**Philip Wilson Arboriculture** for advice on trees and woods

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# Arboricultural comments on:

# 20/0684/FH – Erection of detached dwelling and two garages

# The Rectory, Rectory Lane, Lyminge CT18 8EG

**Report**: 200802 of 26 August 2020

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**Client**: Lyminge Parish Council, by email: lymingepc@btinternet.com

## Preamble

Lyminge Parish Council (LPC) was consulted by Folkestone & Hythe District Council (F&HDC) on Planning Application 20/0684/FH, and lodged an objection on five grounds (dated 1 July 2020). On one ground they expressed anxiety about the trees at the site and asked me to comment. I gather that the Parish Council also asked F&HDC to defer the determination to give me time to respond.

I mention that I am a resident of Lyminge and that I gave *pro bono* advice to the Diocese of Canterbury for many years.

## Background

Planning Application 20/0684/FH was not supported by a Tree report, contrary to good practice and in this case also contrary to the direction of F&HDC's Tree Officer for a Tree report complying with BS 5837 (2012) *Trees in relation to design, demolition and construction – Recommendations* (his email of 16 June 2020 to 'Planning').

## Scope

I looked at the site on 24 August 2020 but did not enter. These comments therefore do not comply with BS 5837 (2012) and do not substitute for a Tree report to the due standard. Technical terms italicized in the text are explained in the glossary (Appendix I).

## Plans, design and documents

The proposed design is Dwg. 20-003/02, dated April 2020, by CDE Ltd. Tree positions are marked on this plan. I thank Mrs Jo Daniels of F&HDC for kindly supplying a copy.

The Tree position plan on the last page of this report is a derivative of this plan. I also refer to the Design & Access Statement by John Bishop Associates, dated May 2020.

## Tree survey

I include a Tree survey schedule in the usual form in Appendix II, supported by the Photo record of the tree survey below. As I did not enter the site I was unable to survey the trees for *tree risk* or to make recommendations for maintenance.

### *Photo record of the tree survey*

***Photo 1.*** View of the site from the south, showing the approach to Lyminge from Etchinghill along the Elham Valley Way (also the Royal Saxon Way). The footpath continues through the opening in the middle distance, with the site to the right. The south (end) elevation of The Rectory is just visible near the right edge of the photo. The largest tree is the conspicuous T2 Common ash, the crown extending about 9m to the right (east). Other small trees (T4 Elder and T5 Cypress), not readily distinguished, contribute to the density of the screen from this perspective. Judged from some Field maples out of view the bank to the left is old and may be ancient. The course of the footpath is undoubtedly ancient.

***Photo 2.*** View from the south-east. The proposed dwelling and one of the garages would be sited between The Rectory and the fence. The garage would be about 1m from the canopied amenity area adjacent to the end elevation of The Rectory and the boundary between the two subdivided properties would be even closer, while the dwelling would be 2m from the south boundary fence, unscreened by any vegetation. The trees T1 Corsican pine, T2 Common ash and some smaller trees are seen to the left, near the south-western corner of the site.

***Photo 3.*** Part of Photo 2, magnified to show more clearly the canopied amenity area on the south side of The Rectory.

***Photo 4.*** View of the site from the east. The main road to Lyminge from Etchinghill is 100m behind the observer. The change in level along the contour in the foreground, prominent on the approach to Lyminge by road, may be a lynchet. T1 Corsican pine, T2 Common ash etc. are visible towards the left, while the remaining trees are closer, largely on the east boundary nearest the observer (T7, G8,T9), where they screen The Rectory from the east.

***Photo 5.*** A closer view of the east boundary from the east. T6 Apple is just visible to the left. T7 Common ash is right-of-centre, with abundant deadwood in the upper ⅔ of the crown almost certainly due to *chalara die-back*. The ash trees further to the right (G8) are also more or less affected. The photo record shows that T2 is free of the disease (see glossary).

## Tree constraints

### *Tree loss and tree works*

To make way for the proposal T5 Cypress would have to be felled, while the crown of T2 Common ash would just overtop the proposed dwelling footprint and would have to be greatly reduced.

