

Land at Coppid Hill House
Wokingham

Arboricultural Hearing Statement

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1 Introduction

1.1 Author

1.1.1 My name is Patrick Haythornthwaite. I hold the position of Principal Arboricultural Consultant at Aspect Arboriculture. I have a Foundation Degree of Science in Arboriculture from Askham Bryan College, accredited by Harper Adams University, and maintain a professional membership of the Arboricultural Association.

1.1.2 I joined Aspect Arboriculture in 2015 and advise on arboricultural matters relating to residential, commercial, industrial, food and non-food retail and leisure development projects. Many of the sites I have advised on are in, or adjacent to, sensitive areas and have contained trees of local or national importance, including: trees within conservation areas and subject to tree preservation orders, veteran trees, ancient woodland, commemorative and heritage trees, and trees which occur within historic parks and gardens.

1.2 Background and Instruction

1.2.1 Aspect Arboriculture have been involved with the proposed development scheme from December 2024. The purpose of my appointment was to undertake a BS5837:2012 tree survey to classify tree constraints relative to the application area, followed by input to the design stages of the proposal and the preparation of an Arboricultural Impact Assessment (AIA); the AIA evaluates the direct and indirect effects of the proposed design, and where necessary recommends mitigation (as per BS5837¹ paragraph 5.3.1).

¹ British Standard Institutes document 5837:2012 Trees in relation to design, demolition and construction – Recommendations.

- 1.2.2 The AIA included a Tree Protection Plan (TPP) to demonstrate how retained trees would be safeguarded during construction, albeit the AIA recommended that further details surrounding tree protection can be secured by condition, i.e. by way of request for an Arboricultural Method Statement and a detailed Tree Protection Strategy. Reliance on condition wording to secure detail beyond first principles of tree protection is standard practice and part of the logical sequence of tree protection described at BS5837:2012 Table B1².
- 1.2.3 The tree survey was undertaken on the 22nd January 2025, and was followed by design preparation and review, before finalising the AIA document on the 24th April 2025. The application was subsequently submitted on the 23rd June 2025 and validated by Wokingham Borough Council (WBC) on 22nd July 2025 under application reference 251486. A copy of the submitted AIA and TPP are included within this Statement at Appendix PH1.
- 1.2.4 Comments from WBC's Landscape Architect relating to the submitted AIA were made in the form of a Memorandum, although they were not available to the applicant before the Notification of Refusal of Planning Permission was issued on the 16th October 2025.
- 1.2.5 The Decision Notice cites 13no. reasons for refusal, of which a single reason relates to arboriculture, i.e. reason for refusal no.7 (herein referred to as RR7); this is reproduced in full at my section 2.2.
- 1.2.6 Aspect Arboriculture are subsequently instructed by Abbeymill Homes to provide arboricultural evidence on their behalf in support of their appeal and rejection of RR7.

² BS5837:2012 Annex B Pg.38.

2 Scope

2.1 Purpose of the Statement

2.1.1 This chapter introduces WBC's RR7 and its underpinning policy context. It also cites associated commentary received from WBC's Landscape Architect and identifies disputed arboricultural matters which form the focus of this Hearing Statement.

2.1.2 A copy of the Memorandum from WBC's Landscape Architect is provided within Appendix PH2, wherein the section relating to arboriculture and the submitted AIA is highlighted. Whilst the Memorandum also provides commentary relating to landscape and ecology matters, my professional training and experience limit my opinions to matters of technical arboriculture only; issues relating to landscape character or ecology are outside the scope of my expertise and will be addressed by others. My review of policy is therefore also strictly in so far as it considers the assessment and protection of existing trees and their amenity during development.

2.2 Reason for Refusal 7

2.2.1 Only RR7 relates to arboriculture, which is reproduced below:

RR7: *'The proposal fails to demonstrate that the development can be suitably accommodated within the site without impinging on root protection areas, resulting in adverse and unacceptable impacts on important trees. Furthermore, impact on existing trees has failed to be considered in relation to required highway visibility splays. As such, the proposal fails to comply with CC03 of the MDD Local Plan and NPPF.'*

2.2.2 Accordingly, the scope of my Hearing Statement focusses on the Council's perceived adverse and unacceptable impacts on important trees, generated by encroachment

within root protection areas, and the impact of highway visibility splays on existing trees.

