

OFFICER REPORT FOR COMMITTEE

DATE: 19/01/2022

P/17/0257/DP/A
MR CHRISTOPHER COLLINS

SARISBURY WARD
AGENT: TETRA TECH

DISCHARGE OF CONDITIONS PURSUANT TO OUTLINE PLANNING PERMISSION P/17/0257/OA (CHALET BUNGALOW): CONDITIONS 5 (CONSTRUCTION METHOD PLAN) AND 6 (ARBORICULTURAL IMPACT ASSESSMENT)

LAND TO THE REAR OF 274 BOTLEY ROAD, BURRIDGE

Report By

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1.0 Introduction

1.1 This application is being reported to the Planning Committee for decision, as a number of third party objections relating to Reserved Matters application P/20/0507/RM (reported elsewhere on this agenda) specifically raise concerns about the impact of the works to the access upon the adjacent protected trees.

2.0 Site Description

2.1 The application site is located beyond the defined urban area and is defined as countryside for the purposes of planning determinations. The site benefits from outline planning permission, granted on appeal in 2018. It is triangular in shape, bound on two sides by garden areas of dwellings fronting Botley Road and by a metalled, but overgrown public footpath (No. 21) along its southern boundary. The site itself is largely overgrown and a tree preservation order (TPO) protected oak tree grows at its eastern end.

2.2 Included within the red-edged area of the submitted plans is the stretch of footpath (No. 21) from the proposed property to Botley Road. A row of TPO protected poplar trees runs adjacent to the southern edge of the footpath close to the development site.

3.0 Description of Proposal

3.1 The applicant is seeking to discharge two conditions imposed by the Appeal Inspector in respect of Planning Appeal APP/A1720/W/18/3193922. The appeal granted outline planning permission for the erection of a chalet bungalow on the site with access along footpath No.21 to Botley Road (Application P/17/0257/OA).

3.2 The two conditions state:

5. *No development shall take place until a construction method plan has been submitted to and approved in writing by the Local Planning Authority. The construction method plan shall include details for:*
- a) *The parking and manoeuvring areas for vehicles used by operatives;*
 - b) *The storage of construction materials, plant and excavated materials;*
 - c) *The siting of any temporary buildings; and*
 - d) *The construction working hours.*

The approved construction method plan shall be adhered to throughout the construction period for the development.

6. *The development hereby permitted shall not be commenced until an Arboricultural Impact Assessment and Method Statement for tree and hedgerow protection has been submitted to and approved in writing by the Local Planning Authority. The Method Statement shall include details of the measures to be undertaken during the entirety of the construction phase for the development, in particular the formation of hard surfaced areas such as the access track and driveway to the dwelling, to protect the trees and hedgerows on and off the site. The development shall be carried out in accordance with the approved Arboricultural Impact Assessment and Method Statement for the duration of the construction phase of the development.*

3.2 The application has been supported by a Construction Site Layout Plan, Arboricultural Impact Assessment, Tree Protection Plan, Arboricultural Method Statement, Arboricultural Survey Report and a Services and Utilities Plan.

4.0 Policies

4.1 The following policies apply to this application:

Adopted Fareham Borough Core Strategy

- CS4: Green Infrastructure, Biodiversity and Geological Conservation
CS5: Transport Strategy and Infrastructure
CS17: High Quality Design

Adopted Development Sites and Policies

- DSP3: Impact on Living Conditions
DSP6: New Residential Development Outside of the Defined Urban

Settlement Boundaries
DSP13: Nature Conservation

Fareham Local Plan 2037

NE1: Protection of Nature Conservation, Biodiversity and the Local Ecological Network
NE6: Trees, Woodland and Hedgerows
TIN2: Highway Safety and Road Network
D1: High Quality Design and Placemaking
D2: Ensuring Good Environmental Conditions
D4: Water Quality and Resources
D5: Internal Space Standards

Other Documents:

Fareham Borough Design Guidance: Supplementary Planning Document (excluding Welborne) December 2015
Residential Car Parking Standards 2009

5.0 *Relevant Planning History*

5.1 The following planning history is relevant:

P/17/0257/OA	Erection of One Chalet Bungalow together with associated car parking and landscaping
REFUSED	20 July 2017
APPEAL	
ALLOWED	5 October 2018
P/20/0507/RM	Reserved Matters Application in respect of P/17/0257/OA regarding appearance, landscaping and scale

Application reported elsewhere on this Agenda

6.0 *Representations*

6.1 Given the level of concern raised by third parties in connection with the Reserved Matters Application regarding the impact upon protected trees due to the proposed surfacing works and laying of services and utilities, Officers considered it appropriate that the application be determined by the Planning Committee.

