

[REDACTED]

---

**From:** Karen Beare [REDACTED]  
**Sent:** 16 August 2017 14:45  
**To:** Planning  
**Subject:** 2017/3425/P - 53 Fitzroy Park N6  
**Attachments:** AIA review Landscape Planning Aug 17.pdf; AIA review Landscape Planning May17 53 FP.pdf; 20173425P Nick Bell email dd 16 Aug 17.pdf

I would be grateful if you could please individually upload these three further documents in support of our July objection to the above application.

Many thanks  
Karen Beare  
Chair FPRA

From: Karen Beare [REDACTED]  
Subject: 2017/3425/P - 53 Fitzroy Park, N6 6JA  
Date: 16 August 2017 at 14:33  
To: Nick Bell [REDACTED]  
Cc: Whittingham, Gideon [REDACTED] Steve Cardno [REDACTED]

KB

Dear Nick

I understand from Gideon's planning team you are currently the tree officer handling the above planning application.

Following correspondence with Gideon and Steve Cardno, where FPRA raised some very serious concerns regarding the accuracy of the information being provided by this Applicant to support the draft CMP and AIM, I am sending you two further reports by Margaret MacQueen of Landscape Planning. This is in addition to her report dated July 2016, which is also attached here for your information.

The key arboricultural and CMP concerns, many of which are inter-related, are summarised in the FPRA document below. Full details are in our letter dated 29 July 2017 which is now posted on the Council's web portal.

Briefly, the failure to adopt a baseline AIA tree survey, cross-referenced with an accurate topographical survey - prior to development plans being drawn up - has led to a series of fundamental inter-related flaws. Most notable of these is the failure of the architects to orientate and scale the proposed new dwelling in such a way as to provide sufficient access for the construction process to unfold without unacceptable arbo and CMP impacts. It has also resulted in the location of T1 & T2 moving on drawings to suit the latest draft CMP, along of course with their respective RPAs.

In 2015/16 we had concrete trucks conveniently shortened by 0.6m and miraculously jumping 0.5m to the side in order to leave without blocking the carriageway, when in actuality it takes 43 manoeuvres for each concrete truck to leave site.

In 2017 we have a new draft CMP detailing a "new" dog-leg loading platform that on closer scrutiny fails to mention it is actually split level. The draft CMP provides no explanation how ground levels for half of it will be back filled by 2.2m, inches from T2. The draft CMP also relies heavily on a retaining wall that does not exist as drawn, that from an arbo perspective, Mr Hollis unfortunately relies on to re-draw the RPA of T2 being contained by it. His doing so contradicts the original 2012 Arbtac tree survey (accepted as accurate by the Council in all previous applications) that shows its RPA spreading across the entire loading platform with no such retaining wall.

Furthermore, an extended arbo survey for the road has not been undertaken despite Mr Hollis himself admitting at a neighbouring site, where he is also the tree consultant, this is a British Standards requirement, particularly when the CBR ratio for the carriageway is 2-3%, which FPRA have now demonstrated it is for Fitzroy Park. The proposed HGV weight loading for the project is in the region of 15,000 tonnes, more than twice any previous development in Fitzroy Park equating in real terms to 40 fully-laded jumbo jets. As a consequence more than two dozen high-amenity privately owned trees are at risk from sub-soil root compaction as detailed in Ms MacQueen's reports. Yet no attempt to describe these significant impacts or propose realistic mitigation measures has been made by this Applicant's consultants.

FPRA also notes the use of two spider cranes to facilitate the construction process on a site where there is a 30 degree slope with level differentials of circa 5 metres between the road and the garden below. Yet the draft CMP does not take any account of how one or both cranes boom heights of 17m and 31m, will impact on the adjacent canopies of the small number of trees retained, but particularly T2 & T1. And finally, we note that previous tree works on site make reference of a number of TPOs, including T1, but no mention of these is made by Mr Hollis of Landmark Trees.

