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Principal Project Manager (Development)
Exeter City Council
Paris Street
Exeter
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23rd July 2020.

Dear Howard,

Re: Planning Application 20/0691/FUL (Clifton Hill)

The Planning Application for development at Clifton Hill is recorded on the Exeter City Council (ECC) Planning website as being validated on 5th June 2020. The Application included a Tree Constraints Plan produced by Major Trees Ltd.

The Local Planning Checklist refers to provision of a '**Tree Survey and Arboricultural Constraints**' with further details provided within Supplementary Planning Guidance documents, including provision of information in accordance with BS5837.

Additional arboricultural information was provided on the ECC Planning website on 20th July, 11 days after the deadline for public review and comment had expired. The observations and comments below are based on the information available on the ECC Planning website at the time of writing.

Existing Tree Stock

30No. existing trees are recorded in the Arboricultural Impact Assessment (AIA) report with the majority of trees being graded as 'A' Category (high quality) or 'B' Category (moderate quality).

The AIA report states, '**The trees are all semi-mature from 1980s landscape planting and the loss of these 17 trees will have a moderate adverse arboricultural impact**'. However, Appendix A Tree Survey data states the existing trees include a large number of '**middle aged**' and '**mature**' Age Class.

The **estimated remaining contribution** of the existing trees in years, (as required under BS5837 4.4.2.5) in the absence of development, has not been provided. Many of the existing trees are potentially long-lived and could reasonably provide an important contribution for a further 50-100 years+.

The Clifton Hill site is located partly within the Belmont Conservation Area. Belmont Conservation Area Appraisal highlights the value of trees in '**softening the urban character and appearance**'.

The AIA report states there are no Tree Preservation Orders (TPO's) on this site.

The existing trees on site are an important resource and provide environmental, social and economic values. In particular, the overall canopy area of the existing tree stock is closely linked to the delivery of ecosystem services. An integrated response to the Climate Crisis, (declared by ECC in July 2019), post-COVID regeneration and overall aspiration to increase tree canopy cover within Exeter demands that trees and tree management are a material consideration in the Planning and development process.

Proposed Development

The proposed residential development proposes the removal of trees to accommodate new buildings and roads etc. The Design Review Panel notes of 24th March make no reference to trees, either as a constraint to development, retention of higher value trees or appropriate mitigation as an integral part of the design. Were the constraints and opportunities posed by the existing trees materially highlighted at the pre-application Planning stage?

Protection of Existing Trees to be Retained

The Arboricultural Impact Assessment (AIA) report and supporting drawing are both dated 19th July 2020, several weeks after the Planning Application was validated. It would appear the AIA has assessed the impact of the proposed development retrospectively, on a site layout that was already fixed. The AIA has not informed development of the site layout with respect of existing trees as a constraint to development.

Trees T13 and T17 are listed as being retained, but requiring pruning operations to allow development in close proximity. No reference has been made to the industry standard BS3998:2010 Treeworks – recommendations in relation to these works. These trees are located off-site and the pruning operations will need to be repeated on a 5 year cycle for the remaining life of these trees. How will this be managed or enforced post-Planning and who will fund this?

Additionally, trees T7, T9 and T10 are highlighted as requiring pruning on a 5 year cycle to maintain clearance from new buildings. – Is this a sustainable relationship with development?

The A Category Tree T1 is the largest, oldest and highest value existing tree proposed to be retained. The demolition of an existing wall adjacent to tree T1 and excavation into the Root Protection Area (RPA) to create 4No. new parking spaces is stated in the AIA Report as having a '**moderate adverse impact**'.

The level of impact assumes a new rooting area can be provided adjacent to the tree using Silva Cells or structural soils as '**partial mitigation**'. This partial mitigation is contingent on further survey and/or trial pitting to identify the depth of an existing electricity cable which has presumably yet to take place? Has it been confirmed that the placing of Silva Cells or structural soils above an electricity cable is acceptable to the supplier? Are there examples of tree rooting materials having successfully mitigated construction impacts in a similar context? (I am not aware of any). The viability of the proposed mitigation has not yet been confirmed.

The provision of parking spaces in close proximity to retained tree T1 will have a detrimental impact upon this high value existing tree through direct excavation into the rootzone, removal of an existing wall supporting the rootplate and associated regrading work. The proposed '**partial mitigation**' remains contingent on surveys/technical enquiries yet to be undertaken.

The design and layout of car parking in proximity to tree T1 should be fundamentally revised and relocated outside the RPA of this retained tree with the existing wall retained. In the absence of an Arboricultural Method Statement (AMS) and supporting Tree Protection Plans it has not been demonstrated how the damaging construction impacts will be managed in accordance with industry best practice.

