

Town and Country Planning Act 1990
Section 78 appeal against the refusal of planning
permission

Witness: Andrew Douglas HND Arboriculture

Subject of Evidence: Trees

Appeal: APP/W0340/W/20/3265460

Site: Knoll House Hotel, Ferry Road, Studland, Dorset

Proposal: Redevelopment of existing hotel to provide
accommodation including: 30-bedroom hotel,
apartment and villa accommodation and associated
leisure and dining facilities

Date 29.10.2024

Council Reference: P/FUL/2022/06840

1.0 Introduction

- 1.1 My name is Andrew Douglas. I am the Senior Tree Officer for Dorset Council.
- 1.2 I hold a Higher National Diploma in Arboriculture and am a professional Member of the Arboricultural Association. I have worked within the Arboricultural industry for 31 years. Firstly, as proprietor of a Contracting Company and since 2002 within Local Authority laterally as Senior Officer for Dorset Council
- 1.3 In my main proof I identify the impact the proposals will have on the trees and woodlands across and surrounding the Knoll House Hotel Site. In particular I address whether the assumptions in the Appellant's landscape strategy plan and Arboricultural Report in terms of tree retention are sound. I also address the adequacy of the Appellant's landscape strategy in terms of its planting.

2. Impact on Trees

- 2.1 I consider that the proposal will result in the loss of numerous trees within the existing Knoll House Hotel complex including TPOd trees (TPO 494) to facilitate the proposed redevelopment of the site.
- 2.2 It is stated within the Richard Sheesby Landscape Strategy Plan ref: KHH001
'Existing trees to be retained and protected during construction are shown on the drawings. These have been checked at all detailed design stages in the development of the architectural proposals with close attention to avoiding any construction works within the root protection areas. For full details, reference should be made to both the architectural drawings and the Arboricultural report.'
- 2.3 I consider there is a lack of clarity in the assumptions made by the Appellant's landscape advisers and the Appellant's Arboricultural team at Focus. Section 4.6 of the Focus AIA identifies the conflict between trees shown for retention and the development.
- 2.4 There are a number of areas where what is proposed in terms of safe long-term retention of trees within and adjacent to the site are incompatible with what is actually proposed in terms of operational development and the proposed use of the development.
- 2.5 The British Standard BS 5837: 2012 Trees in relation to design, demolition and construction-Recommendations are an aid to design and the tree constraints posed by retained trees should be identified at the feasibility and planning stage. In my view, it appears the constraints posed by a several trees have either not been identified or properly considered. I set out below the main areas where the

Appellant's tree retention plan set out in the Focus Report has not properly considered the impact of built development.

3.0 Frontage trees

- 3.1 Within the front lawns of the site stand some 36 individual Pine, protected by TPO.494 A1. These trees are a key feature of the site.
- 3.2 However the proposal will result in demolition works within the root protection areas of a number of these trees including trees T4, T6 and T26 as referenced in the submitted Focus Tree Impact Assessment (AIA) ref: 1122 dated October 2022.
- 3.3 This would put at risk the future of these protected trees which the AIA assumes would be retained. No demolition method statement has been supplied detailing how the demolishing works are to be undertaken and phased and as such it cannot be concluded that these trees are not at risk.

4.0 Southern Boundary trees

- 4.1 Standing adjacent to the front southern boundary is an impressive high quality protected Oak referenced within TPO 494 as T1 and the Focus AIA as T40. The tree is a particularly important specimen, which has a long-expected life span and will add further to the wider character of the site and surrounding area for many years to come. Therefore, it is one of the best trees on or adjacent to the site. The Appellant's AIA and Landscape Strategy assumes it will be retained.
- 4.2 The area around the Oak is shown to be redeveloped to a spa complex including an above ground swimming pool standing within its Root Protection Area (RPA).
Fig 1

Fig1 extract from Focus drwg 1122-P-13



- 4.3 No detail of the filled weight of the pool has been submitted, neither has any detail as to the method of construction nor its heating and filtration systems and how these will impact on the Oak T40.
- 4.4 It has been muted in conversation with the appellants Arboricultural Consultant that a screw pile or auger method of construction is to be used, yet no engineered drawings have been submitted to appraise the impact on the tree.
- 4.5 The above point aside, simply placing a swimming pool beneath a significant tree such as this Oak must be questioned.
- 4.6 In my view, even if the swimming pool can be safely constructed next to this tree, it is contrary to the British Standard and good practice to site a facility such as this immediately beneath a protected tree. This will lead to a likely conflict between the use of this recreational facility and its on-going maintenance and upkeep, and the tree in question, leading to applications to prune or fell the tree under the TPO Regulations.