### *Encroachment into Root protection areas (RPAs) – see glossary*

My estimates of RPA extents are open to correction but I doubt that, at the present level of detail on Dwg. 20-003/02, encroachments into the RPAs of T1 Corsican pine and T2 Common ash would be a serious constraint. The footprint of the proposed dwelling does encroach into the RPAs, and the proposed footway to the dwelling will cross the RPAs closer to the trees, but such encroachments can often be justified assuming certain tree protection measures during site works and methods of construction. More problematical are likely to be the service runs, which have yet to be specified.

### *Post-development pressure for tree works – see glossary*

There is little doubt that T1 Corsican pine and T2 Common ash would be overbearing for the new residents, their west (front) elevation being less than half the height of the trees distant from them. The trees are large and also upslope, adding to their *subjective presence*; the crown of T1 extends to the eaves; and the trees would cast much shade, especially in the afternoon and evening. I understand that the trees are unprotected so the new residents could (and probably would) cut them down at their own discretion. A Tree preservation order would not ease the conflict, just create work for F&HDC owing to the post-development pressure.

### *Comments on the Design & Access Statement (relating to landscape)*

*The proposed development is intrinsically well designed …*

(i) The garage would be built right at the boundary of the subdivided Rectory. This is accepted to be bad practice as the owners will not have access to the exterior of their own building, and associated conflicts can arise such as the discharge of drainage water onto the neighbouring land.

(ii) The south (end) elevation of the proposed house would be just 2m from the south boundary, too close to have any screening of trees in the longer term and essentially giving the vicinity a crowded and incongruous suburban aspect. On the approach from the south, for hundreds of metres, it would stand out, transforming the character of the landscape.

(iii) The proposed house might find a place *within* Rectory Lane or a similar context, but The Rectory is relatively imposing and therefore the more fitting as the end building of Rectory Lane.

*[The proposal divides] one unmanageably large residential curtilage…*

I saw no evidence that the garden of The Rectory is unmanageably large (although certainly more could be done in the way of garden design). On the contrary, I regard the size of the garden as commensurate with The Rectory itself.

## APPENDIX I. Glossary

*Chalara die-back of ash*: A fungal pathogen of ashes (*Fraxinus* spp.), including common ash (*F. excelsior*). North American and European species are more or less susceptible while Asian *Fraxinus* species have higher resistance (or tolerance), suggesting that the disease originated in Asia.

In Europe the disease is an alien invasive species. It was first noted in Poland in 1992 and has since caused serious losses, so far killing most of the ash trees in Europe. It was discovered in Britain on imported plants in June 2012 (but is thought to have arrived on the wind before then), and has since spread rapidly.

*Chalara* inhabits ash leaf litter. The fruiting bodies arise on the mid-rib of fallen leaves in the late spring and summer of the year after leaf fall (and may arise in subsequent years). The spores are dispersed by wind and infect new leaves in early summer.

Symptoms include the crinkling and wilting of the leaflets in late summer with associated brown-black discoloration of the midrib, die-back of shoots and twigs, and cankers overlying wood discoloured grey-brown. Diseased leaves fall prematurely.

Young trees are most susceptible, and may be killed in one season. Large trees can survive initial attacks, dying back and regrowing from dormant buds, but are likely to be killed eventually after some years of annual re-infection. The 'recovery growth' often has a distinctive appearance, giving many upright one-year shoots from the framework branches that are soon killed themselves.

Following the arrival of chalara it can take several years to identify the more tolerant trees. Trees at first thought to be tolerant may eventually succumb, or initially badly affected trees may later rally. Those showing 0-25% damage, where surrounding trees are more severely affected, are likely to have some tolerance, while those with more than 50% of the crown affected will probably die (Reid *et al*., 2015).

*Lynchet*: A change in level between terraces in a sloping field created by repeated one-way ploughing, characteristic of ancient field systems in Britain and an element of historic landscape.

*Post-development pressure for tree works*: When new development is so close to a tree or trees that the residents of the development are expected to be anxious about tree risk, excessive shading or other nuisance. If the trees are protected they are then likely to put pressure on their local authority for tree works (felling or pruning) to mitigate the anxiety.