The record shows this is the fifth attempt this Applicant has made to produce a factually correct and reliable draft CMP, coupled with an AIA/AIM, on which Members can rely to ensure no harm is done to the local tree-scape in this part of the Highgate Conservation Area. Once again they have failed to achieve this in all sorts of serious ways. While we accept that the Councils' "normal" strategy is to defer CMP details and then package them in a S106, given the loss of trust engendered by the on-going site "anomalies" and the real risk of harm, we are formally requesting all relevant documents are "front-loaded" as they have been done for the Water House application. Under these circumstances, at a minimum, the Applicant should be

required to provide a full extended arboricultural survey from the site to Merton Lane and an amended AIA/AIM to accurately reflect site conditions and tree locations in relation to the proposed loading platform.

We would be grateful if you could acknowledge this letter and respond once you have had an opportunity to assess the information provided. Thank you.

With regards  
Karen Beare  
Chair FPRA

FPRA Summary objections



2017/3425/P -  
FPRA Summary objections.pdf

Landscape Planning (3) attachments: July 2016; July 2017 and August 2017.



AIA review  
Landscape Planning 17.pdf



AIA review  
Landscape Planning FP.pdf



AIA review  
Landscape Planning 16.pdf





10 August 2017

**Our Ref: 68936/No 53 Fitzroy Park  
Council Ref: 2017/3425/P**

Mrs Karen Beare  
FPRA  
Dormers  
Fitzroy Park  
London

Dear Mrs Beare,

**Re: Site at 53 Fitzroy Park, London, N6 6JA**

**Erection of a three storey single family dwelling, including green roofs at first floor level, solar panels at roof level and associated landscaping, following the demolition of the existing part-two, part-three storey dwelling (Class C3)**

#### **Summary**

This is an ongoing review issued to the Fitzroy Park Residents Association. Further to recent instructions resulting in my report dated 23 May 2017, I have again reviewed all of the new material available on LB Camden's website in relation to the consultation on the revised proposals for No 53 Fitzroy Park, reference 2017/3425/P.

The 2017 revisions in relation to the approval granted under 2015/0441/P are being presented as being of real benefit or advantage because the extent of excavation and resulting spoil needing to be removed is "*substantively reduced*".

We are advised that the CMP pro-forma and draft CTMP have been "*comprehensively updated*" as a result. In my professional capacity as an Arboriculturist, I disagree with any opinion that suggests that the draft CTMP demonstrates a meaningful reduction in vehicular pressure on the tree'd character of the private road.

May I refer FPRA to my earlier observations in the AIA in relation to the private road commissioned by FPRA in July 2016 and my subsequent report to FPRA in May 2017 as background to the following comments.

A Limited Company Registration: 05141850  
Registered Office: 2 The Courtyards, Phoenix Square,  
Wyncolls Road, Severalls Park, Colchester, Essex, CO4 9PE

VAT Registration Number: 566574437

**Tel: 01206 752 539**  
Email:  
[info@landscapeplanning.co.uk](mailto:info@landscapeplanning.co.uk)  
Website:  
[www.landscapeplanninggroup.co.uk](http://www.landscapeplanninggroup.co.uk)





## **No 53 Fitzroy Park**

### **Summary: continued**

I have here focused on reviewing the documents listed on the Council's website for new or supplementary information on behalf of the applicant that demonstrates movement in recognizing the significant constraints posed by the private road in relation to the redevelopment proposals.

In short, there is a wholly misplaced optimism by those parties advising the applicant that the redevelopment of No 53 can occur within tolerable limits of disruption to other residents or to the locality. This proposal will harm the character of the private road and the privately owned frontages, which afford visual amenity to all those using the road.

In my opinion, the harm that will be caused to the privately owned and maintained road is reason to refuse 2017/3425/P (as was the case at the Water House).