2.2.3 Of the Council's local policies, RR7 cites Policy CC03 of the Council's Managing Development Delivery Local Plan (adopted February 2014) to underpin the basis for refusal. Policy CC03 *Green Infrastructure, Trees and Landscaping* is reproduced in full below:

'Policy CC03 Green Infrastructure, Trees and Landscaping

1. *Green Routes and Green Route Enhancement Areas are defined on the Policies Map.*
2. *Development proposals should demonstrate how they have considered and achieved the following criteria within scheme proposals:*
 - a) *Provide new or protect and enhance the Borough's Green Infrastructure networks, including the need to mitigate potential impacts of new development*
 - b) *Promote accessibility, linkages and permeability between and within existing green corridors including public rights of way such as footpaths, cycleways and bridleways*
 - c) *Promote the integration of the scheme with any adjoining public open space or countryside*
 - d) *Protect and retain existing trees, hedges and other landscape features*
 - e) *Incorporate high quality, ideally, native planting and landscaping as an integral part of the scheme.*
3. *Development proposals which would result in the loss, fragmentation or isolation of areas of green infrastructure will not be acceptable.*
4. *Development proposals within the River Valley areas shall improve or contribute toward:*
 - a) *The establishment of a Loddon/ Blackwater riverside footpath and bridleway, as defined on the Policies Map, to accommodate dual use*
 - b) *The establishment of a riverside footpath and cycleway to accommodate dual use along the Emm Brook Opportunities for improvements to green infrastructure to help minimise flood risk.'*

- 2.2.4 Of the text within Policy CC03, only parts 2(a), 2(d), 2(e) and part 3 are considered relevant to arboricultural matters, wherein trees are explicitly cited or implicitly referred to under the banner of green infrastructure assets. Parts 1, 2(b), 2(c) and 4 relate to landscape matters or parts of the borough which are not influenced by the proposals. It is material to note that Policy CC03 does not preclude mitigation, which by definition accepts that it is not in all cases possible to avoid impacts.
- 2.2.5 My Statement will demonstrate that the appellant has fully considered the site's important trees which are perceived to be at risk from development via encroachment within their root protection areas, and that visibility splays associated with the scheme's access can be accommodated without any incurring unacceptable arboricultural impacts.
- 2.2.6 It is also important to note that neither RR7 or WBC's Memorandum contest Aspect Arboriculture's baseline tree survey, contained within appendices A and B of the submitted AIA (see Appendix PH1). It is therefore taken that the submitted tree survey is an agreed baseline which can be treated as accurate and reliable record from which to assess the scheme's arboricultural effect and its acceptability.

3 Affected Trees

3.1 RPA Encroachment Affecting Important Trees

3.1.1 The arboriculture section within the Memorandum provided by WBC's Landscape Architect (Appendix PH2) opens by stating: *'The impact of development on the existing trees is thought to be acceptable, with the loss of 1 low quality tree and partial clearance of a lapsed hedgerow and understorey scrub. The scheme proposals accommodate all the principal trees and provide for replacement trees.'* This is a positive reflection of the scheme and the submitted AIA, suggesting that impact of the proposal is acceptable and can be supported from an arboricultural standpoint.

3.1.2 The opening text is followed by a general description of the site and its tree stock, as well as trees within the wider vicinity (which are not within influence of proposals). Within the final paragraphs of the Memorandum (arboriculture section) comments are made regarding incursions within the root protection areas of retained trees, stating that: *'The Tree Protection Plan demonstrates incursion into the RPA of T19, and T17 from the access excavation and the road, and incursion into T17, T16, from the new access road. In addition to T20 these 2 trees are 2 of the more consequential trees on the site.'*

3.1.3 This clarifies the Council's interpretation of the site's important trees for which RR7 relates, as trees T16 Ash and T17 English Oak. T20 is an offsite tree which is not impacted by the proposed development and therefore does not relate to RR7³. It is unclear why T20 is cited within the Memorandum text quoted at my paragraph 3.1.2.

3.1.4 The paragraph which follows within the Memorandum affirms the Council's interpretation of important trees, where it is stated that: *'other incursions are minor'*

³ Photographs of offsite Oak T20 in relation to boundary fencing are provided within Appendix PH3.

and that 'key trees on the site are arguably along the eastern boundary', i.e. referring to T16 Ash and T17 English Oak. Where incursions are accepted as being minor, it would be normal for them to be addressed by way of an Arboricultural Method Statement, as recommended within the submitted AIA and best practise⁴.

