

## Appendix - Sunnica Arb comments

Veteran trees identified for having their ivy severed this should only be undertaken in conjunction with a bat and bird nesting assessment due to the very high habitat value of Ivy and veteran trees and should only be done if further assessment is required for safety reasons. A suitable exclusion zone should negate the need for this.

What evidence is there to support this claim of the avenue being solely a Beech tree avenue? The importance is the existing avenue feature not so much the species now included as things change due to climate alterations and storm events.

The additional two/three trees protected by TPO at Chippenham Road stated as there being potential for these trees to be retained as part of the detailed design process but this will be too late by then especially as the DCO will override all statutory tree protection and the cheapest option would be removal making it the most likely outcome. Why can't Horizontal Directional Drilling (HDD) or equivalent be used to avoid these tree removals which would avoid harming this high amenity landscape feature.

The individual tree (subject to TPO at Chippenham Road) is to be pruned to facilitate the Scheme. T332 would be crown lifted to 4m to the north and east to provide a clearance of vehicle oversail for the use of the existing access point for construction access.

These works are likely to have an impact on the appearance of the group but should be of minor consequence if undertaken sympathetically. But if the trees at the end of the avenue are removed then the access should be there to avoid impacting the remaining avenue feature.

AIA report section 7.4.4 T227 (low quality) could be pollarded to 10-12m to address structural defects which would represent an unacceptable risk following the change in use of adjacent land. These works are justified to promote the long-term survival of the tree but will be avoided and the area within falling distance of the tree will be protected as a fenced exclusion zone.

Will it be sustainable to not undertake the pruning works once the site is in use? Will it breach duty of care for site occupiers/users to not undertake this work?

AIA report section 7.5.2 States that the proposed access route and cable route which is positioned to the north of the Chippenham Park avenue will be achieved without tree loss. There is an existing hard standing access route which will be utilised for access where feasible, should any widening be required within an RPA it will be achieved without excavation using a three-dimensional raft or tile system installed without excavation and will maintain a **minimum 1m from any tree stem position**. The cable will be routed to avoid RPAs and where this is not possible (to be determined via detailed design) it will be installed via Horizontal Directional Drilling (HDD) or equivalent at a minimum depth of 1.5m (final depth to be confirmed at detailed design taking into account soil type and tree species), with insertion and retrieval pits located outside of RPAs.

Any excavations must be located outside of the root protection areas as set via BS 5837:2012 which for the smallest size tree diameter of 75mm still provides a RPA diameter of 3m. NJUG Vol 4: Guidelines for the planning, installation, and maintenance of utility apparatus in proximity to trees (issue 2) states that the 1m zone to the trunk of the tree is a prohibited area and that the next zone measured as 4 x tree circumference. Where excavations must be undertaken within this

zone the use of mechanical excavation plant should be prohibited. Precautions should be undertaken to protect any exposed roots. Materials, plant and spoil should not be stored within this zone. Consult with Local Authority Tree Officer if in any doubt. The NJUG guidelines are from 2007 and in planning terms should be regarded as out of date and the recommendations in BS 5837:2012 followed instead location services outside of root protection areas on under them via directional drilling or similar.

AIA report section 8.1.7 Of the trees to be removed one individual tree and part of two tree groups are subject to a TPO at land south of Worlington and two trees subject to a detailed tree survey are protected by a recently served TPO are located at Chippenham Road (east of Snailwell). The design has been developed to minimise tree loss where possible however the loss of these trees cannot be avoided if the current Scheme design is to be achieved. The potential for these trees to be retained will be reviewed as part of the detailed design process and this is secured as a commitment in the FCEMP [EN010106/APP/6.2].

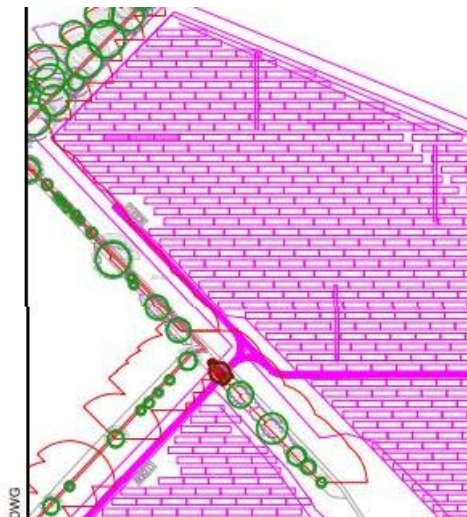
Map 6 page 148 and the tree schedule page 125 show three TPO trees to be removed from the TPO on Chippenham Road not the two described as above which is correct?