### **Review**

I have reviewed some reports updated in 2017, namely the following:

- 1] The Landmark Trees AIA ref WFA/53FZP/AIA01f - 1st March 2017
- 2] The Landmark Trees AMS ref WFA/53FZP/AMS/01e - 1st March 2017
- 3] ABA Report on the Basement Proposals - April 2017
- 4] Litchfields revised Planning and Heritage Statement - 09/06/2017
- 5] Highgate Society comments - 27/07/2017
- 6] WSP/PB Construction Traffic Management Plan Technical Review - 28/07/2017
- 7] FPRA observations - 29/07/2017

I looked back to the following:

- 8] The Arbtech Environmental Services ADR 90764 Rev C - 7 October 2010
- 9] The Arbtech Environmental Services AMS 0039 7 - October 2010
- 10] The Landmark Trees AIA ref WFA/53FZP/AIA01d - 12<sup>th</sup> December 2014
- 11] The Landmark Trees AMS ref WFA/53FZP/AMS/01b - 12<sup>th</sup> December 2014
- 12] Soil Consultants Fitzroy Park CBR testing - May 2016

A Limited Company Registration: 05141850  
Registered Office: 2 The Courtyards, Phoenix Square,  
Wyncolls Road, Severalls Park, Colchester, Essex, CO4 9PE

VAT Registration Number: 566574437

**Tel: 01206 752 539**  
Email:  
[info@landscapeplanning.co.uk](mailto:info@landscapeplanning.co.uk)  
Website:  
[www.landscapeplanninggroup.co.uk](http://www.landscapeplanninggroup.co.uk)





## **No 53 Fitzroy Park**

### **BS 5837:2012 Trees in relation to design, demolition and construction - Recommendations:**

The importance of adhering to the Guidance in the above British Standard in relation to section 4 "Feasibility: surveys and preliminary constraints" has not been applied with consistency.

#### **4.4 Tree Survey**

4.4.1.1 says that the tree survey should be used to inform feasibility studies and design options.

The locations of T1 and T2 appear in different positions on the draft CTMP drawings and in the Outline AMS drawings. This should not be the case; the fact that there are conflicting base plans in circulation confirms that no baseline tree survey has been adopted for the development.

Comparisons between tree plans in 2017 and the original Sept 2013 Arbtec survey demonstrate that the two surveys not only locate T1 & T2 in slightly different locations but the Arbtec survey represents significantly larger RPAs for each tree that spread over the footprint of the proposed loading platform.

The RPAs in the 2017 AIA are visible, but in the 2017 AMS they are not shown.

#### **4.5 Tree categorisation method**

I note that the underpinning tree survey for both the arboricultural submissions in 2014 and 2017 was carried out in September 2013. The categorization placed both trees as "B2". In other words, according to the British Standard "*trees of moderate quality with an estimated remaining life expectancy of at least twenty years.*"

It is unclear why a plan in the Outline Arboricultural Method Statement dated 1<sup>st</sup> March 2017 downgrades T2 to a C2 tree in 3.5 years, reducing it to a tree "*of low quality with an estimated remaining life expectancy of at least 10 years.*"

No explanation has been provided by Landmark Trees as to why this is the case.

A Limited Company Registration: 05141850  
Registered Office: 2 The Courtyards, Phoenix Square,  
Wyncolls Road, Severalls Park, Colchester, Essex, CO4 9PE  
VAT Registration Number: 566574437

**Tel: 01206 752 539**  
Email:  
[info@landscapeplanning.co.uk](mailto:info@landscapeplanning.co.uk)  
Website:  
[www.landscapeplanninggroup.co.uk](http://www.landscapeplanninggroup.co.uk)





## **No 53 Fitzroy Park**

### **4.6 Root protection area**

We read in the British Standard that the RPA for single stemmed trees needs to be calculated by multiplying the stem diameter by 12. As such, Sycamores T1 and T2 need a protection radius of 4.6m and 5.2m respectively.

This area should be sacrosanct in terms of avoiding any pressures caused by any form of development operation. Instead, the loading platform is to be designed and installed within the RPA of T2.

In my view, it places the reasonable retention of Sycamore T2 beyond any sensible expectation. The gross intensification of engineering operations in the immediate vicinity of T2 for such a long period of time will mean that the tree will succumb to the effects of raised soil levels, piling through its root system and the consistent pressure of vehicular movements.

### **The “Retaining Wall”**

It is clear that much is expected of the performance of the “retaining” wall; however, we know nothing of any investigation to confirm it is actually a site feature, and nothing of the wall’s structure or its anticipated resilience to so many intensive development operations in close proximity.

