

Response Note

Project:	Southleigh Park House Reserved Matters	Date:	6 November 2023
Subject:	Response to comments of consultant tree officer	Reference:	247805

Introduction

1. Following a consultation response by Havant BC's (consultant) tree officer to application APP/21/01451, dated 26 October 2023, the Bargate Homes project team has reviewed the comments made and provides a response commentary in this note.
2. It is recognised that the comments of the tree officer will require deliberation by planning officers and members alongside other material planning considerations for the site.
3. Importantly, we emphasise that the tree officer recognises that the site has an extant planning permission and confirms that *"the new scheme is certainly an improvement on previous submissions in terms of Arboricultural Matters"*.
4. The extant outline planning permission ref. APP/17/00863(B) proposed up to 70 new build dwellings, rather than the 41 units now proposed, and envisaged a much greater level of site vegetation clearance (to deliver a necessary quantum of homes to help to support the viability of a scheme that would restore and conserve the listed buildings on the site). A comparison plan has been prepared, and is attached to this note, to illustrate the significant change now proposed in terms of the increased overall level of tree retention. This change has been made in response to continuing local concern about the scale of tree removal originally proposed, and to seek to expedite a way forward before the planning permissions for the site lapse.
5. The tree officer confirms in his response that the submitted Arboricultural Impact Assessment (AIA) is professional and is fully compliant with the relevant British Standard (BS 5837).

The consultant tree officer's areas of concern

6. This response addresses each of the following matters raised by the council's tree consultant:
 - Trees and proposed building relationship
 - Approach to northern part of the site

- New planting, car parking areas
- New planting, pond area
- Replacement of trees lost due to their low vitality / vigour
- Overall net tree canopy loss

Trees and proposed building relationship

7. The consultant tree officer has stated an opinion that a number of proposed units in the scheme are in an unsustainable position in relation to the retained trees, and will result in pressure for excessive pruning / removal by future residents.
8. Future pressure of residents to prune or fell is very much down to individual opinions, but it is a valid concern to raise. This matter is covered in section 2.8 of the AIA and offers Bargate Homes' arboricultural consultant's analysis of the matter. This reads as follows:

If trees are retained or planted too close to occupied buildings and / or garden amenity space, it is sometimes claimed that they can cause excessive shade or anxiety, which interferes with the normal use of the property. In extreme cases, this can result in pressure from future owners to fell or severely prune, thus reducing the long-term contribution of the trees to local character. The counter position to this is that the benefits from trees close to occupied areas significantly outweigh any disadvantages caused by shade or anxiety, so there can be a range of perspectives. It is also relevant that important trees can be protected using tree preservation orders, which come with an overarching presumption to retain protected trees unless the normal use of the property is harmed to a significant extent. There is little published evidence to support either of the extremes, which means that each case must be intelligently assessed on its own merits and interpreted in the context of the experience of the assessor.

We have considered all the relevant issues in this situation and our assessment is that there will be no adverse impacts because of future pressure to fell or severely prune retained trees once the development is completed and occupied.

9. The team has gone to some lengths to minimise the risk of adverse impacts on local character from future pressure to fell and prune.
10. The new layout for the site has been developed with a lead from the project arboricultural consultant. The approach is to keep buildings and garden areas as clear of retained tree crowns as possible. There is some encroachment into root protection areas (RPAs), but this has been mitigated through the application of the 'special precautionary areas' shown in yellow on the submitted tree plan, which is compliant with BS 5837.
11. The site remains subject to the Tree Preservation Order (TPO) and the retained, existing trees are all deliberately kept within common areas of the site. Therefore all retained trees will fall within management company control with the opportunity to ensure an appropriate maintenance plan. The

maintenance plan could contain specific detail on particular trees should this be required.

