

P/20/2380/2 - Outline application for up to 150 dwellings, together with new open space, landscaping and drainage infrastructure, with all matters reserved except for access (as amended to include proposed junction improvement works at Barkby Road Crossroads received 20/05/22) Barkby Road Queniborough

Queniborough Parish Council wish to comment further on this application, in addition to the comments already submitted on 29th April 2021, 12th August 2021 and 20th October 2021.

The comments submitted on 29th April gave the Council's objections to the application (Appendix A). The comments submitted on 12th August pointed out the adoption of the Queniborough Neighbourhood Plan and therefore the need for the planning authority to only demonstrate 3-years housing supply with regard to this application (Appendix B). The comments submitted on 20th October addressed the response from the Highways Authority dated 27th August 2021 (Appendix C).

These comments reiterate previous objections and also point out errors in the report prepared by FPCR Environment Design Limited on behalf of the developer in relation to the proposed junction improvement works at Barkby Road Crossroads.

When making your decision on this application the Parish Council ask that you particularly consider the following matters:

The developers' previous application was refused and although Charnwood's lack of 5 year housing land supply has altered the weight of Policies CT/1 and CT/4 in the Local Plan, Queniborough Parish Council contend that there are still items in the reasons for refusal in application P/18/0309/2 that apply;

- 1, **"The Local Planning Authority considers that the significant adverse impacts of the development proposal outweigh the benefits arising from the development".**
"The application site lies outside the limits on development of Queniborough and on Best and Most Versatile Agricultural Land. Queniborough is identified by Policy CS1 as being in the 'other settlement'".

"Concerns about the cumulative pattern of growth and the impact on the Area of Local Separation would have an impact on the individual identity of Queniborough and Syston and result in coalescence between the settlements and the proposals would not respect and maintain the separate identities of towns and villages in accordance with Policies"

2. **"The proposals fails to deliver contributions towards sustainable travel, ecology, education, libraries, civic amenity, community facilities and open space and play provision that are necessary to make the development acceptable in planning terms".**

Application P/18/0611/2 was also refused for the following reason;

1. **"The proposal is not small scale and not within the settlement boundary".**

The following was also taken into account when determining this application;

1. **"In the Local Planning Authority's view the proposal is unacceptable in principle and the fundamental objections cannot be overcome through dialogue".**

The comments submitted on 12th August (Appendix B) pointed out the adoption of the Queniborough Neighbourhood Plan. Once again, the Parish Council would wish to emphasise the following;

- This proposed development is not supported by the Neighbourhood Plan or the pre-submission Local Plan.
- This is the second application in the last year which has not been included in the Queniborough Neighbourhood Plan
- As the Planning Authority is aware Queniborough has already taken substantial housing growth at The Millstones and Barley Fields where an additional 50 houses were approved in February (P/20/2349/2).
- Queniborough Neighbourhood Plan **does** allocate a site for future housing at Queniborough Lodge (HA4).

To approve this application, when 50 additional houses on the Barley Fields site have already been agreed, is contrary to the emerging Local Plan. The Local Plan recognises the position of Queniborough and the contribution it should make to Charnwood's housing supply and the Parish Council ask the Planning Committee to take into account the large number already agreed to be taken by the village when deciding on this application.

Queniborough is classed as an 'other settlement – not capable of large scale development' within the Local Plan. With relation to the recent Appeal Ref: APP/X2410/W/21/3287864 Land East of Cossington Road, Sileby, Queniborough Parish Council would emphasise that there are differences in the details of the this application and the Sileby site, not least the fact that Queniborough is an 'other settlement' and Sileby a 'service centre'.

Area of Separation - The application is an area of separation outside the built village environment. With the Millstone Lane and Queniborough Lodge developments this is further erosion of the area between Queniborough and Syston.

Flooding - The area is important for the absorption of water running off the surrounding hillside. The area around Glebe Road does flood and this application is likely to increase that likelihood.

Character of the Village - will be fundamentally changed by this third major housing development together with the associated road works, many residents regard the crossroads area as the focal point of the village and feel that if the trees are removed this would destroy the 'heart' of the village.

Mitigation at the Crossroads—The comments submitted on 20th October (Appendix C) highlighted grave concerns that this proposal had been put forward. This was originally proposed as part of the Davidsons development at Barley Fields (P/14/0708/2) and subsequently rejected by both Davidson's and the Highways Authority in P/17/1975/2 (Variation of condition 5 of P/16/0613/2). In the application for P/17/1975/2 Davidson's stated the following;

'Following grant approval at our development at Land off Barkby Road, Queniborough, we would like to vary condition 5 of the planning application P/16/0613/2. The reason for such request is due to highway safety; it's our view and also that of Leicestershire County Council that the amended plan is more appropriate than the current drawing by Stirling Maynard, which in fact reduces highway safety.'