We are told that the “retaining” wall is to be strengthened both due to the need to support the junction with the private road and because ground levels are to be made up to create the “dog leg” of the loading platform.

The Council would be well advised to place little store by any claim that the wall has and will continue to act as a form of root barrier. I have direct experience in the immediate vicinity of No. 53 of another case where a leading arboricultural consultancy made a significant operational mistake in anticipating that a wall was acting as a root barrier.

In my view, any attempt to limit or amend the extent of the RPA of T2 in the 2013 study by claiming the wall is acting as a retaining wall would need to be supported with full details of the location, height and depth of footings of said proximate wall.

A Limited Company Registration: 05141850  
Registered Office: 2 The Courtyards, Phoenix Square,  
Wyncolls Road, Severalls Park, Colchester, Essex, CO4 9PE

VAT Registration Number: 566574437

**Tel: 01206 752 539**  
Email:  
[info@landscapeplanning.co.uk](mailto:info@landscapeplanning.co.uk)  
Website:  
[www.landscapeplanninggroup.co.uk](http://www.landscapeplanninggroup.co.uk)







## No 53 Fitzroy Park

### The “Retaining Wall”: continued

I would again refer you to “Tree Root Systems”, the AAIS research note. I quote:

*“roots meeting such obstacles are typically deflected by them and once clear of the obstruction they often resume their original direction of growth”*

### The Loading Platform

Desk-study scrutiny of the loading platform drawings shows it is split level (this is backed up by analysis of photographs provided by FPRA). There are no details provided of how levels will be raised by 2.2m in T2’s RPA, particularly given that there is no evidence of a retaining wall as drawn, plus the real risk that any significant new foundations to retain the 2.2m will cut into T2’s RPA.

Given the location of T2, the final level of the platform will be in the extremely close proximity to T2, presumably with soil levels adjacent to the trunk being 2.2m higher. In the absence of any details to say how this conflict will be resolved, it has to be highlighted as a significant construction impact.

Arboricultural impacts on retained tree canopy arising from locating one of two spider cranes on a road level loading platform have not been considered. Booms are respectively 70 & 31 metres in length (based on CMP data), so there has to be real risk of damaging retained tree canopy when operating in the surrounding air space.

### TPOs and Planning Policy Context

Previous arboricultural applications on site indicate a number of trees on site have TPOs on them (including T2), yet it is difficult to find any mention of this fact in 2017 tree reports. TPO status clarification is required.

I have noted that the Highgate Society have made a very interesting point in their objection. Since the 2015 submission was granted in 2016, the Highgate Neighbourhood Plan has been successfully adopted and is now live.

A Limited Company Registration: 05141850  
Registered Office: 2 The Courtyards, Phoenix Square,  
Wyncolls Road, Severalls Park, Colchester, Essex, CO4 9PE

VAT Registration Number: 566574437

Tel: 01206 752 539  
Email:  
[info@landscapeplanning.co.uk](mailto:info@landscapeplanning.co.uk)  
Website:  
[www.landscapeplanninggroup.co.uk](http://www.landscapeplanninggroup.co.uk)





### **No 53 Fitzroy Park**

Litchfields refer to their Planning and Heritage Statement as “revised”; however, the Agent has not taken this into account when stating the submission is the same as before. The submission should be judged afresh, looking at all of the current policies. Particularly since the Highgate Neighbourhood Plan covers a lot about trees and overdevelopment.

### **Failure to Provide an Extended Arboricultural Survey along the Access Route**

The applicant's advisors continue to not acknowledge the investigations carried out on the access route and the resulting details of the CBR report, and so the real risk of sub soil compression of RPAs of trees located adjacent to the access route.

This is surprising, given that the applicant's arboricultural consultant has agreed that an expanded access route arboricultural survey should be carried out for the Water House and the Millfield Lane access where Landmark Trees are also the arboricultural consultants.