7.0 *Consultations*

INTERNAL

Principal Tree Officer

- 7.1 Initial Comments (21 July 2020). Submitted Tree Protection Method Statement and Tree Protection Plan set out that the proposed excavation approach is acceptable in arboricultural terms. However, concern was raised given the considerable distance of such excavation, and that insufficient detail in terms of how the trenching for the services will be undertaken. Detailed consideration of how the excavation works along the access track will be necessary to determine whether this can be achieved without adversely impacting on the retained trees and their existing soil rooting environment.
- 7.2 Second Comments (14 August 2020). *Following submission of additional information and completion of trial holes*. The trial hole shows the track as being of a significant construction over time and is heavily compacted.
- 7.3 The trial pit investigation can now be used to inform the Method Statement, which needs to be updated accordingly and amended to ensure the tarmac layer is removed by hand to reveal the presence of any surface roots. After which details regarding the next step of deeper excavations with the watching brief by the project arboriculturalist is required.
- 7.4 Final Comments (22 October 2020). The revised Method Statement (rev B), which has been informed by the site survey and trial pit excavation on the 27 July 2020, is sufficient to ensure the service trench can be excavated with minimal and acceptable levels of disturbance to existing tree roots.
- 7.5 The Council's Principal Tree Officer concludes that the terms of Conditions 5 and 6 have therefore been met, and subject to the necessary site supervision and monitoring can be discharged.

8.0 Planning Considerations

- 8.1 The following matters represent the key material planning considerations which need to be assessed to determine the suitability of the matters for discharging. The key issues comprise:
- a) Suitability of the submitted Construction Method Plan; and,
 - b) Whether the submitted Arboricultural information is sufficient to ensure no unacceptable impact on the retained trees within the site and along the access track

a) Suitability of the Construction Method Plan

- 8.2 The discharge of condition application has been supported with a detailed Construction Method Plan and Construction Site Layout Plan, setting out the four criteria imposed by the Appeal Inspector, namely;
- a. The parking and manoeuvring areas for vehicles used by operatives;
 - b. The storage of construction materials, plant and excavated materials;
 - c. The siting of any temporary buildings; and
 - d. The construction working hours.
- 8.3 Dealing with each in turn:
- 8.4 **The parking and manoeuvring areas for vehicles used by operatives:** The submitted Construction Site Layout Plan makes provision for a small tipper truck (with a length of 6.528 metres) to be able to enter and exit the site in a forward gear. Whilst the use of only a smaller tipper truck style vehicle, particularly for deliveries is likely to require additional deliveries to the site, and smaller concrete pouring vehicles this would be required in order to minimise both the impact of vehicles having to wait and obstruct Botley Road, but also to ensure they are able to exit the highway to use the construction site.
- 8.5 The Construction Site Layout Plan also makes provision for on-site car parking for three contractors, thereby ensuring no obstruction of the surrounding road network.
- 8.6 This approach is considered acceptable. However, it is important to highlight to Members that if larger vehicles are used that require stopping and unloading on Botley Road, this would be outside the control of the Local Planning Authority.
- 8.7 **The storage of construction materials, plant and excavated materials:** The Construction Site Layout Plan shows a large area to the northwest corner of the site for the use as a material store and site compound. The site will also be bounded by secure heras fencing. The proposal is considered acceptable in this regard, and in accordance with Arboricultural Method Statement and Tree Protection Plan, there will be no storage of materials or of excavated materials within the root protection areas of adjacent protected trees.
- 8.8 **The siting of any temporary building:** No temporary buildings are shown on the submitted details. However, there would be space within the proposed

site compound area for a toilet and small site office if required. Site offices would however be unlikely for a single dwelling.