3.1.5 This subsequently scopes RR7 to specifically relate to RPA incursions affecting T16 and T17. It also acknowledges that mitigation can be relied upon to manage construction impacts where hard surfacing is proposed within RPAs, providing the incursion is minor.

3.1.6 The Council's view on RPA incursions affecting T16 and T17 is grounded by reference to BS5837:2012⁵ paragraph 5.3.1, which states that: *'The default position should be that structures are located outside the RPAs of trees to be retained. However, where there is an overriding justification for construction within the RPA, technical solutions might be available that prevent damage to the trees'*; claiming that there is *'no overriding justification for the current proposals to develop within the RPAs of important trees on site particularly when it can be avoided'*.

3.1.7 At this stage it is important to note that BS5837:2012 takes the form of guidance and recommendations, stating that: *'it should not be quoted as if it were a specification and particular care should be taken to ensure that claims of compliance are not misleading.'*

3.1.8 Correspondence with WBC's Landscape Architect confirms the Council's stance on RR7, albeit broadens the scope to also relate to T19 Field Maple which is impacted by the bell mouth of the proposed access. A copy of the email correspondence with

⁴ BS5837:2012 section 6.1.

⁵ British Standard Institutes document 5837:2012 Trees in relation to design, demolition and construction – Recommendations, which provides recommendations and guidance for arboriculturists, architects, builders, engineers, and landscape architects.

WBC's landscape Architect is provided within Appendix PH4. The correspondence also cites proposed pedestrian connections between the site and Barkham Road, although they are discounted from the focus of this Statement on the basis that they have been accepted to comprise minor impacts which can be addressed by an Arboricultural Method Statement, i.e. readily secured by condition.

3.1.9 In summary, this Statement will provide a focused review of incursions within T16, T17 and T19's RPAs to determine whether they can be justified and are technically acceptable from an arboricultural perspective (refer to chapter 4).

3.2 Access Visibility Splays

3.2.1 The second part of RR7 relates to the potential impact that highway visibility splays may have on existing trees. WBC's Memorandum section relating to arboriculture states that: *'There are visibility splay drawings within the Transport Report Drawing Ref. 1052.0002-0001 P02 – the information must be included on the tree protection plan as well to understand the impact on the existing trees and in particular the character of Edneys Hill.'*

3.2.2 Whilst it is not within my expertise to comment on impacts to the character of Edneys Hill, this Statement will demonstrate that visibility splays associated with the proposed vehicular access will not incur any unacceptable arboricultural effects.

3.2.3 The Memorandum cites drawing number ref. 1052.0002-0001 P02 which details visibility splays of 2.4m x 43m to the north and south of the proposed vehicular access. However, transport assessment has revealed slower speeds on Edney's Hill than originally anticipated, therefore updated visibility splays⁶ are now put forward which detail shorter distances to the north and south of 35.7m and 36.6m, respectively.

⁶ Updated visibility splay drawing ref. 1052.0002-0001 P06.

- 3.2.4 Therefore, for the purpose of this Statement, the updated visibility splays will be reviewed in relation to retained trees.

4 Arboricultural Assessment

4.1 Overview of RPA Encroachment

4.1.1 The appeal is supported by an updated layout which includes some minor amendments required to address other reasons for refusal. The updated layout is reflected within the revised TPP (Appendix PH5), albeit the scheme's arboricultural effect has not changed⁷. The updated TPP also shows the scheme's submitted drainage strategy⁸ (for clarity) and the proposed visibility splays associated with the access. The drainage strategy does not impact retained trees and visibility splays are discussed further at section 4.4 of this Statement.

4.1.2 RPA encroachment affecting trees T16, T17 and T19 is the same under the updated layout and is generated by the scheme's proposed access and internal road which serves plots 1-7. The layout design is outside of my expertise; however, I am competent in being able to inform that it seeks to balance a number of competing constraints, which result in the need to introduce new permanent hard surfacing within the RPAs of T16, T17 and T19. Consequently, the decision before me, is to decide whether the trees should be proposed for removal or whether it is possible to retain them by relying on a mitigation strategy which would avoid adverse or unacceptable impacts.

⁷ Minor layout changes include: 1no. additional visitor parking bay, adjustment to a proposed turning head, a small reduction in driveway lengths for plots 5-7 to 13m, and slight widening to 4.1m (from 3.7m of the private drive to plots 1-4).

⁸ Drainage Strategy drawing reference 31875 / 6000 P02.

