

Gina Parle

From: Ian Kirby <ian@hdevans.co.uk>
Sent: 16 September 2020 11:00
To: Emma.Pickernell@cheltenham.gov.uk
Cc: Peter Frampton; Peter J Frampton
Subject: RE: Oakhurst Rise
Attachments: FLAC 38-1036 Response to BHA Review_150920.pdf; Relic Tree (extracted from BH report) 15 Sept 20.docx

Importance: High

Thank you very much Emma.

I attach a copy of the note sent to Chris Chevasse this morning by Julian Forbes Laird of FLAC, together with the photograph of tree 3021 mentioned in the document.

With kind regards

Ian

From: Emma.Pickernell@cheltenham.gov.uk <Emma.Pickernell@cheltenham.gov.uk>
Sent: 16 September 2020 10:52
To: ian@hdevans.co.uk; Peter.Frampton@framptons-planning.com
Subject: FW: Oakhurst Rise

Further to my conversation with Ian please see attached CBC tree officer comments and letter from CK Friends. These should be going on the website but appreciate there may be a bit of delay.

I look forward to receiving FLAC's comments asap.

Kind Regards,

Emma Pickernell
Senior Planning Officer
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Normal working hours:
Tuesday – Friday 9:15 – 14:45

Project Arboriculturist's Response

Introduction

1. I note that there is widespread common ground between us on arboricultural matters, including on the identification of ancient and other veteran trees, and on tree retention/ and removal outcomes arising from the proposals.

2. In light of this, BHA's concerns can be distilled to two matters:

- i) The concept of 'relic' trees; and
- ii) How the identified veteran trees would be safeguarded.

I discuss these matters in turn below.

Relic trees

3. The concept of the relic tree is a response to the simple fact that the size of a tree's stem is driven by the maximum size of its crown: the protection afforded by any multiplier of stem size must, therefore, relate to safeguarding the tree at its peak size and, it follows, peak biological activity.

4. To some extent, maintaining a maximum safeguarding distance for a tree that is only marginally smaller than its peak size is reasonable. But at some lesser size this ceases to make sense due to the progressive reduction of the biologically active space that accompanies a diminishing tree.

5. Thus, if a tree is a *relic* of its former self, it is reasonable and proportionate to adjust the safeguarding requirement to reflect the reduction in biologically-active space that accompanies this. The estimate of crown loss threshold is set at 75% such that where a tree bears 25% or less of its estimated former maximum crown size, it passes the threshold for relic status.

6. The best example of a relic tree on this site is the ash tree numbered 3021, a photograph of which helpfully appears on the front cover of BHA's *Arboricultural Review*. Looking at this image objectively, it is clear that this is a tree missing the vast majority of its crown, and which bears a stem subject to massive vascular dysfunction. As a greatly diminished specimen it would plainly be irrational to treat it as if it were at its full size.

7. Where a relic tree is present (in this case with trees 3007, 3021 and 3028), I recommend applying protection via the RPA principle, calculated from the maximum continuity of vascular function in the stem, out to a cap of 15m.

8. Whilst the *Standing Advice* does not refer to the relic approach, equally it is clear that it does not address situations, such as tree 3021, where large-stemmed trees bear minimal residual crowns: simply, this is a matter on which it is silent. As such, practical, professional judgment is both required and desirable.

9. This was the approach taken with the appeal scheme and was accepted by the Inspector:

At the Inquiry, it was equally established that there was no substantive dispute among the parties to the appeal that the root protection areas (RPAs) and veteran tree buffers (VTBs) of the trees proposed to be retained in the development have also been correctly defined in terms of BS5837 and Natural England Standing Advice (Appeal Decision 20 September 2019 para 59, page 8).

Safeguarding measures for veteran trees

10. The BHA reviewer identifies a number of areas where he considers veteran trees could be adversely affected by the proposed development. Planning conditions are proposed to ensure protection of existing trees during construction, the ground water arrangements associated with the development, and the future management of all trees.

11. Thus working space, hydrology and light pollution - raised as issues by BHA - are all subject to Conditions, within the compass of which further safeguarding details can be sought by the Council in due course. These details will be submitted to the LPA for their approval, which accordingly retains full control over both process and outcome.

Julian Forbes-Laird

BA(Hons), Dip.GR.Stud, MICFor, MRICS, MEWI, Dip.Arb(RFS)

15 September 2020