- 8.9 **The construction working hours:** The Construction Method Plan sets out the proposed working hours. These accord with the standard construction working hours condition normally imposed. The Reserved Matters application however also includes the provision of the Construction Working Hours condition.
- 8.10 In addition to the above, the Construction Method Plan makes provision for wheel washing of vehicles exiting the site in order to ensure minimal disruption to other road users along Botley Road, and the provision of a Temporary Traffic Regulation Order (TTRO) to close the footpath during the construction works.
- 8.11 Having regard to the above, it is considered that the Construction Method Plan and Construction Site Layout Plan are acceptable, and Condition 5 can be satisfactorily discharged.

b) Impact on Protected/Retained Trees

- 8.12 The site is heavily constrained by surrounding mature trees, including one large oak tree which will be located within the rear garden. In summary the following preservation orders are located around the site:
- a) **Individual Oak Tree (FTPO102_002)** – within proposed rear garden
 - b) **Individual Oak Tree (FTPO409_017)** – to southeast of site within rear garden of 28 Caigers Green
 - c) **Individual Oak Tree (FTPO409_016)** – to southeast of site within rear gardens of 28/30 Caigers Green
 - d) **Group of Poplar Trees (FTPO409_082)** – to the south of the site along the access road, running for a length of approximately 56 metres
 - e) **Individual Box Elder Tree (FTPO743_001)** – to the west of the site within rear garden of 274 Botley Road
 - f) **Individual Box Elder Tree (FTPO743_002)** – to the west of the site within rear garden of 274 Botley Road
 - g) **Group of Cypress Trees (FTPO743_004)** – on north side of access track within rear garden of 270 Botley Road, running for a length of approximately 13 metres; and,
 - h) **Individual Oak Tree (FTPO102_003)** – north of access track, close to junction with Botley Road, within rear garden of 270 Botley Road
- 8.13 Appropriate tree protection details were provided regarding the individual trees listed above to the satisfaction of the Council's Principal Tree Officer to ensure no harm to them during the course of the construction period.

However, the key areas of concern raised by the local residents relate to the need to install services and utilities and the laying of formal hardstanding along the 92 metre length of the access track between Botley Road and the eastern edge of the proposed driveway.

- 8.14 Those concerns raised by local residents were also raised by the Council's Principal Tree Officer following a review of the initial information submitted with the application. Further detailed information was provided, which included the provision of a trial pit excavation of the access track to establish the composition of the substrata. It was evident from the trial pit that the metalled surface of the footpath had been re-laid on several occasions resulting in many layers of tarmacadam and hardcore below the surface. These works had resulted in significant compaction of the ground which could result in many of the larger roots of the adjacent trees diverting away from the track to the softer ground around the area.
- 8.15 The Council's Principal Tree Officer acknowledges that whilst carrying out excavation works without causing harm to the protected trees is not necessarily straightforward, the excavation works are capable of being undertaken, under careful supervision and monitoring by arboriculturalists, without an unacceptable impact on the protected trees adjacent the access road.
- 8.16 As such, and in accordance with the detailed documents provided, the Council's Principal Tree Officer considers that Condition 6 can be discharged.

9.0 Summary

- 9.1 Notwithstanding the objections received, Officers are satisfied that the works to the accessway, including the laying of services, can be undertaken without causing unacceptable harm to adjoining protected trees.
- 9.2 Similarly the site can be developed in a way which minimises the impact upon neighbouring properties, highway safety and protected trees.

10.0 Recommendation

- 10.1 Approve the details pursuant to Conditions 5 (Construction Method Plan) and 6 (Arboricultural Impact Assessment and Method Statement) based on the following submitted documents:

- i) **Construction Method Plan (Document A111842), prepared by WYG, dated October 2020**
- ii) **Construction Site Layout (Drawing: A111842 – SK04)**

- iii) **Arboricultural Impact Assessment (Document MH/BotleyRoadr/o274/2603), prepared by Mark Hinsley Arboricultural Consultants Ltd (dated 20 December 2019)**
- iv) **Tree Protection Plan (dated 11.10.19)**
- v) **Addendum to existing Arboricultural Method Statement (Document MH/BotleyRoad(ro)274/Meth/2603), prepared by Mark Hinsley Arboricultural Consultants Ltd (dated 5 August 2020)**
- vi) **Arboricultural Method Statement Rev B (Document MH/BotleyRoadr/ServiceMeth/2603RevB), prepared by Mark Hinsley Arboricultural Consultants Ltd (dated 1 September 2020)**
- vii) **Existing and Proposed Utilities Plan (Drawing: A111842 – 101)**

