

## SUMMARY

*I am Julian Forbes-Laird, arboricultural expert witness for the Appellant,*

*And I will say:*

- i) I am a highly-qualified arboriculturist of some thirty years' experience (JFL1). My evidence relates to arboricultural matters including the identification of ancient and other veteran trees.
- ii) I explain the planning policy position, at both national and local level, in relation to those aspects I cover. I discuss relevant aspects of national-level guidance, including Planning Practice Guidance on veteran trees (JFL6) and Standing Advice (JFL7) published by Natural England and Forestry Commission.
- iii) I describe the Appeal site and note that the majority of its boundaries benefit from a substantial presence of mature tree cover and that it slopes to the south within the eastern area, and to the west to the western area, with these two areas being separated by a grown-out hedgerow populated with mature, veteran and ancient trees (JFL4, JFL10).
- iv) I explain the methodology (JFL9) by which the latter have been identified and their buffer zones calculated, including the concept of the "relic tree", including details as to its scientific grounding.
- v) I provide a correlation between the FLAC tree survey and a Tree Preservation Order (JFL12) that is for the time being in force on ca. 45% of the trees on the Appeal Site.
- vi) My evidence discusses the previous, First Appeal Scheme and the findings of Inspector Sims, one of which was that ancient and other veteran trees on the site had been correctly identified by the applied methodology, and none had been missed.
- vii) I describe the current, Second Appeal Scheme and set out its arboricultural impact. This is identical to the First Appeal Scheme, save in two respects. Firstly, tree 3014 (TPO tree T11) is now proposed for retention. Secondly, a greater extent of tree group TG3005, the grown-out central hedge feature, is proposed for retention; 75% as opposed to 62.5% (JFL4). Both of these differences reduce the arboricultural impact of the proposals compared to those considered by Inspector Sims. Insofar as Inspector Sims considered the loss of 3014 objectionable, its retention now is a material improvement to the previous appeal position.
- viii) I explain that even greater protection has been afforded to ancient and other veteran trees under the current proposals (JFL5). Whilst the previous scheme was considered appropriate, it relied on a low number of minor incursions into veteran tree buffer zones. This was a second area where Inspector Sims had concerned, and it has been fully resolved (JFL5).

- ix) My evidence reviews the position of the Council (JFL13), which raised no tree-related objection, and of objecting parties, including the Woodland Trust (JFL14; my response at JFL15) and Ancient Tree Forum (JFL16; my response at JFL17). Both these organisations allege that additional veteran trees are present beyond those identified by me. However, I explain that in making this allegation they depart from the definition of veteran tree within the NPPF and that they run counter to their own published advice (JFL18). As such, I conclude that their objections should not attract material weight.
- x) The Rule 6 Party, “CK Friends” objects to the proposals and has sought professional advice (JFL19; my response at JFL20) from other arboriculturists, Barton Hyett Associates (“BHA”) who, like Inspector Sims, endorse the veteran tree identification methodology. I review criticisms of the Second Appeal Scheme in the BHA report and explain how they are unfounded. Specifically, I rebut their concern over the concept of the relic tree and their concerns over development impact on soil hydrology. In the final analysis, I show that BHA only raise one substantive issue: the reduced buffer zone for the relic veteran tree 3021, a matter covered by the scientific grounding for this concept.
- xi) I address the position of the Rule 6 Party on trees, as articulated both within its Statement of Case (its paragraph 3.8) and within our topic-specific Statement of Common Ground (JFL8, matters not agreed section). For each of the outstanding areas of disagreement, I provide an account of the Appellant’s position which fully addresses the position taken by CK Friends.
- xii) The final matter addressed is the disbenefit to the interests and well-being of the Irreplaceable Habitat trees by the current lack of informed management. I provide specific examples of this leading to habitat deterioration, contrary to the express will of government, and explain how a strongly beneficial effect of development would be the implementation of a Veteran Tree Management Plan (JFL21). I express my opinion that such a plan should be afforded very significant weight in the planning balance, as it relates directly to the preservation and enhancement of Irreplaceable Habitat.
- xiii) I conclude that the concerns raised by Inspector Sims are addressed in the Second Appeal Scheme, and that concerns raised by objectors are misplaced. Overall, I conclude that there are no tree-related reasons for withholding planning permission and accordingly I urge that the Appeal be allowed.