The estimated HGV weight loading (circa 15,000 tones), coupled with a 2-3% CBR, requires significant and urgent further investigation due to the risk of RPA compression of the 25+ trees at depth, leading to inevitable harm being caused to the character of Fitzroy Park as the trees fail in the following years.

### **Use of Conditions**

We all know from very similar technical arguments aired in relation to other development sites in the vicinity of No. 53 how aspirational claims that damage can be controlled or minimised do not translated into the application of “SMART” planning conditions as per the use of planning conditions in the National Planning Policy Framework and its Guidance, a point also noted by the WSP analysis of the draft CMP.

There are too many references to detail being supplied later by condition. This is a request for a new full planning permission and there is still no engineering assessment of the private road network and the nature of the upgrade anticipated by the applicant's advisers.

A Limited Company Registration: 05141850  
Registered Office: 2 The Courtyards, Phoenix Square,  
Wyncolls Road, Severalls Park, Colchester, Essex, CO4 9PE  
VAT Registration Number: 566574437

**Tel: 01206 752 539**  
Email:  
[info@landscapeplanning.co.uk](mailto:info@landscapeplanning.co.uk)  
Website:  
[www.landscapeplanninggroup.co.uk](http://www.landscapeplanninggroup.co.uk)





### **No 53 Fitzroy Park**

The use of post-consent conditions are not acceptable given the demonstrable risks that the CMP or AMS have failed to mitigate despite numerous attempts over 5/6 years. At a minimum, the current submission needs a full extended arboricultural survey, plus outline plans for re-engineering the road to show this can be done without risk to existing RPAs.

These should be provided, together with reliable and detailed AMS drawings informing the CMP, which accurately represent what is actually on site.

### **Conclusions**

It is very disappointing to see that so little has been done by way of simple steps like presenting a complete tree survey covering all trees and hedges impacted by the development proposal.

It is clear that that this proposal will cause unacceptable loss of high value trees to the area, with associated loss of amenity to the Conservation Area

This submission should be refused.

We trust that the above information is of assistance. If you have any further queries regarding this matter, then please do not hesitate to contact us.

Yours sincerely,



Margaret MacQueen BSc CBiol MRSB MICFor CEnv MAE MEWI  
**Principal Consultant Arboriculturist**  
**Landscape Planning Group Ltd**  
**(including Landscape Planning & OCA)**  
Arboriculture . Ecology . Landscape . Forestry



A Limited Company Registration: 05141850  
Registered Office: 2 The Courtyards, Phoenix Square,  
Wyncolls Road, Severalls Park, Colchester, Essex, CO4 9PE

VAT Registration Number: 566574437

**Tel: 01206 752 539**  
Email:  
[info@landscapeplanning.co.uk](mailto:info@landscapeplanning.co.uk)  
Website:  
[www.landscapeplanninggroup.co.uk](http://www.landscapeplanninggroup.co.uk)





23 May 2017

**Our Ref: 68936/No 53 Fitzroy Park**

Mrs Karen Beare  
FPRA  
Dormers  
Fitzroy Park  
London

Dear Mrs Beare

**Re: No. 53 Fitzroy Park Proposals for Revised Development Notice of Forthcoming Consultation [NLP-DMS.FID410472]  
Report to FPRA the revised proposal at the site of No 53 Fitzroy Park**

#### **Summary**

Further to my recent instructions I have reviewed all new material in relation to the anticipated consultation on the revised proposals for No 53 Fitzroy Park.

I note there is to be a consultation on the new scheme, which will have an identical appearance to that already approved but with the basement level removed.

This change causes the need to review various issues including the piling design; slope stability measures and the impact on boundary vegetation.

This change is being presented as of real benefit or advantage because the extent of excavation and resulting spoil needing to be removed is "*substantively reduced*"

As a result building materials being delivered to the site are reduced. So it is anticipated that a reduction of at least 20% in vehicle journeys will occur.

What we are told is that the CMP pro-forma and draft CTMP have been "*comprehensively updated*" as a result.