4.2 The Proposed Access and Bellmouth Affecting T17 and T19

4.2.1 It is clear that the site's arboricultural constraints have directly influenced the placement of the proposed access. The design makes best use of the existing agricultural entrance and associated disturbed ground, focusing the impact on the removal of a single low-quality tree and short sections of boundary hedgerow, i.e. Hazel T18 and adjacent sections of hedgerow G3. Given the distribution of better-quality trees to the north, this is the logical (hierarchy-led) location to accommodate the access which reduces its arboricultural effect, albeit there is insufficient space for the bell mouth to entirely avoid T17 and T19's RPAs.

4.2.2 Consequently, there is an unavoidable requirement to incur some limited excavation within the periphery of T17 and T19's RPAs to form the bell mouth and tie the proposed access into the existing levels of Edney's Hill. BS5837:2012 section 7 makes allowance for such circumstances and guides practitioners towards a sensitive means of excavation, i.e. mitigation utilising hand tools or compressed air, and root pruning, providing it can be demonstrated that the trees will remain viable.

4.2.3 The bell mouth formation is predicted to effect minor proportions of T17 and T19's RPAs, amounting to c.4% and c.10% respectively. In accepting that a no-dig approach would not tie the access into the existing road level of Edneys Hill, its formation can only progress by adopting a sensitive means of excavation and root pruning as per standard guidelines⁹.

4.2.4 The submitted AIA accounts for this approach and sets out a suitable strategy for managing the works, noting that the excavation will occur on the periphery of their RPAs where there a natural high turnover of roots and a low likelihood of encountering significant roots, i.e. those greater than 25mm in diameter. Given that T17 or T19 are

⁹ BS5837:2012 section 7.2.

not exhibiting symptoms of stress and that they appear to be in average physiological condition, i.e. healthy, it is reasonable to expect that they will have the capacity to tolerate the disturbance without undue concerns for their future health or vitality.

- 4.2.5 The extent of disturbance has been quantified as proportionately low based on footprint, and to be of likely negligible effect in practise based on normal pattern of root morphology for the species. It can therefore also be demonstrated that WBC's interpretation of the impact (generated by the bell mouth), has not being fully considered in this way and has not taken into account the full scope of BS837:2012, i.e. guidelines and opportunities for applying and securing effective mitigation have been overlooked.

4.3 The Proposed Internal Road Affecting T16 and T17

- 4.3.1 The depth of the site means that design has been unable to fully avoid all tree constraints, resulting in part of the internal access road adjacent to plots 6 and 7 encroaching within the periphery of T16 and T17's RPAs. Therefore, in accepting that some encroachment cannot be avoided, the submitted AIA and wider application pack included details which demonstrate that the road can be accommodated without incurring adverse or unacceptable impacts.

- 4.3.2 The approach to ensuring there will be no adverse or unacceptable impact has followed BS5837:2012 design recommendations¹⁰, wherein the following key principles have been adopted within the submitted design:

- a) Proposed finished floor levels for plots 6, 7 and 8-13 have been designed to ensure there is capacity for the access road to be constructed at a raised level. This is

¹⁰ British Standard 5837:2012 section 7.4.2.

demonstrated within the submitted FFL Plan¹¹ and Proposed Site Section drawing¹² which accompanied the application.

- b) T16 and T17 have been assessed for their capacity to accommodate the change to their RPAs, wherein both trees are judged to possess capacity to tolerate some change to their growing environment based on their current physiological condition and absence of stress indicators.
- c) The submitted AIA and TPP detailed a CellWeb subbase for which to accommodate the road, which would prevent compaction or substantial excavation and the risk of root pruning/ severance¹³. Further details demonstrating the technical delivery of CellWeb could have been readily secured by condition, as recommended within the submitted AIA.
- d) The design ensures that the extent of hard surface coverage is below the threshold guideline put forward within BS5837:2012 section 7.4.2.3, i.e. less than 20% of the trees' unsurfaced RPA, including consideration for the proposed bell mouth works in T17's case¹⁴.
- e) Design also ensures that there are also equivalent areas of soft landscape contiguous to their RPAs which will be undisturbed.

¹¹ Submitted FFL Plan drawing reference WOK-PL106 (updated to WOK-PL106C).

¹² Proposed Site Section drawing reference WOK-PL108.

¹³ CellWeb (manufactured by Geosynthetics) is a cellular confinement system for forming sub-bases which can accommodate new hard surfaces over soils which contain tree roots. Product case studies are available online at <https://www.geosyn.co.uk/case-studies?product=cellweb-tree-root-protection>.