Existing Trees Proposed for Removal and Retention

The proposed development will require the removal of 17No. existing trees, the majority of which are graded as the highest quality A or B categories. A summary is provided in **Table 1**.

Table 1 – Existing Trees to be Retained and Removed

	Existing Site	Trees to be Retained	Trees to be Removed	% Trees to be removed
A Category (High Quality)	3	1	2	66%
B Category (Medium Category)	24	9	15	62%
C Category (Low Quality)	3	2	1	33%
U Category (Unsuitable for retention)	0	0	0	0%
Totals	30	12	18	60% Loss

Significant removal of existing trees is proposed with corresponding permanent net loss of canopy area, ecosystem services delivery and amenity to the site.

In relation to existing trees, section 4.4 of the Design and Access Statement relates to '**Tress on site**' (including typo) and refers only to '**the Arboricultural Consultants Report submitted as part of the application.**'

The supporting AIA report was not submitted with the validated Planning Application on 5th June 2020. Following representations to Exeter City Council, the AIA report and plan were provided on the ECC Planning website on the 20th July 2020, 11 days after the last date for public comment on the ECC Planning website.

Within the AIA report, the removal of existing trees is cited as being '**...to enable the density of housing required.**' The AIA report and supporting plan are both dated 19th July 2020 and cannot therefore have informed the development of the current proposals.

Proposed Tree Planting and Mitigation

The AIA report incorrectly states the '**moderate adverse impact**' of tree removal on this site '**...will be partially mitigated by planting of the 24 new trees proposed in the landscape plan**'.

Proposed tree planting is illustrated on Clifton Emery Softworks plan dated June 2020 and includes 9No. new trees and 6No. large shrubs (15No. total*).

There appears to be a deficit of 9No. new trees compared with the number cited in the AIA report as mitigation. Additionally, 24No. new trees are assessed being sufficient to only '**partially**' mitigate the impact of tree removal. No additional recommendations for further mitigation are provided.

The quantum of new tree planting proposed as mitigation falls significantly below that stated in the AIA report. Other public bodies and Local Authorities are using quantitative systems to measure tree value and, where trees are removed, provide a consistent and objective approach to mitigation. In relation to the quantum of trees proposed for removal at Clifton Hill, a summary comparison of mitigation using approved systems is provided in **Table 2**.

Table 2 - Proposed Tree Planting as Mitigation for Trees Removed at Clifton Hill

	Clifton Emery Softworks Plan	Recommended in the AIA Report	Bristol City Council (BCC) SPG (Tree Replacement Standard)	CAVAT Valuation of removed trees**
Quantity of new trees to be provided or equivalent financial contribution as mitigation for tree removal at Clifton Hill site	15No. New Trees*	24No. New Trees (Partial mitigation only)	47No. New trees or;	£147,084
			15No. New trees + £25,251*** contribution for off-site tree planting by local authority	

Note: ** Capital Asset Valuation of Amenity Trees (CAVAT) was developed by Chris Neilan and the London Tree Officers Association (LTOA) in 2008 and is regarded as one of the principal methods of tree valuation in the UK. <https://www.ltoa.org.uk/resources/cavat> . CAVAT is designed to be a strategic tool and aid to decision-making in relation to the tree stock as a whole where the value of a single tree needs to be expressed in monetary terms.

The Clifton Hill site is not accessible to the public. A desk-based CAVAT valuation has therefore been undertaken using the information available within the AIA report and Tree Constraints Plan.

The existing tree stock within the Clifton Hill survey area has a total CAVAT value of **£578,719**. The Loss in CAVAT value of **£147,084** would be offset by the 15No. new trees* proposed to be planted within the development. This assumes retained trees survive the construction phase.

*** Contribution for off-site tree planting relates to trees located in open ground.

The data summarised in **Table 2** demonstrates the quantum of proposed new tree planting is objectively insufficient to mitigate the proposed removal of existing trees for development when assessed through a variety of metrics.

An increase in new tree planting within the site could be accommodated through re-designing the layout and a reduction in development density. The planting of more trees into the areas of soft landscape within the site layout as currently proposed should *not* be considered an option. The close proximity of new trees to each other or adjacent buildings will reduce overall tree quality, health and longevity in this context.

Additional off-site tree planting, (and/or a monetary contribution to off-site tree planting undertaken by others) on public land within the Newton ward area could be agreed as additional mitigation. For example, the Bristol Tree Replacement Standard would require an additional 32No. trees to be provided locally. Tree planting locations are demonstrably available within streets, grass verge areas and areas of existing soft landscape within Newtown.