A Limited Company Registration: 05141850  
Registered Office: 2 The Courtyards, Phoenix Square,  
Wyncolls Road, Severalls Park, Colchester, Essex, CO4 9PE  
VAT Registration Number: 566574437

**Tel: 01206 752 539**  
Email:  
[info@landscapeplanning.co.uk](mailto:info@landscapeplanning.co.uk)  
Website:  
[www.landscapeplanninggroup.co.uk](http://www.landscapeplanninggroup.co.uk)





## **No 53 Fitzroy Park**

I am not going to repeat the observations I have already made earlier in the AIA in relation to the private road commissioned by FPRA in July 2016. I have focused on reviewing the additional material for new or supplementary information, which demonstrates a real improvement in recognizing the significant constraints posed by the redevelopment proposals.

I find nothing at this stage that leads me to suggest anything other than this proposal will (continue) cause demonstrable harm to the sylvan character afforded by the trees and frontage hedges in the immediate vicinity of the FPRA owned and managed private road.

### **Review**

I am asked to review a number of specific issues in relation to material available in 2016 and some reports updated in 2017 disclosed to me by the FPRA. Notably:

- 1] Officer report to DCC January 2016
- 2] WSP/PB Construction Traffic Management Plan Technical Review 06/01/2016
- 3] WSP /PB Swept Path Analysis statement 18/01/2016
- 4] Soil Consultants Fitzroy Park CBR testing dated May 2016
- 5] s106 Agreement July 2016
- 6] The Knight Build Construction Management Plan dated January 2017
- 7] Elliottwood Structural Engineering Design and Construction Method Statement February 2017
- 8] ABA Report on basement proposal No 53 Fitzroy Park dated March 2017
- 9] The Landmark Trees AIA ref WFA/53FZP/AIA01f dated 1st March 2017
- 10] The Landmark Trees AMS ref WFA/53FZP/AMS/01e dated 1st March 2017

### **Officer Report January 2016**

Section 6 on assessment reviews the main material considerations prior to determining the application 2015/0441/P which was approved subject to the provisions of the s106 Agreement.

I have a number of concerns validated by the ABA report March 2017 with reference to the impacts on the feasible retention of the remnant boundary trees .

A Limited Company Registration: 05141850  
Registered Office: 2 The Courtyards, Phoenix Square,  
Wyncolls Road, Severalls Park, Colchester, Essex, CO4 9PE

VAT Registration Number: 566574437

**Tel: 01206 752 539**  
**Email:**  
[info@landscapeplanning.co.uk](mailto:info@landscapeplanning.co.uk)  
**Website:**  
[www.landscapeplanninggroup.co.uk](http://www.landscapeplanninggroup.co.uk)





## **No 53 Fitzroy Park**

We read at 6.43 of the officer report that in the context of " *the mature row of trees*" that the outlook of the properties located opposite the site on the east side of Fitzroy Park would by deduction not be harmed.

I disagree: the level of intensive vehicular movements and associated enabling works required to strengthen the site boundary with the private road will result in unacceptable harm to the site frontage .In particular to the land in which the remaining boundary trees are rooting.

So the erosion of the original tree population will continue. It is unacceptable at this stage in the process for the applicants advisors to have not completed the survey of all the trees and frontage hedgerows as a very necessary part of a review of construction impacts of the proposal on what will be directly affected trees and hedgerows.

I note at 6.60 that the Council were minded to say " *it should again be reiterated that this is a draft CMP proposal*" I am advised that there is a great deal of work to do to secure a CMP that is satisfactory to the FPRA. .It has not been demonstrated by the draft CMP that the private road network which in essence is what is integral to enabling the site development will not be harmed by the intensification of use.

### **Impacts arising from the intensification of use of private road network and**

#### **1] Reviews by WSP/Parsons Brinckerhoff January 2016**

#### **2] Review by Soil Consultants May 2016**

#### **3] Review by ABA March 2017**

I refer here to the LPG arboricultural implication assessment of the private road network commissioned in July 2016 by FPRA.