¹⁴ T17 receives an RPA incursion of 6.2% from the access road, which increases to 14.9% when excavation and hard surface replacement works associated with the bell mouth are considered. T16 receives an RPA incursion of 14.4% from the access road.

f) Permeable finished surfaces are proposed to ensure that gaseous exchange and permeability with RPAs are not disrupted. Finished surfaces are detailed within the submitted Materials Plan¹⁵.

g) Drainage and services have also been designed to avoid conflicting with RPAs. The proposed drainage strategy illustrating surface and foul water connections are shown within the submitted Drainage Strategy drawing¹⁶. Proposed services are not detailed as part of the application, although the Council did not request this information and there is capacity within the scheme for services and utilities to be accommodated outside of RPAs, i.e. within the footway.

4.3.3 As per expectations of WBC's Policy CC03 parts 2(a) and 2(d), the submitted AIA demonstrates that the trees affected by the internal access road can be retained by way of appropriate and deliverable mitigation, and that the impacts are within guidelines thresholds for acceptability.

4.3.4 It is also important to note that the percentage of RPA encroachment affecting T16 and T17 are comparable, or smaller, than RPA incursions affecting other trees which have been accepted by the Council as 'minor' and to be manageable, i.e. T2 and T11 which receive RPA incursions of 16.5% and 8.9%, respectively.

4.3.5 If the AIA were judged to be insufficient by WBC, a request for further information could have been made to provide additional confidence for a successful outcome. Whilst such a request was not made, an additional cross-sectional detail has been prepared to support the appeal (refer to Appendix PH6).

4.3.6 The cross section appended to this Statement (Appendix PH6) demonstrates the technical detail behind the CellWeb solution put forward within the submitted AIA and

¹⁵ Submitted Materials Plan drawing reference WOK-PL102 (updated to WOK-PL102C).

¹⁶ Drainage Strategy drawing reference 31875 / 6000 P02.

wider application pack. The section addresses the larger of the two RPA incursions generated by the access road, i.e. T16, on the basis that the same solution can be transferred to the smaller incursion which affects T17's RPA. It incorporates the finished floor levels and design details for drainage and surfacing which were set out within the submitted application pack.

- 4.3.7 The section detail has also been reviewed with Geosynthetics, the manufacturer of CellWeb, who have provided their endorsement and technical approval for the detail (refer to Appendix PH7). This adds a further layer of confidence and demonstrates that the solution is technically sound and could be delivered whilst retaining the trees and protecting their future health and vitality. Geosynthetics would not advocate their product if it would not be compatible with ensuring tree retention.

4.4 Visibility Splays

- 4.4.1 The second part of RR7 states that the *'impact on existing trees has failed to be considered in relation to required highway visibility splays'*, and that this is a sufficient reason to refuse the application. Whilst visibility splays were not illustrated within the submitted AIA, they were presented as part of the submitted Transport Report and illustrated clearly in relation to the site's topographical survey within drawing reference 1052.0002-0001 P02. It was therefore possible to determine that there would be no conflict between the proposed visibility splay and retained trees, or requirements to undertake any unsympathetic pruning work. If the Council remained concerned, this could have been readily addressed via a request for further information (which WBC did not make), rather than progressing the matter into a reason for refusing the application.

- 4.4.2 As noted at paragraph 3.2.3 of my Statement, further transport assessment has resulted in shorter visibility splays being put forward, which are illustrated within

drawing reference: 1052.0002-0001 P06. Therefore, the second part of RR7 has being considered in relation to the updated visibility splays, which are also shown within the updated TPP at Appendix PH5. Assessment against the site's retained trees confirm that visibility splays can be accommodated without conflicting with retained trees T16, T17 or T19¹⁷, and that only minor pruning work is required to lapsed hedgerow G3.

4.4.3 The extent of pruning required to G3 is indicatively shown within the updated TPP with a red hatch, illustrating a maximum reduction of c.2m to the north of the proposed access, where scrub and lateral growth has encroached over the ditch and verge fronting Edneys Hill.

4.4.4 The majority of pruning work will involve the clearance of low-lying bramble and Elm sucker growth which has established over the ditch and verge from the original hedge line (directly north of the access). Some lateral growth originating from components of the hedge line (G3) will also need to be shortened by up to c.2m, although the extent of pruning quickly reduces as the visibility splay tapers to the north. The overall extent of works can be described as minor and could be readily accommodated without affecting the hedgerow's function or integrity, i.e. the hedgerow would remain intact and continue to define the boundary.

