

malvern hills district council



planning consultation tree and landscape officer's report

Case officer: Lee Walton
Date: 18th March 2024
Site: Land at (OS 7500 5952), Berrow Green Road,
Martley
Planning reference: M/23/01711/OUT
Legal status of trees: Hedgerows protected by Hedgerow Regulations

1. There is a well-established mixed species native hedgerow running along the site frontage. An important part of the area's green infrastructure network and providing habitat opportunities. Species identified (not necessarily an exhaustive list) include hawthorn, blackthorn, ash, and clematis. It is estimated that the creation of the access proposed would mean the removal of 30 metres of this hedgerow. This measurement does not include any additional hedgerow that might need to be removed for the visibility splays associated with the entrance.
2. There are open views across the site from the perspective of the existing allotments immediately neighbouring the site to the north. Development would be to the significant detriment of these views, would be majorly adverse and permanent in nature.
3. There are open views across the site from the perspective of the of the very well-used public right of way (PRoW) running across the site (reference 698(C)). Development would be to the significant detriment of these views, would be majorly adverse and permanent in nature.
4. There are open views across the site from the perspective of the of the burial ground to the south of the site. Impacts on these views do not appear in the submitted landscape and visual appraisal (LVA). Development would be to the significant detriment of these views, would be majorly adverse and permanent in nature.
5. The submitted LVA identifies the visual impacts when looking north-west from the B4197 heading north as being moderate to major adverse. I would agree with this part of the assessment. However, I do not share the optimism that any landscape mitigation proposed could reduce the harm to minor/moderate adverse within a 15 year period. The view across the site will still include a housing estate even if there are one or two newly planted trees within the view.
6. The submitted LVA does not include an assessment of the impacts from the perspective of the B4197 and its associated footway heading south.

The view is currently a field hedge, established tree lines in the landscape with Berrow Hill as a backdrop. The introduction of housing into this view would forever be to its detriment. Development would be to the significant detriment of these views, would be majorly adverse and permanent in nature.

7. The submitted LVA identifies several other views from the perspective of PRowers on which the negative visual impacts will be permanent and long lasting. This includes the view looking west from public footpath 815(B), adjacent to the Martley memorial Hall (suggested in LVA to remain moderately adverse), the view looking west from public footpath 815(B), overlooking the sports pitches (suggested in LVA to remain moderately adverse) and view looking north-west from public footpath 703(C) (suggested in LVA to remain moderately adverse). However, again I do not share the expectation that any landscape mitigation proposed would make a marked difference to the level of impact, particularly as, when viewed from the perspective of these vantage points, the land rises east to west, and the visual impacts would instead remain majorly adverse (as identified in the LVA at one year after completion).
8. The submitted LVA does not include an assessment of impacts from the perspective of the single track lane to the north of the site that leads to Kingswood. Travelling east on this road, the western edge of the site would be clearly visible. The hedge running along the southern edge of the lane is heavily degraded or absent. These views are largely devoid of any development. Development would be a marked contrast to the current view and would be majorly adverse and permanent in nature.
9. The proposed development would be to the detriment of the landscape character of the site and its immediate surrounds. Eroding the rural feel of the village and encroaching on the neighbouring burial ground and single track lane that leads Kingswood. Open agricultural land would be lost and a suburban style access road would cut through an established native hedgerow.
10. There is a typographical error in the submitted LVA (section 5.4) which states “*This assessment of landscape effects focuses on the areas of landscape character which are defined by the East Hertfordshire Landscape Character Assessment ‘Principal Timbered Farmlands’ LT*” (my emphasis).
11. NPPF policy 136 states that “*Planning policies and decisions should ensure that new streets are tree-lined and that opportunities are taken to incorporate trees elsewhere in developments*”. While it is appreciated that the submitted layout is indicative only, although there are some trees shown along some of the streets in the currently submitted layout, the streets cannot be considered “*tree-lined*”. Were this application to progress past the outline planning stage, I would strongly suggest that the layout would need to be changed to address this issue, and the layout

should not be considered the basis for a parameter plan. This could impact on the site's capacity in terms of quantum of development.

12. The proposed drainage strategy plan fails to embrace the SuDS ethos and the benefits SuDS bring to site design/layout, in terms of landscape amenity, place making, streetscape interest and biodiversity opportunities. Other than the ubiquitous relatively steeply sided attenuation basin to the east of the site, the proposed drainage is all below ground. No surface level SuDS at all. No gullies, no rills, no SuDS tree pits, no rain gardens. SWDP 29 states that "*site drainage and runoff will be managed in a sustainable and co-ordinated way that mimics the natural drainage network*". The currently proposed approach does not. Once again, were this application to progress past the outline planning stage, I would strongly suggest that the layout would need to be changed to address this issue, and the layout should not be considered the basis for a parameter plan. This could impact on the site's capacity in terms of quantum of development.
13. The submitted arboricultural impact assessment and method statement (ACD Environmental reference HAY24322aiaams dated 13/11/23) does not seem to be supported by any tree survey information.
14. The submitted "tree protection plan" (ACD Environmental reference HAY24322-03, dated 13.11.2023) highlights direct conflict between proposed building locations and the root protection areas of two trees (T12 and T13) in third party ownership. This is not considered to be acceptable. Were this application to progress past the outline planning stage, I would suggest that the layout would need to be changed to address this issue, and the layout should not be considered the basis for a parameter plan.

Christopher Lewis-Farley MLArch, HND Arb
tree and landscape officer
Malvern Hills District Council