

# Comments for Planning Application 22/00422/AMC

## Application Summary

Application Number: 22/00422/AMC

Address: Site In Grounds Of Kingsmeadows House Kingsmeadows Kingsmeadows Road Peebles  
Scottish Borders

Proposal: Erection of block of residential flats comprising 14 No units with associated parking and access (approval of all matters specified in planning permission 19/00182/PPP)

Case Officer: Ranald Dods

## Customer Details

Name: Mr Kenneth Harvey

Address: Crownhead Cottage, Stobo, Peebles, Scottish Borders EH45 8NX

## Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Trees/landscape affected

Comment: I am a Chartered Arboriculturist and a Registered Consultant of the Institute of Chartered Foresters. I have been fully engaged in forestry and arboriculture for over 40 years and have specialised in trees and planning matters for over 30 years - firstly as a Local Authority Tree Officer and latterly as an independent consultant.

I wish to comment on the Tree Survey and Arboricultural Implication Assessment (AIA) documents submitted by Donald Rodger Associates Ltd. on behalf of Granton Homes. I confine my comments to the technical aspects of the reports.

The Tree Survey appears to be an honest and accurate assessment of the tree cover as seen at the time of the surveys. It seems to be to the usual high standard expected of Donald Rodger Associates Ltd. and I have no further comment to make on that document. However, I believe the AIA falls short of that standard and is seriously deficient in a number of very important areas.

Essentially the AIA report lacks much of the information it should contain and is consequently misleading in the impression it gives. Section 5.4 of British Standard 5837: 2012 Trees in relation to design, demolition and construction - Recommendations details the information which should be provided in such documents, but copyright restrictions prevent it from being quoted here.

However, it is an extensive list and covers such items as tree losses, Value/Retention Categories (i.e. A - High, B - Moderate, C - Low or U - Fell, as per Table 1 of BS5837: 2012), and any special precautions or engineering techniques required to mitigate or avoid root damage etc..

Once you fillet out the boilerplate text and get to the substance of the report, all the submitted AIA actually says is:

"It is proposed to remove trees 3102 to 3135 which stand to the east of Kingsmeadows House. A further eleven trees are to be removed to permit the upgrading of the access drive. Trees proposed for removal are outlined in red on the Tree Proposals Plan.

In the context of the larger site, which is very well-wooded, the removal of the above trees will not significantly affect the overall landscape and amenity of the area. Indeed, their removal will not be obvious when viewed from outwith the site".

For such a significant development such glib brevity is concerning. There is a very basic tree protection plan appended, but it is essentially unenforceable (it is untitled, unnamed and undated amongst other flaws) and wouldn't adequately protect the root protection areas (RPAs) of many other trees on the site. Considerably more detail is required.

However, the most notable omission is the lack of a summary of the number of trees of each category which would be lost. This is vital to understanding the overall impact of the development, bearing in mind that trees are a material consideration in the planning process and it is generally accepted that 'A' and 'B' trees are material constraints. This information is in the schedule attached to the Tree Survey if the reader wishes to take the time to find it, but it should be clearly displayed up front in an AIA.

Comparing the Tree Survey with the AIA perhaps explains the reticence. The proposed development itself would require the direct removal of 34 trees (3102 to 3135). These are mostly yews, Wild cherry and birches. The AIA admits these would be lost but it doesn't mention their Value/Retention categories. Cross-reference to the tree survey schedule shows they are in fact 28 x 'B' Category (Moderate), 5 x 'C' Category (Low) and 1 x U Category (Fell) trees.

With regard to the access driveway, it is noted in the AIA that 11 trees would go for this, but there is no mention whatsoever of the fact that they are 9 x 'A' Category trees and 2 x 'B' Category trees. These are mostly fine, large, mature limes, beech and oak forming a major landscape element within the site with not a single 'C' or 'U' tree amongst them.

So out of 45 trees noted as being directly lost to the development, a total of 39 are either 'A' or 'B' Category. Only 6 are 'C' or 'U'. This is not a small detail likely to have slipped the author's mind, but appears to be a deliberate omission.

In addition to the above 45 trees, there are others which will almost certainly end up being lost as collateral damage (you can't surgically implant a building into a site). These include 818, 823, 824, 825, 875, 3143, 3144 and 3145. They may not be lost immediately, but will probably die as a result of root damage unless appropriate precautions are taken. These 8 trees include 5 x 'A' Category

trees and 3 x 'B' Category trees. If any such precautions are intended (and there are large sections of BS5837 devoted to this matter), it is odd that there is no mention of them in the AIA.

So a more realistic assessment of the minimum likely and foreseeable tree losses stands at 53, these being 14 x 'A' Category trees, 33 x 'B' Category trees, with only 5 x 'C' Category trees and a single 'U' Category tree. Many of these are very large trees clearly visible from outside the site, clearly contradicting the assertion that "their removal will not be obvious when viewed from outwith the site".

It is obvious that the proposed layout has taken little account of the tree constraints at the site. It is also clear that the AIA omits most of the detail that should be included in such a report and appears to be highly disingenuous with what it does include. It is therefore of little use if it is to be relied upon to give a full and fair assessment of the impact of the proposed development on the trees.

I believe that considering the number and quality of trees lost, the application would have an unacceptable impact on the existing tree cover at the site and should therefore be refused.

In view of the likelihood of future applications (and the inherent weakness of Conservation Area legislation to protect them), it would be expedient in the interest of amenity for Scottish Borders Council to make a Tree Preservation Order on all A, B and C Category trees at the site.