4.4.5 Photographs of the verge north of the access point are provided within Figure 1 overleaf, wherein the extent of bramble and growth over the existing ditch is visible.

¹⁷ T16, T17 and T19 each benefit from sufficient clearance over Edney's Hill to permit clear lines of sight over the verge.

Figure 1. Photographs of Edneys Hill Verge North of the Proposed Access



4.4.6 As recommended within the submitted AIA, a detailed Arboricultural Method Statement could be prepared and secured by condition, which would set out a full schedule of works and ensure that the extent of pruning could be controlled by WBC. It will also be possible to ensure that the specification of works adheres to good practise and adopts the principles of British Standard document 3998:2010 *Tree work – Recommendations*. There are subsequently no elements of the visibility splays effect on hedgerow G3 that would generate conflict with WBC's Policy CC03, in so far as part 2(d) is concerned, i.e. the hedgerow will be retained and safely integrated as part of the scheme.

5 Summary and Conclusions

- 5.1.1 This Statement is prepared on behalf of Abbeymill Homes and relates to the appeal against Wokingham Borough Council's refusal to grant planning permission for application reference 251486.
- 5.1.2 The evidence has been prepared in respect of arboricultural matters included within Reason for Refusal no.7 (RR7), and draws on the submitted AIA, as well as submitted details of finished levels, surface materials, drainage proposals and visibility splays. Further cross-sectional detail is also provided to demonstrate compatibility between the site's retained trees and mitigation strategies set out within the submitted AIA.
- 5.1.3 Aspect Arboriculture were appointed to the project in December 2024 to provide technical detail of the trees and hedgerow within influence of application area, with the express purpose of ensuring no adverse or unacceptable impacts to important trees would be caused by the development.
- 5.1.4 As per best practice, the submitted AIA is underpinned by a comprehensive tree survey which includes full coverage of the application site, providing information for all direct and indirect tree constraints which may otherwise restrict the proposals or preclude confident tree retention. This information has been used to inform an iterative design process, with decisions taken regarding tree retention and removal which align with industry guidance and design recommendations.
- 5.1.5 The subsequent direct arboricultural effect is the loss of 1no. low quality tree and the partial clearance of a lapsed hedgerow and area of understorey scrub, which has been described as acceptable by WBC. The submitted AIA and wider application pack demonstrates that the scheme will not threaten the well-being of any retained trees and allows the site's principal trees to be retained and safely integrated within the

development. This includes those perceived by WBC as being important trees, i.e. T16, T17, T19 and offsite tree T20.

5.1.6 Despite the information before WBC, RR7 suggests that that scheme will result in adverse and unacceptable impacts to important trees, by way of encroachment within RPAs, and that visibility splays have failed to be considered. In my opinion, and with reference to the work we have undertaken, I conclude that RR7:

- i. Relies on a normative interpretation of BS5837:2012 and has failed to consider the full scope of the guidance, in effect interpreting select recommendations as strict rules.
- ii. Overlooks opportunities to apply mitigation which allow works within RPAs to be managed in ways which align with industry best practise and design recommendations, and the WBC's own Policy CC03 part 2(a).
- iii. Fails to consider supporting detail submitted with the application which demonstrates that the scheme has the capacity to deliver the mitigation strategies described within the submitted AIA.
- iv. Inconsistently assess the effect on retained trees, suggesting there will be adverse and unacceptable impacts, which have been accepted elsewhere as being 'minor'.
- v. Has presented a request for further information/ clarification as a reason to refuse the application, whereas RR7 could have been readily overcome through dialogue, positive engagement, or a request for an Arboricultural Method Statement.

5.1.7 Contrary to RR7, I consider the proposal to demonstrate full consideration for the site's tree stock and the protection of all retained trees, including those perceived to be important by WBC (T16, T17, T19 and offsite tree T20). Moreover, I have confidence that retained trees can be safely integrated as part of the scheme and that there will be no adverse or unacceptable impacts as a result of encroachment within the periphery of RPAs. On this basis, I consider the proposal to relate positively to the site's arboricultural constraints.

5.1.8 It is my concluding opinion that the proposed development does not conflict with relevant policy or industry guidance for designing with existing trees, and that RR7 is not sufficient reason for upholding the refusal.