Approach to northern part of the site

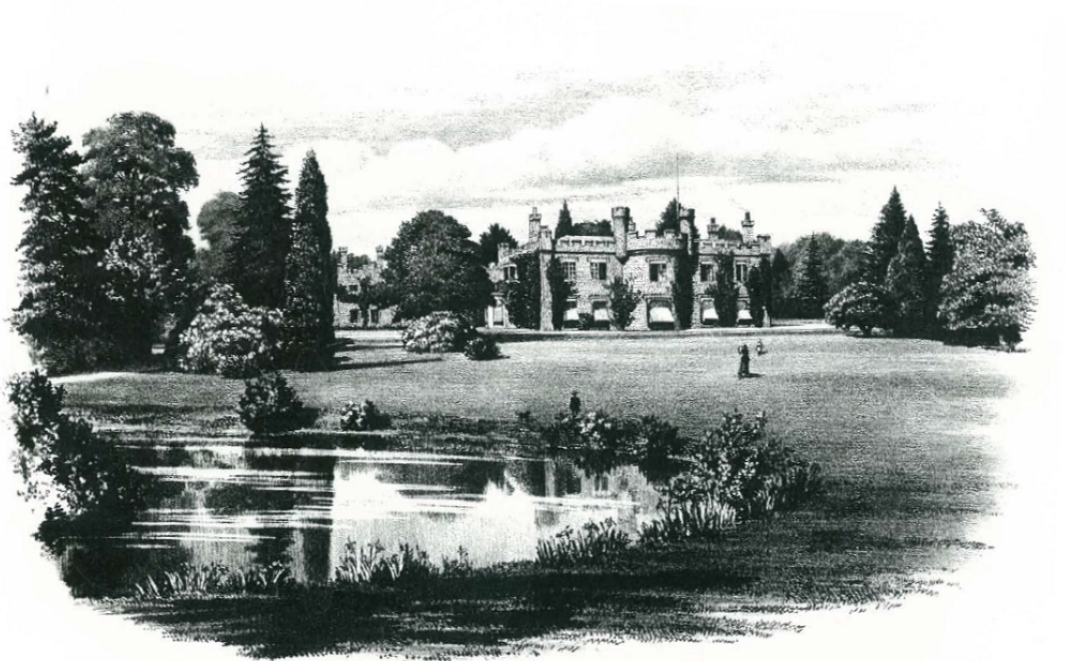
12. At a recent site visit the consultant tree officer introduced the idea of an opportunity to remove tarmac from the northernmost part of the site and to create a woodland walk. He expresses disappointment that a planted woodland walk has not been included in the submitted reserved matters scheme.
13. The design code identifies the northern part of the site as being part of 'Character Area 1' where objectives are to retain treed edges, enhance biodiversity, offer a 'woodland ride' characteristic, reinforce boundary vegetation with understorey planting, and enhance the setting of listed structures – specifically in this northern area the lodge and adjacent listed wall. The council's landscape officer has not raised any concern with the content of the design code in his response.
14. There are significant existing services beneath the tarmac 'road' in the northern part of the site that prevent this area being planted with trees. However, as confirmed by the submitted landscape plan, species rich mown grass is to replace the tarmac, to form the 'ride'. The intent is that the hardstanding will be carefully broken out to avoid harm to existing tree roots.
15. If needed there is further scope for the detailed planting scheme for the landscape ride to be revisited at planning condition stage, noting that a submission has not yet been made in respect of the soft landscape scheme condition of the outline consent.

New planting, car parking areas

16. The consultant tree officer identifies that the proposed areas for parking have minimal planting and considers there is missed opportunity for specimen trees to be included within this aspect of the scheme.
17. It is noted that the adequate provision of parking on site is essential given the site location and context. Parking areas have been designed to fit in, where possible, landscape strips and new tree planting. The parking areas do of course sit within the wider setting of retained mature trees and there is a balance between providing planting within the parking area versus minimising the extent of parking areas so as to retain the wider existing tree cover.
18. In respect of new tree planting within the developed area of the site there has been a need to manage the needs for proposed planting (with sufficient subterranean room to provide root volume to properly sustain trees) and avoid clashes with proposed drainage and services and foundations. The project landscape architect has confirmed that, on the basis of the existing built layout and associated site development density, there is no further room in parking areas to fit in additional large trees.

New planting, pond area

19. The consultant tree officer states that there is an opportunity for substantial planting around the pond area and “there is clearly scope for this to be capitalised on”.
20. The landscape approach to the surrounds of the pond is influenced by multiple considerations including existing tree retention, managing existing ecological habitat (and providing for localised biodiversity enhancement on the edge of the pond), and – importantly – retaining a ‘designed in’ view of the main house across the pond from the southern vehicular entrance area, arguably the most significant view towards the main house.
21. Whilst there may be scope to introduce additional large tree planting in this area, it is considered that this would be detrimental to appreciation of the house as a heritage asset. It would also be a shame in landscape terms for further tree planting to be proposed in this area that would obstruct views of the pond.



