



IAIN TAVENDALE F.Arbor.A.

ARBORICULTURAL CONSULTANT

Town & Country Planning Act 1990 (As Amended)

Planning Appeal

By Wain Homes (North West) Limited.

Against the Refusal of Full Planning Permission

By High Peak Borough Council

For a Residential Development of Land at Dinting Vale, Dinting,

Glossop, Derbyshire, SK13 6PA.

**Rebuttal by Iain Tavendale F.Arbor.A. to
Arboricultural Issues in the Proof of Evidence
prepared by Mr. B O'Brien – Planning Witness on
behalf of High Peak Borough Council.**

Pins Ref: APP/H1033/W/24/3339815

LPA Ref: HPK/2022/0456

1. Introduction.

1.1 This rebuttal seeks to address the most relevant matters raised by Mr O'Brien in respect of arboricultural issues. Should points not be responded to, this is not because they are agreed.

2. Evidence in Relation to Arboricultural Matters.

2.1 Mr O'Brien states in 3.11 that:

2.2 *"My remit is to provide evidence on planning matters only; I shall rely upon statutory consultee comments as evidence in relation to arboriculture matters."*

2.3 Whilst the Arboricultural Officer did provide statutory comments, it is pertinent to note that the Planning Officers also made judgements and gave consideration to arboricultural matters as clearly stated in section 8.10 of my Proof of Evidence.

3. Policy EQ9 (CD 4.7).

3.1 Within para 5.6, Mr O'Brien notes that the supporting text of EQ9 advises that because many newly planted trees do not survive, new developments are required to replant twice the number of trees that are removed as this will ensure adequate replacement tree growth.

3.2 In respect of the compensatory Woodland Mix (in the area along the proposed access road from the A57 to the development platform) 1665 whip sized trees are proposed. See Drawing 201 Rev. J (**CD 2.106**). From my own personal experience of forest and woodland planting, I would expect a success rate in excess of 90% and that with the plantings being "beaten up" (trees checked for health and viability) after 12 months and any failures replaced, the success rate would be even greater.

3.3 Whilst larger trees are more difficult to establish, more so as size increases, nevertheless with the right tree in the right location, good ground preparation and correct maintenance, it would be expected that any success rate would be significantly higher than 50%.

3.4 The Council have indicated that a contribution of £19,840 ought to be secured for maintenance of trees and correctly implemented, such works would maximise the establishment of trees.

3.5 Proposed Planning Condition 55 provides what, in my view, is a standard type of condition that states that any trees that fail to survive or achieve reasonable establishment within 5 years of completion of planting must be replaced with trees of the same size, species and quality as previously approved.

3.6 Effectively therefore it would be expected that the majority of trees planted would achieve good establishment. The requirement of 2:1 replacement planting to cover for losses is therefore unnecessary having regard to the safeguards to be imposed and set out above.

4. Arboricultural Officer Comments.

- 4.1 In para 5.9 Mr O'Brien details the appellants proposed replacement scheme consisting of the commuted sum of £92,240, and in para 5.10 states that the Arboricultural Officer was consulted on the revised plans and made his final comments.
- 4.2 In the following three paras 5.11, 5.12 & 5.13 Mr O'Brien states that the Arboricultural Officer objected to the proposed scheme, recommended further replanting, estimated the cost of such works and recommended an increased commuted sum for management.
- 4.3 Unfortunately, Mr O'Brien fails to record that, as detailed in para 8.10 of my Proof of Evidence, the Planning Officers agreed that within the viability constraints of the site such that the level of contribution sought by the Arboricultural Officer would not be viable.
- 4.4 Furthermore applying the provisions of Policy EQ9, Officers determined that 1:1 replacement planting would be justifiable.

5. Conclusions

- 5.1 It is reasonable to conclude therefore that EQ9 has been reasonably and fairly interpreted and that a policy compliant replacement planting scheme has been achieved.
- 5.2 The concerns expressed by Mr O'Brien in his conclusions are therefore unfounded.