From: Iain Osenton <iain.osenton@cherwell-dc.gov.uk>
Sent: 25 May 2021 18:23
To: George Smith <George.Smith@Cherwell-DC.gov.uk>
Subject: 20/01891/F - CDC Arboriculture
Importance: High

Hi George,

In response to the arboricultural appeal statement.

Primary concerns lie with the proximity of the proposal to the retained, protected trees, and the future conflicts this will present.

Whilst it is acknowledged T4 and T5 being *Fraxinus* spp. are vulnerable to Ash Dieback, there is no evidence submitted suggesting they are currently exhibiting symptoms. Therefore, in line with Forestry commission guidance, in that premature removal of ash trees is discouraged, I do not feel it is appropriate to overlook the potential long term impact these trees may afford to the proposal. The arboricultural survey schedule concurs with this, as it has awarded each tree an estimated 20 years of remaining contribution, and BS5837:2012 category B1.

Within the tree survey schedule, both trees have been categorised as mature, yet are recorded as holding a height of 14/15m, and stem diameter (DBH) of up to 350mm. This suggests considerable growth remains in these trees, which combined with a 1.5/2m current crown clearance, will inevitably result in above ground encroachment upon the north aspect of the proposal. In line with BS5837:2012 5.2(a) the proposal does not account for the ultimate height or spread of retained trees, therefore creating future conflict. The appeal states uninhabited buildings, such as garages present very little future pressure for pruning. On the contrary, BS5837:2012 does not give exemption for the proposed use of a building, as encroachment, including possible direct damage will regardless prompt frequent mitigative pruning.

Below ground. Whilst I have not submitted a soil sample for laboratory analysis, I have seen no evidence to suggest the applicant has either. BS5837:2012 5.3.3 highlights the importance of considering the sites soil structure when building adjacent to retained trees. Landis highlights the soil structure of the site as 'Soilscape 18, loamy and clayey, slowly permeable and seasonally wet'. This is the same category as the Langford area of Bicester. Which, sees frequent cases of subsidence as a result of seasonal, vegetation induced soil shrinkage. Concerns for future subsidence are not just applicable to T4/T5, as the accumulative effect of all trees, especially trees of a potentially very large ultimate height (T6) remain within influencing distance to the proposal.

BS5837:2012 equally highlights the potential for soil heave, should mature trees be removed from a shrinkable clay soil. Due to the proximity of the building adjacent to retained trees, it could be expected soil heave may present a future conflict with the proposal, unless foundations are designed with this as a consideration. In line with BS5837:2012 the proposal despite offering minimal facilitative below ground conflict, still offers potential short to long term below ground conflict.

CDC as stated within the appeal retains ultimate control of the trees, as they are covered by TPO 11/1997. However, in cases of vegetation induced subsidence where removal of the tree is recommended by the insurer, it is not uncommon for the TPO to be lifted in order to allow for tree removal. Hypothetically, should members of TPO 11/1997 ever be proposed for removal, the size of the dwelling within the plot offers limited scope for conditioned replanting.

In line with the above, despite the proposals acknowledged low facilitative arboricultural impact. Long term above ground conflict contrary to BS5837:2012 remains, with potentially short term conflict arising should foundation design not account for the proposals proximity to retained trees.

Kind regards,

Iain Osenton
Arboricultural Officer (South)
Environmental services
Cherwell District Council