New Tree Species Selection

The Clifton Hill site is centrally located within Exeter city and benefits from the urban heat-island effect and associated shelter provided by adjacent buildings. The local area includes some unusual tree and plant species that thrive in this sheltered microclimate. These species may be of increasing national importance as a result of long term climate change. Existing tree and shrub species found in the area include;

- Olive (*Olea europea*)
- Banana (*Musa basjoo*)
- Mimosa (*Acacia dealbata*)
- Canary Island Date Palm (*Phoenix canariensis*)
- Cabbage Palm (*Cordyline australis*)

The tree and ornamental planting proposed within the Clifton Emery Softworks Plan includes species climatically suitable for much of the UK. There appears to be an opportunity to review the proposed planting species to capitalise upon the sheltered microclimate within the site.

Has the viability of the proposed tree planting locations within the site been verified in relation to existing/proposed underground services or street lighting design? Street lighting in particular has the potential to reduce tree planting opportunities on site.

The spacing of proposed tree planting within the 'Green Street' will allow trees to develop naturally without onerous long term management. The proposed Dawn Redwood (*Metasequoia glyptostroboides*) is a good choice for this location.

The use of Pin Oak (*Quercus palustris*) should be reviewed. Trees of this species planted in the city centre areas have visibly struggled, (or indeed failed) to thrive. Pin Oak requires acid or neutral soils to thrive and the presence of compacted ground, cementitious arisings and wash from de-icing salts may be locally increasing pH levels to a level not tolerated by this species. Alternative species of similar form and scale are readily available.

Space for significant planting within courtyard parking areas is limited. However, parking spaces 9/10 and 12/13 could be re-orientated by 90° to provide a combined additional 57m² for new tree planting. This could include 2 No. new trees of small to medium size.

The proposed Malus, Pyrus and Amelanchier small trees/large shrubs will be shaded and significantly out of scale with the adjacent built form. Alternative species should be selected.

The Clifton Emery Proposed Softworks Schedule specifies the proposed tree planting as rootballed stock. All trees should be provided as containerised stock to reduce the physiological impact of transplant shock from the nursery and risk of drought stress, dieback or failure at the time of planting. The specified rootballed trees will typically lose 30% of root volume when lifted at the supplying nursery which is an unnecessary risk.

The Clifton Emery Softworks plans and schedule contain no information relating to soils quality/management, tree watering, aftercare, maintenance or long term management commitments which are pertinent to assessment and viability of the proposals.

Summary

It is unclear to what extent the value of existing and proposed trees was highlighted at the pre-Application Planning stage. However, the Design Review Panel notes of 24th March make no reference to trees. Independent assessment, suggests the existing tree stock has a CAVAT value in excess of £500,000.

The Planning Application for development at Clifton Hill was validated on the ECC Planning website on 5th June 2020 in the absence of supporting arboricultural information as required under the Local Planning Validation Checklist and as referenced in the submitted Design and Access Statement.

Additional arboricultural information was provided on the ECC Planning website, 11 days after the deadline for public comment had expired. How are the public or stakeholders expected to comment on the Planning Application? Further information pertinent to the viability of the development remains outstanding.

The site layout and quantum of development has been developed without due regard to the retention or protection of existing trees nor adequate provision for new tree planting as mitigation for development impacts. The quantum of proposed new tree planting falls below the level stated in the submitted AIA report and well below that required under alternative quantitative systems of assessment used by other Local Authorities.

The few existing trees proposed for retention will either be adversely impacted by the construction of a new car parking area (T1) or will require an ongoing programme of pruning operations for the remainder of their life due to the proximity of existing buildings. This does not appear to be a sustainable approach to tree management.

The proposed development is not an appropriate response to the Climate Emergency, post-COVID regeneration or aspiration to increase tree canopy cover within Exeter city.

The proposed development should be revised to:

- Remove car parking from the RPA of the high value tree T1 and retain the existing retaining wall;
- Review courtyard parking layout, opportunities for new tree planting and tree species selection/specifications;
- Provide additional information relating to soils, tree establishment and long term maintenance etc;
- Provide additional technical information where this is required to demonstrate the viability of works to, or in proximity to retained trees;
- Provide a commitment to provision of off-site tree planting, (or a defined financial contribution for tree plantings undertaken by others) within the Newtown ward to fully mitigate development impacts.

I object to the proposed development in its current form, but look forward to revision of the development proposals as described above.

Yours sincerely,

Tim Arkell
(Tree Warden)