge of the expansion land. All areas within the pink boundary line would therefore form part of the school site. The existing boundary of the school is a historic hedgerow and in my view would be covered under the Hedgerow regulation 1997 as an important hedgerow feature and is shown on the Historic OS map of 1843 (snip shown below):

### 8.3.1 Historic OS map of 1843 (snip showing hedgerow)



- 8.4 The land would need to be levelled to make it suitable for the intended purpose of sports provision and there will be a good amount of engineering works required to achieve this. The drawing provides levels and also shows a shaded area where these engineering works would be carried out – this shows the original pitch location.
- 8.5 The proposal shows no working room around the edge of the pitch, no provision on how the trees will be protected long term from trampling and recreational pressure from the school children. The proposed expansion is likely to remove the existing hedge line, which will further isolate the veteran and ancient trees and as a result the proposal would fail to make adequate provision.
- 8.6 The impacts of the school playing pitch on the trees T31, T33 and T34 and the ancient woodland will:
- damage or destroy part of them (including their soils, ground flora or fungi)
  - damage the rooting area
  - damage or compact soil around the tree roots
  - change the water table or drainage of woodland or trees
  - reduce the amount of semi-natural habitats next to ancient woodland
  - increase disturbance to wildlife from children and spectators
  - increase light or air pollution
  - change the landscape character of the area by isolating the woodland and removing existing vegetation.

## 9. Inconsistencies in the documentation submitted

- 9.0 There are a number of significant inconsistencies between the plans submitted which make it unclear which trees are being retained and which trees are being removed.
- 9.1 The inconsistencies between the 15 meter buffer zones around all the woodlands differ. In their submission their ES Vol. 3 Appendices – G7 (Landscape and Green Infrastructure Design and Management Plan, LGIDMP): Section 9.0 states that non-ancient woodland will have a 10m buffer contrary to other submissions which states that all woodlands will have a 15m buffer, such as: Appendix B of ES Vol. 3 Appendix G9 (Heritage and Landscape Assessment); Sections 6.5.1, 6.5.3 of ES Vol.1 Chapter 6 (Ecology); Section 7.5.1 of ES Vol. Chapter 7 (Landscape and Visual Impact); Sections 2.2.2 and 5.3.1 and figure 38 of the submitted Design and Access Statement.
- 9.2 The tree survey by Barrell's (CD6.5) still shows the veteran trees to be felled and or pollarded and the proposed tree protection plan (CD6.5) shows the trees to be removed.
- 9.3 A complete list of the inconsistencies can be found in the Inconsistencies and Contradictory Information List Appended to Mr Grigoropoulos' proof of Evidence as Appendix NG1 and provided to the Appellant.

## 10. Conclusion

- 10.1 The current proposal does not take into account the long term significant impact upon the veteran trees and ancient woodland, the buffers provided are inadequate and do not contribute or link to the wider ecological network or green infrastructure.
- 10.2 There are significantly more trees on site which are showing characteristics of veteran quality trees which have been proposed to be felled and or directly impacted by the proposal. The notable trees have been graded as 'B', 'C' and 'U' in accordance with the BS5837 guidance and should be considered to be reclassified as 'A3' in accordance with best practice guidance.
- 10.3 The Monks Lane access will result in the loss of a significant amount of hedgerow and trees covered by TPO 201/21/1016 and there is no clear proposal of how this is to be mitigated against or sufficient space shown for replacement planting.
- 10.4 The access will remove 1 over mature and impact on 2 other offsite over mature oak trees with notable status.
- 10.5 There are inconsistencies in the documents submitted but I conclude that, on the basis of some documents submitted, the result would include the removal of ancient and or veteran trees which is unacceptable as these are irreplaceable habitats.
- 10.6 The space allocated to the expansion to Park House is not sufficient to mitigate against the direct and indirect impacts or the future impacts of the school on trees and hedgerow.
- 10.7 Crooks Copse is the most diverse of the ancient woodlands on site and the Crooks Copse line will fragment and isolate the woodland from the other ancient woodlands resulting in a deterioration of the irreplaceable habitat.
- 10.8 Ancient woodland, ancient trees and veteran trees are irreplaceable. Compensation measures should not be considered as part of the assessment of the merits of the development.

10.9 The proposals are contrary to policies ADPP1, ADPP2, CS3, CS14, CS17 CS18 and CS19 of the West Berkshire Core Strategy 2006 - 2026 (adopted 2012) and advice contained within the NPPF.