A Limited Company Registration: 05141850  
Registered Office: 2 The Courtyards, Phoenix Square,  
Wyncolls Road, Severalls Park, Colchester, Essex, CO4 9PE  
VAT Registration Number: 566574437

Tel: 01206 752 539  
Email:  
[info@landscapeplanning.co.uk](mailto:info@landscapeplanning.co.uk)  
Website:  
[www.landscapeplanninggroup.co.uk](http://www.landscapeplanninggroup.co.uk)





### No 53 Fitzroy Park

There is a continued absence by the applicants advisors that their own work should be extended to commission a comprehensive assessment of the disproportionate pressures which will be caused by this application on the private road [ and services beneath ]

FPRA's own analysis in light of concerns expressed by commissioned reviews highlights that the projected intensification of HGV traffic is x 4 anything previously seen . The projected levels of use includes the stated 20% saving resulting from there being no basement and the regrading exercise.

Assertions made that the private road will not be harmed by the intensification of traffic have to be seriously doubted in the absence of any detailed cbr assessment by the applicants advisors. Or any consideration given to the application of ground penetrating radar to map the location and density of roots beneath the private road.

As we know from very similar technical arguments aired in the relation to other development sites in the vicinity of No 53 how are merely aspirational claims that damage can be controlled or minimized actually translated into the application of "SMART" planning conditions as per the use of planning conditions in the National Planning Policy Framework and its Guidance.

We have referred before to the excerpt below taken from an accessible commercial web site commentary on the use of road plates :

- i) *For wheeled or tracked construction traffic exceeding 2t gross weight, an alternative system (e.g. proprietary systems or pre-cast reinforced concrete slabs) to an **engineering specification** designed in conjunction with arboricultural advice, to accommodate the likely loading.*

The entire redevelopment scheme has to be facilitated by a never before experienced intensification of use of the private road network by loaded vehicular weights including 24 tonnes concrete delivery vehicles.

A Limited Company Registration: 05141850  
Registered Office: 2 The Courtyards, Phoenix Square,  
Wyncolls Road, Severalls Park, Colchester, Essex, CO4 9PE

VAT Registration Number: 566574437

Tel: 01206 752 539  
Email:  
[info@landscapeplanning.co.uk](mailto:info@landscapeplanning.co.uk)  
Website:  
[www.landscapeplanninggroup.co.uk](http://www.landscapeplanninggroup.co.uk)





## No 53 Fitzroy Park

There are too many references to detail being supplied later by condition. This is a request for a new full planning permission and there is still no engineering assessment of the private road network and the nature of the upgrade anticipated.

It is unacceptable for the Applicant's team to have so many tree related matters lacking full assessment. I quote from BS5837 2012 at 4.4.1.3;

*"Where proposed development is subject to planning control, a tree survey should be regarded as an important part of the evidence base underpinning the design and access statement. According local planning authorities should not rely on planning conditions to secure a tree survey as by this stage in the formal planning process its findings might not be capable of influencing design, potentially **resulting in uncontrolled arboricultural impacts**"*

It is interesting to note that Paragraph 203 of the National Planning Policy Framework states

*"Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions"*

Paragraph 206 of the National Planning Policy Framework states

*"Planning conditions should only be imposed where they are:*

*necessary;*

*relevant to planning and;*

*to the development to be permitted;*

*enforceable;*

*precise and;reasonable in all other respects."*

A Limited Company Registration: 05141850  
Registered Office: 2 The Courtyards, Phoenix Square,  
Wyncolls Road, Severalls Park, Colchester, Essex, CO4 9PE

VAT Registration Number: 566574437

Tel: 01206 752 539  
Email:  
info@landscapeplanning.co.uk  
Website:  
www.landscapeplanninggroup.co.uk







## **No 53 Fitzroy Park**

### **Impacts arising from the proposed vehicle loading /unloading platform and**

#### **1] Review by ABA March 2017**

#### **2] Knight Build Construction Management Plan January 2017**

#### **3] Landmark Trees Outline Arboricultural Method Statement March 2017**

ABA in their March 2017 review at 4.7 "Construction Access" identify a number of apparently irreconcilable conflicts in relation to the proposed platform

- The new loading area appears to extend into the root protection area of T22

Yet Landmark Trees also say

- Construction vehicles should operate outside the root protection area

ABA further says under 4.7 " *the new platform will need to be a substantial structure and is shown to be supported on temporary piles*"

Knight Build say " *the platform will be a steel frame structure that will be supported on concrete piles*"

In view of the self evident pressures on viable tree retention on the site frontage it is not acceptable to consign designing this platform to some time later particularly if this is after anyone anticipates planning permission has been issued in relation to the revised scheme.

