

Development Management Committee
29 May 2018

Additional Information

PWM1 – S17/2496

Proposal: Residential development of 41 dwellings and associated works

Site Address: Uffington Road, Stamford, PE9 2HA

Additional Information:

Since the original report was written, significant correspondence has taken place regarding whether there is sufficient justification for removal of 3 of the TPO trees on the Uffington Road frontage. This includes additional information submitted by the applicant, together with comments on the submitted information from consultees.

Updated Tree Report

In response to concerns raised over the age and conclusions of the submitted tree report (dating from 2014), the applicant has submitted an updated report which generally reaches the same conclusions.

Further Comments from Applicant's Structural Engineer

The applicant's consultant structural engineer has rejected suggestions that the retaining wall could be rebuilt or repaired, continuing to assert that the trees could be destabilised if the wall was removed or during rebuilding, although no convincing evidence has been submitted to back up this assertion.

Comments from East Midlands Building Control

Acknowledge that the retaining wall shows some signs of heave and settlement which would be expected given the close proximity to the trees. However they consider that the cracks are more likely due to lack of an expansion joint than foundation failure. The rebuilding of the wall and renewal of the foundations would most likely damage the tree roots but the repair of the wall and careful use of expansion joints could be considered to minimise damage to the roots and trees.

Comments from LCC Highways

Unlikely to support any encroachment onto highway land from repositioning the wall further from the tree, although one possible alternative could be to divert the footpath behind the trees if repositioning of the wall is deemed to be necessary. However, they do not consider there is any imminent danger from the wall or trees in their current state. Confirm that should the trees or wall start to cause problems at any future point, they would inform the landowner at that time.

Further Comments from the Council's Arboriculturalist

Considers that the trees have a high amenity value and are of considerable importance in the landscape and that it has not been demonstrated that there is a need to remove the trees. Accepts that some damage has occurred to the wall, however insufficient evidence

has been submitted to demonstrate why the wall may not be repaired without the loss of trees. Does not consider that removing/repairing the wall would destabilize the trees to such an extent that they would be likely to fall over.

Amended Plans

As a result of the consultee comments outlined above, the applicant has accepted that there is insufficient justification to remove any of the TPO trees and has submitted an amended site layout plan which show all of the TPO trees to be retained.

Officer Comments:

The trees are considered to be robust and healthy and to have a high amenity value for this important gateway into Stamford which is the reason why they were given TPO status in 2016. The loss of the trees as part of this development would be detrimental to the amenity of the area and there is insufficient justification for their removal. It is accepted that at some future point the retaining wall is likely to need some sort of repairs/rebuild but that in itself is not justification for removing the trees at the present time. Both the Council's consultant arboriculturalist and LCC Highways are satisfied that there is no imminent danger from the trees or compelling need to remove the adjacent wall. There is no compelling reason why it can't be left as it is for the time being or why an application for these works could not be submitted at a future date when (backed up by appropriate evidence) they become necessary.

The applicant has now accepted this and has submitted an amended site location plan showing all of the trees along the Uffington Road frontage to be retained. Consequently, it is necessary to attach a number of additional conditions to ensure that the trees are appropriately protected during construction.

Alterations / Additional Conditions:

Condition 2 (Approved Plans) has been amended to include the latest version of the site layout plan – WM/SL/1 REVD, and three additional conditions have been attached (conditions 5, 12 and 13) to ensure that the retained trees along the Uffington Road frontage are adequately protected during construction and that any new boundary treatment along Uffington Road is of an appropriate design.

- 2 The development hereby permitted shall be carried out in accordance with the following list of approved plans:

Site Plans and Sections:

WM/SL/ 1 REV D, WM-SS-1 REV C, WM / EW / 1 REV C, WM / RBS / 1 REV A

House Types:

WM/A1/1, WM/B1/1, WM-BW-1 REV A, WM/C1/1, WM/C1/2, WM/C2/1, WM/C2/2, WM/D1/1, WM/D1/2, WM/E1/1, WM/E1/2, M/E1/40/1, WM/E1/40/2, WM/F3/1, WM/F3/2, WM/F4/1, WM/F4/2, WM/F5/1, WM/F5/2, WM/G1/1, WM/G2/1, WM/G3/1, WM/G3/2, WM/G4/1, WM/G6/1, WM-H1-1 REV A, WM-H2-1 REV A, AF2 2B4P, AF2W 2B4P, AF3 - 3B5P, AFG1 1B2P, AFG2 1B2P, AF2 - PLOT 2-AF2, AF2W-PLOT 3 & 4-AF2W, AF3 - PLOTS 1 & 6-AF3, AFG1 - PLOT 5-AFG1, AFG2 - PLOT 7-AFG2, AFG3 - PLOT 13-AFG3, APARTMENTS 1B2P-2B3P - ELEVATIONS, APARTMENTS 1B2P-2B3P - FLOOR PLANS

Garages:
WM/SG, WM/DG, WM/STG

landscaping:
URS 03C, URS 04

Details:
WM/DET/01, WM/DET/02, WM/DET/03

Pond and Drainage:
CARL100/219/P, CARL100/101L/P

Unless otherwise required by another condition of this permission.

Reason: To define the permission and for the avoidance of doubt.

- 5 Before the development hereby permitted is commenced, details of tree protection measures to protect all existing trees shown on the approved plan during construction shall be submitted to and approved in writing by the local planning authority. The development shall be implemented in strict accordance with the approved tree protection measures.

Reason: To prevent unnecessary damage to existing trees and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

- 12 A 'no dig' construction method shall be used for all parts of the access road, driveways and parking areas that fall within the root protection areas of retained trees shown on the approved site layout plan. No development within these area shall take place until details of such a construction method have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To prevent unnecessary damage to existing trees and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

- 13 No development on plots 1-12 shall take place until details of boundary treatment along the Uffington Road frontage have been submitted to and approved in writing by the local planning authority. Details shall include any new walls, retaining walls/structures, fences, hedges or additional tree/shrub planting together with any alterations to existing boundary treatment.

Reason: To provide a satisfactory appearance to any boundary treatments, in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

Changes to Recommendation:

No change to recommendation.