The overall subjective effect of a tree (or woodland) in creating anxiety is affected by: separation distance; main-stem diameter and height of the tree; crown radius; headroom to the base of the canopy; density of foliage; whether the tree is deciduous or evergreen; aspect; exposure, especially if the tree is to windward; whether the tree is upslope or downslope; the fall of a branch or dead wood; whether the tree is leaning and if so the direction of lean; whether the tree is visibly unhealthy or structurally defective; and the configuration of windows, doors, garden etc. in relation to the tree (eg. a tree in front of a main window has more subjective presence than one to the side).

*Root Protection Area (RPA):* The circular area around the base of a tree, expressed in square metres, that contains sufficient rooting volume to ensure the future well-being of the tree in the event of nearby soil disturbance (as on a development site). RPA radius is the radius of the circle in metres. The RPA is a common constraint to development where space is limited.

*Subjective presence*: The overall impression that a tree or woodland has on an observer, integrating the many variables of landscape design or post-development pressure for tree works.

*Tree risk*: The risk that a tree causes damage or injury, typically if it (or part of it) suffers structural failure. Trees can cause damage or injury is various other ways.
Tree risk is a composite of the magnitude of the hazard, the likelihood that the hazard eventuates, and the harm likely to be caused (target value and occupancy) if it does eventuate.

### Reference

Reid, C., Goldberg, E. & Alsop, J. (2015). *What can we do about "Chalara" ash dieback* (Hymenoscyphus fraxineus) *on woodland SSSIs? Joint advice from Natural England and the Forestry Commission*. http://rfs.org.uk/media/160458/ash-dieback-sssi-management-advice-april-2015.pdf

### Copyright and limitation

## APPENDIX II. Tree Survey Schedule – The Rectory, Lyminge CT18 8EG. Surveyed August 2020.

**NOTE: THIS SURVEY DOES NOT COMPLY WITH BS 5837 (2012). SOME DIMENSIONS WERE ESTIMATED BY EYE.**

| Tree/ Group | Species | Diam (cm) | Ht. (m) | Crown radius (m) | Head-room (m) | Value | RPA radius (m) | Comments | |
|---|---|---|---|---|---|---|---|---|---|
| T1 | Corsican pine | c. 58 | 20 | to 5 | 3 | B | 7.0 | Mature, form good but crown narrow owing to competition from T2. See Photo 2. | |
| T2 | Common ash | c. 66 | 20 | N S E W<br>5 8 9 6 | 3-5 | A | 7.9 | Mature, form good, rated 'A' for two reasons:<br>(i) It is very prominent in the landscape, particularly on the approach to Lyminge from the south (Etchinghill) on the Elham Valley Way (also the Royal Saxon Way).<br>(ii) The landscape is ancient.<br>(iii) Comparison of the photographs shows that it has no symptoms of *chalara die-back* disease, whereas other trees at The Rectory are badly affected. | |
| G3 | Elder, Hawthorn | | to 8 | | | C | | Shrubs and shrubby trees giving a somewhat gappy screen at the boundary. | |
| T4 | Elder | c. 25GL | 7 | | | C | 2.5 | Late-mature. Adds to the vegetation screening at the south boundary. | |
| T5 | Lawson cypress | c. 25GL | 11 | to 4 (east side) | | B/C | 2.5 | Mature. Crown largely unbalanced and suppressed by T2, but contributing to the screening at the south boundary. | |
| T6 | Apple | c. 20GL | 3 | | | U | 2.0 | Senescent. | |
| T7 | Common ash | c. 35 | 12-16 | to 6 | 1-4 | U | 4.2 | Half-dead with large-diameter *stag-heads*, almost certainly from *chalara die-back.* | |
| G8 | Common ash | c. 20-50GL | 19 | to 8 | | )A/B) | 5.0 | Mature. Individually (B), collectively (A) owing to the prominence of the trees in the landscape viewed from the main road, from where they largely screen The Rectory. | |
| T9 | Weeping willow | | | to 7 | | | 5.0 | | |
| | | | | | | | | | |

T=tree; G=group; Diam=main-stem diameter; Ht=height; RPA=root protection area; GL=Ground level.

**NOTE**: *Tree position plan* on next page. Note RPA extents shown are sketched faintly – they are not compliant with BS 5837 (2012).