Historic plate (c. 1890): precise date unknown

Replacement of trees lost due to their low vitality / vigour

21. The consultant tree officer has identified that trees were agreed for removal due to their low vitality / vigour, however he states that there is no replacement for these lost trees shown in the plan.
22. The application approach has sought to find a deliverable balance between a number of issues, and not to attempt to further squeeze in new tree planting for plan presentation purposes that will be reduced back later due to engineering infrastructure etc. A robust and deliverable approach is being taken to tree retention and selective new tree planting.

23. The site's verdant character is being maintained through the retention of the existing boundary trees, with existing tree retention being to a significantly greater degree than was originally envisaged by the outline planning approval scheme. To further seek to replace all trees lost on the basis of their low vitality / vigour, on a 1:1 basis, is an entirely unrealistic proposition on this site. Selective replacement tree planting is shown within the site where appropriate to supplement boundary planting.
24. The site's future use will be entirely different to its current and historic use and this is why significant replacement planting is not feasible. People will be living on-site across 61 homes and the proposals seek to reach an appropriate balance between tree retention and providing living arrangements for new houses and gardens that benefit from natural light and are not subject to significant areas of shade. For this reason the layout does not propose, for example, new tree planting in gardens, and they can be removed easily by occupiers anyway. Occupants will benefit from the amenity of the wider tree setting which is part of the shared and managed landscape estate of the site.

Overall net tree canopy loss

25. The consultant tree officer states that the overall net tree canopy loss appears not mitigated for within the proposed new planting scheme, adding that "it would be interesting to see this undertaken as a study by the Applicant's Arboricultural Consultant".
26. It is considered that a canopy cover assessment is inappropriate in this case where the existing outline planning consent already permits the principle of significant tree reduction to accommodate a residential development, and accepts that this principle is an inevitable consequence of a necessary development approach to provide funding to protect the listed buildings of the site.
27. The need for 'balancing' as mentioned above is relevant, whereby Bargate Homes is seeking to create a pleasant and attractive living environment for residents which is not excessively shaded.

Conclusions

28. Southleigh Park House was developed as a mansion, with the original tree planting on site being purpose designed for ornamental purposes.
29. Over time, and with other recent users of the site including Plessey and Snell & Willcox, additional tree cover on the site has developed, much of it being the result of unplanned self-seeded growth, particularly on the site boundaries, which have provided screening alongside increasingly busy roads.

30. The proposals of Bargate Homes and Vivid are designed to bring new life to the site, providing a secure future for the listed buildings and creating attractive new living spaces for residents.
31. The comments of the tree consultant officer are understandable in the context of arboricultural matters alone, from the perspective of retaining as many trees as possible, and replacing lost trees with new. However the planning and design of the proposals has necessarily taken a more comprehensive approach which is balancing, for example:
 - Delivering a quantum of development that can incentivise Bargate Homes and Vivid to deliver the scheme to provide new homes and - most importantly - protect the listed buildings
 - Providing attractive living spaces for residents within the landscape setting of the mansion house and its gardens and retained mature trees of the site
 - Safeguarding vegetation cover for foraging wildlife including bats, and enhancing biodiversity features such as the pond.
32. The latest proposals for the site are the optimum that can be offered by Bargate/Vivid, who consider they are doing as much as they possibly can on trees, bearing in mind the above. There has been a delicate balancing of the site constraints and tree, landscape and engineering requirements to arrive at a scheme that is deliverable, with retained trees being properly protected and with proposed planting designed to survive and thrive.
33. It is noted that the consultant tree officer acknowledges that the new scheme is “certainly an improvement” on all previous submissions for the site, and that the original planning approval was granted notwithstanding his earlier and continued objection.
34. Further extensive planting (of additional quality trees that are able to develop into significant specimens) would have the arboricultural mitigation benefits that the consultant officer identifies, but they would render the scheme undeliverable in a practical commercial context.
35. As evidenced by the latest viability appraisal, the loss of 29 no. private sales dwellings is causing viability issues for the development. No further units can be lost. If the site is not developed as intended in principle by the original grant of planning permission, and the future of the listed buildings is not addressed through this current opportunity, then there is real concern about their protection.