On the western side of the Chippenham avenue (W343-W346 in the AIA) there were noted on the recent enquiry site visit the remnants of what appeared to have once been a double hedgerow which includes several veteran specimens of Hawthorn, Blackthorn and Crab Apple. These have not been recorded as veteran trees in the AIA any reference to them is of them only being mature. The majority of these trees displayed features associated with veteran trees such as fungal colonisation, cavities, deadwood etc. Veteran trees are considered to be an irreplaceable resource and the NPPF and current standing advice from Natural England and the Forestry Commission states that development affecting veteran trees should be refused unless justification is wholly exceptional. Veteran trees require a buffer equivalent to 15 x stem diameter (at 1.5m) or the canopy spread +5m (whichever is greatest). Although the submitted plans provide a degree of separation that should protect these trees from construction they must be recorded as veteran trees and considered in relation to the soft landscaping plans to ensure any new planting in this area as has been indicated does not detrimentally affect these irreplaceable habitats.

### **Previous comments remaining**

Still the majority of trees not assessed beyond the use of overhead imagery little change noted

There is now clearer marking of shade patterns but still some areas of concern such as the south western boundary of W08 as can be seen from the screen captures of the area from google and the submitted AIA plan. The approximate length of the shade pattern is 29m on the google capture. These trees are Lombardy poplars with significant future growth potential as they can grow to in excess of 30m in height leading to a shade area in excess of 30m (see the screen captures below).



The current AIA states that to address future shading potential as the trees mature, a 30m shading arc has been applied to all tree features to identify areas for more detailed assessment, the mature shading arc has then been adjusted in those areas with potential to impact on solar array positions to reflect the assumed mature height of the given species of tree. Mature heights are determined using data provided in Table 3 of NHBC Chapter 4.2 (2022) (Ref 14). The NHBC document is designed in relation of building footings for buildings with limited relation to shading implications.

Some of the veteran trees have been identified but have not assessed beyond a walk by with no other details provided. Veteran trees are considered to be an irreplaceable resource and should be retained and protected. The NPPF and current standing advice from Natural England and the Forestry Commission states that development affecting veteran trees should be refused unless justification is wholly exceptional. Veteran trees require a buffer equivalent to 15 x stem diameter (at 1.5m) or the canopy spread +5m (whichever is greatest). The ECDC Natural Environment Supplementary Planning Document 2020 policy SPD.NE8: Trees and Woodland states 'Where the proposal will result in the loss or deterioration of these irreplaceable assets (as defined by the NPPF):

(c) ancient woodland; and/or

(d) the loss of aged or veteran trees found outside ancient woodland

permission will be refused, unless, and on an wholly exceptional basis, the need for and benefits of the development in that location clearly outweigh the loss and a suitable compensation strategy exists.'

AIA report section 7.4.9 states that 'should the requirement for additional tree works be identified this will be discussed with an appointed arboriculturalist and no works will be undertaken without the consent of the relevant LPA'.

Yet the draft DCO overrides all LPA authority in relation to trees including TPO's. If as the AIA report states the tree loss is the worst-case scenario then why does the DCO still need the section relating to the removal of TPO and Conservation area trees without needing to notify or get approval from the LPA?

Although the AIA report states that the Chippenham Park avenue will not suffer tree losses the environmental master plan still shows that there will be some losses which is correct and how can the potential impacts of this development be accurately assessed or managed when the information provided by the applicant doesn't align with itself.

Route of cable is marked on some AIA plans but not others why is this?

Inspected category A trees indicated on AIA plans in same colour as un-inspected ones making it extremely difficult to differentiate.

## **PAMS**

### 1.2 Order of operations

1. Formal appointment of an arboriculturist and LPA notification of tree related impacts
2. Confirmation of preliminary tree works by the appointed Arboriculturist (where required)
3. Notification and consent of tree works with relevant landowner and/or LPA (where required)
4. Pre-commencement site meeting
5. Preliminary tree works
6. Scheme briefing for site personnel
7. Programme of site monitoring
8. Installation of protective fencing as advised by the appointed Arboriculturist
9. Construction operations including installation or diversion of services in proximity to trees under arboricultural supervision
10. Site signed off on agreed completion of significant development works
11. Dismantling of tree protection measures

Current DCO removes requirement for LPA notification of permission in relation to trees including trees covered by a TPO negating points 1 and 3.

The general principles of the PAMS is acceptable.

## **OLEMP**

4.2.19 Trees within the Scheme footprint that cannot be retained will be replaced with native species (either the same species as the tree that has been removed or another suitable native species) within the Order limits boundary.

Replacement planting also needs to comply with the relevant LPA policy such as ECDC policy SPD.NE8 which stipulates the numbers of trees require as replacement based on the diameter of the trees removed. The species planted need to be suitable for the location and take into consideration climate change which may make it more suitable to plant non-native species that can still provide a habitat opportunity.

4.2.9 Ecology includes Nesting birds, Stone Curlew, Badgers, Reptiles and Amphibians but does not include Bats which all species of are protected and easily disturbed with most UK species of bat roosting of breeding in trees therefore they must be considered due to the extent of vegetation removals and site disturbances.