11.0 Background Papers

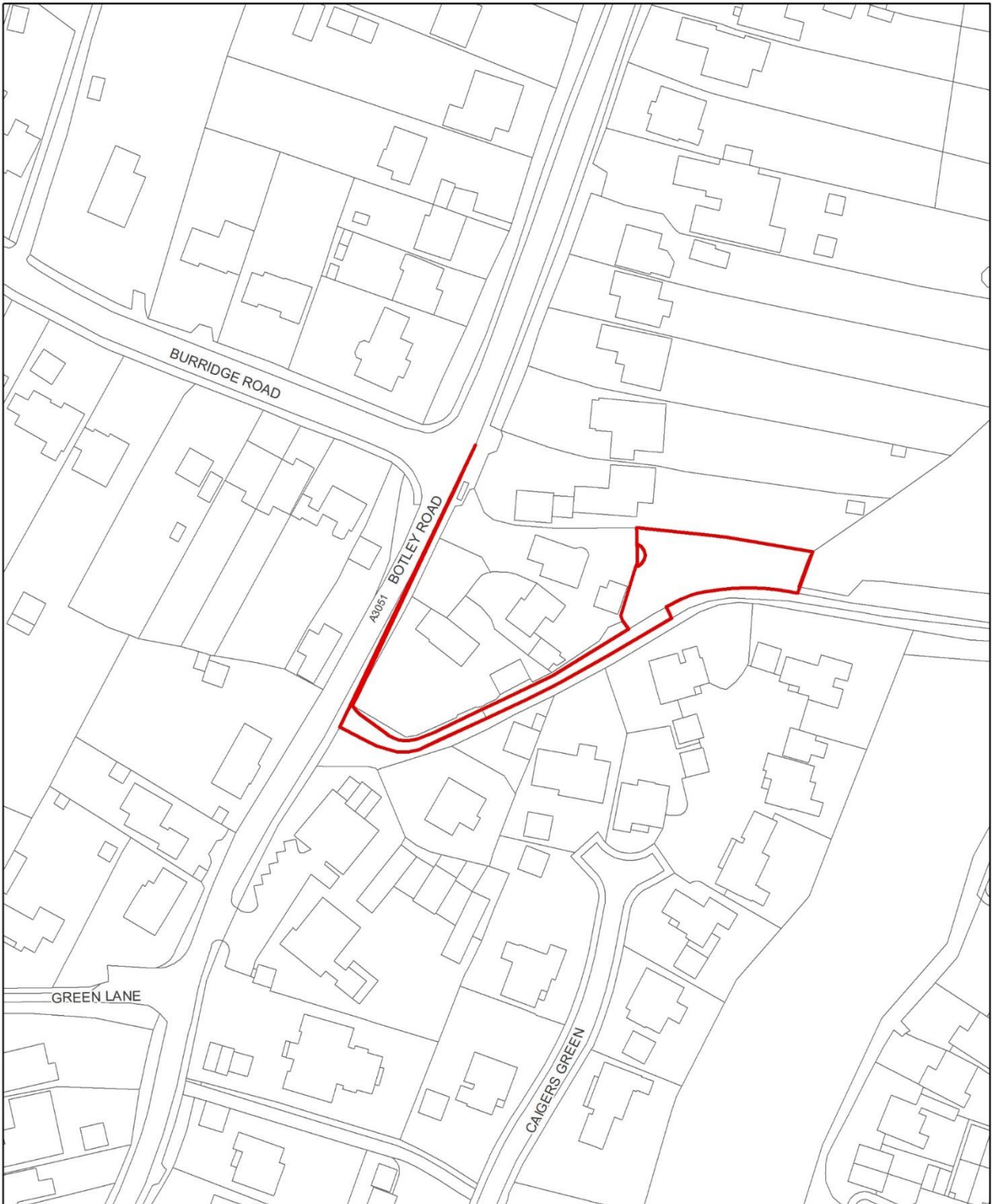
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Land to the rear of
274 Botley Road, Burridge
Scale 1:1250



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