I regard the insertion of this proposed platform as a flawed proposal in the absence of delivery and construction details being available.

A Limited Company Registration: 05141850  
Registered Office: 2 The Courtyards, Phoenix Square,  
Wyncolls Road, Severalls Park, Colchester, Essex, CO4 9PE

VAT Registration Number: 566574437

**Tel: 01206 752 539**  
**Email:**  
[info@landscapeplanning.co.uk](mailto:info@landscapeplanning.co.uk)  
**Website:**  
[www.landscapeplanninggroup.co.uk](http://www.landscapeplanninggroup.co.uk)





## **No 53 Fitzroy Park**

### **Landmark Trees AIA and Outline AMS 1 March 2017**

The reference at 1.4 of the AIA and 1.3.3 of the AMS to "*the rooting areas of these trees will most likely have been restricted by the retaining walls*" is not acceptable. It amounts to unacceptable because of the risk of unquantifiable pressure that cannot be controlled by conditions once Planning permission has been issued.

It is factually incorrect for Landmark to suggest there will be fewer tree roots as a result of walls acting as root barriers so the trees will not be affected by an intensification of use at the site access. I would refer you to "Tree Root Systems" the AAIS research note I quote:

*"roots meeting such obstacles are typically deflected by them and once clear of the obstruction they often resume their original direction of growth"*

The observation in the AAISs research note is applicable anywhere in the private road network and its interface with boundary vegetation whether tree or hedging. There will be degradation of the surface of the road and unacceptable compaction of the top 500mm subsoil.

Without the private road being reengineered to a standard that can be demonstrated to handle the substantial weight loading of the construction process tree and hedge roots will be permanently damaged.

But the requirement to reengineer the road will in itself cause unacceptable damage to these tree and hedge roots and therefore cause long term harm to the character of the private road

### **Conclusion**

It is very disappointing to see that so little has been done by way of simple steps like presenting a complete tree survey covering all trees and hedges impacted by the development proposal.

It is clear that that this proposal will cause unacceptable loss of high value trees to the area with associated loss of amenity to the Conservation Area

A Limited Company Registration: 05141850  
Registered Office: 2 The Courtyards, Phoenix Square,  
Wyncolls Road, Severalls Park, Colchester, Essex, CO4 9PE

VAT Registration Number: 566574437

**Tel: 01206 752 539**  
**Email:**  
[info@landscapeplanning.co.uk](mailto:info@landscapeplanning.co.uk)  
**Website:**  
[www.landscapeplanninggroup.co.uk](http://www.landscapeplanninggroup.co.uk)

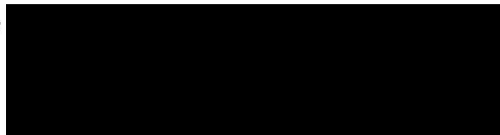




**No 53 Fitzroy Park**

We trust that the above information is of assistance: If you have any further queries regarding this matter then please do not hesitate to contact us.

Yours sincerely



Margaret MacQueen BSc CBiol MRSB MICFor CEnv MAE  
**Principal Consultant Arboriculturist**  
**Landscape Planning Group Ltd**  
**(including Landscape Planning & OCA)**  
Arboriculture . Ecology . Landscape . Forestry



A Limited Company Registration: 05141850  
Registered Office: 2 The Courtyards, Phoenix Square,  
Wyncolls Road, Severalls Park, Colchester, Essex, CO4 9PE

VAT Registration Number: 566574437

**Tel: 01206 752 539**  
Email:  
[info@landscapeplanning.co.uk](mailto:info@landscapeplanning.co.uk)  
Website:  
[www.landscapeplanninggroup.co.uk](http://www.landscapeplanninggroup.co.uk)