SW Corner of site

- 4.8 It is stated within the submitted Geotechnical Report which accompanies the application, produced in 2018; section 7.3 that: *'Currently, no extensive earthworks are expected for the site'*

I question the validity of that statement

- 4.9 The siting of a 2-floor underground car park in the sites SW corner, the construction of the service road along the western boundary and the making up of significant levels throughout the site as well a number of basements clearly suggest that here will be significant and extensive earthworks that require the

removal of additional tree cover and the construction of the significant retaining boundary structures. In doing so will place trees assumed to be retained under considerable threat from long term damage (this affects Tree Numbers [73] – [75] as well as trees within the woodland edge.

5.0 Western Boundary Trees

- 5.1 Beyond the western boundary stands extensive mixed species woodland including Oak, Beech, Sweet Chestnut as well as coniferous species. The woodland acts to screen the current hotel and any future development from the west and the well-used footpaths and vantage points in that area.
- 5.2 A service road (Fig 2) running along the western boundary of site, connecting the proposed underground car park to the rear of the crescent villas and onto the service area to the rear of the main hotel complex. However, no information is apparent which shows how this major structure is to be constructed, nor the space required to construct it. Therefore, assessing the impact such a structure will have upon the retained trees along the eastern fringe of the woodland including individually protected trees is all but impossible.

Fig 2: extract from Focus drwg 1122-P-13



In any event as shown in fig 2 above the structure clearly falls within retained trees RPAs including that of tree T75 the protected Chestnut

- 5.3 In order to realise this element of the scheme, significant level changes are proposed (in the region of 6m). Again, substantial structures are proposed to retain such a vast amount of made-up ground. Yet it is not divulged what is proposed and what the impact will be on the individual trees and woodland edge trees. This has not been properly considered in the AIA in my view.
- 5.4 Additionally, the x2 Chestnuts referenced in the Focus AIA as trees T73 and T75 and protected via TPO494 ref G1 make a significant contribution, due to their height and form, to the character of the site and have long life expectancies. However, to allow the development of the service road T73 is to be lost and the RPA of T75 significantly breached. Placing it at high risk of either dying or collapse, neither being acceptable.
- 5.5 Lack of detail aside, such structures require working room to construct yet this important element of the scheme is completely absent from any drawing submitted.

6.0 **Landscaping**

- 6.1 As stated within the submitted Richard Sneesby Planting Strategy Plan
- ‘The species, cultivars and plant associations chosen for the site are informed by the immediate locality, the soil and drainage conditions, site aspect and microclimate, neighbouring woodland and the architectural concept.’*
- 6.2 In contradiction to the above, the submitted landscaping strategy appears to be not properly considered and robust enough to go anywhere near replacing mature and semi mature trees around and within the site. Furthermore, it does not respect the broader area the site sits within.
- 6.3 The species selection being proposed is questioned. While climate change is an issue not to be underestimated, it also should not be a reason to introduce non-native/ naturalised trees onto a site within a National Landscape.
- 6.4 The Ailanthus altissima, Tree of Heaven would be a ‘wholly’ unsuitable tree to be planted on any development, let alone one with so many potential targets if build out, due to its propensity to break out in maturity and its willingness to surface root and sucker, it could be considered invasive.
- 6.5 Trees referred to by botanical and English names such Euonymus europaeus or Red Cedar are botanically incorrect and just goes to highlight the inattention of the author.
- 6.6 Statements within section 8.10 suggests trees will be brought into site at heights of 6-8m, yet no explanation of planting methods, irrigation or aftercare have been

mentioned. Big trees need management and aftercare to successfully establish in what will be new harsh environments. Failure to properly establish and maintain the larger trees will inevitably lead to failure and the continued diminishment of the stock within the site

- 6.7 I my view significantly more detail is needed before there is any confidence in the scheme tabled.

Professional Statement

I confirm that the opinions expressed in this Proof of Evidence are my true and professional opinions and this report has been prepared, and is given, in accordance with the guidance of my professional institute, the Arboricultural Association