This request was supported by a Stage 1 Road Safety Audit from WYG Transport Planning (Appendix D). The Parish Council would require to see a very robust argument from the Highway Authority and the Planning Authority stating why this scheme was considered unsafe by both authorities only four years ago and yet, despite increases in traffic, this is now considered safe and a mitigation to the overcapacity at the Crossroads.

For pedestrians, a slip road will make the use of the crossing more difficult and therefore affect access to the shop and other village facilities. This will particularly affect the Rearsby Road retirement development residents.

In addition to safety aspects, the Parish Council is also extremely concerned about the effect on the trees on Rearsby Road from the proposed works at Barkby Road Crossroads. We include an arboriculturalist evaluation of the report from FPCR Environment and Design Limited on behalf of David Wilson Homes (Appendix E). This was prepared by Mr Dowson, Arboricultural Consultant, his evaluation focuses specifically on the tree survey, impact assessment and the tree protection recommendations. The evaluation concludes that;

- **The report compiled by FPCR on behalf of David Wilson homes is not fit for purpose and therefore should be unacceptable to the Local Planning Authority as an appropriate document. This is because it does not identify the actual impacts on trees or specify how the retained trees will be fully protected from damage.**
- **The group of valuable trees would be unnecessarily harmed by the proposed road widening potentially causing premature decline in their condition.**

For these reasons the Parish Council strongly object to this application and proposes that it should be rejected. The Planning Authority will see from the number of objections from individual residents that the Parish Council has the full support of villagers in proposing that the application be rejected.

Rachel Barlow-Skinner
Clerk

June 2022

Queniborough Parish Council

P/20/2380/2. Outline application for up to 150 dwellings, together with new open space, landscaping and drainage infrastructure, with all matters reserved except for access. Barkby Road Queniborough Leicestershire

The Parish Council strongly objects to this proposal. Many of the factors which led to the refusal of the previous application on this site (P/18/0309/2) are still valid.

The Council can see no reason why this application P/20/2380/2 can be approved when it would cause even greater threat to the area of separation between the village and Syston.

The Council would also wish to make the following comments in its opposition to this application.

Local and Neighbourhood Plan. As recognised by the Planning Committee, the proposal is contrary to the Local Plan. Queniborough is defined as an ‘other settlement’ in the Local Plan. ‘Other settlements’ are required to take 500 houses in total as part of the plan and Queniborough has already taken 176 at Barley Fields, Barkby Road; and 101 at Millstone Lane. The Neighbourhood Plan allocates housing at Queniborough Lodge to meet future housing needs of the village (approximately 125). There is an application for 50 houses at Barley Fields, although this is neither supported by the Local Plan or the Neighbourhood Plan. This would be a total of 452 houses in a village that was only 1,300 dwellings 4 years ago. An increase of 34% and nearly the allocation of all the development required by all ‘other settlements. A possible increase of a further 150 will bring this to 602 dwellings and increase of 46% for the village, which 20% more than the entire 500 dwellings allocated to other settlements in the Local Plan.

The site is not identified for development by the Neighbourhood Plan (due to go to referendum on 6th May), the Local Plan or the emerging revised Local Plan. It is contrary to policy Q6 of the Neighbourhood Plan, covering areas of separation. This is an opportunistic application based on Charnwood’s lack of 5 years supply of housing. However, an area with a Neighbourhood Plan less than two years old, only has to demonstrate 3 years supply. This will be the case if the plan passes its referendum on May 6th.

In addition, there is further development planned in East Goscote and surrounding villages, which affects traffic and community infrastructure for the whole area.

Traffic. The Council has been concerned about traffic in the village for some time.

The crossroads. The crossroads has tailbacks almost to the A607 roundabout at peak times. This was a major concern when the planning application for 165 houses on land off Barkby Road (P/14/0708/02) was considered. Highways carried out a thorough review of options at the junction, all of which had drawbacks. The preferred option of an additional lane at the crossroads is once again being proposed as part of this application. However, this option was judged to be unsafe by the current developer of Barley Fields (P/17/1975/2) and this has been accepted both by the planning authority and Highways. This demonstrates the difficulty with which additional traffic at this junction can be dealt with, without endangering other road users and pedestrians. Crossing the road is difficult for pedestrians. (see photographs). If this development goes ahead and assuming each house has two cars this could mean another 300 cars though this very small village crossroads

Barkby Road. The Council also has repeatedly drawn attention to the traffic on Barkby Road itself. The Council's vehicle activated sign has repeatedly shown over a number of years extremely high levels of speeding on the road, with 75% over 40mph and 40% registered at over 47mph in the 40mph zone, in the most recent monitoring. The road is a busy road, especially at peak times, and this application together with the agreed development at Barley Fields will add at least another 650 cars to those using the road. The Council's sign showing 1,600 vehicles travelling in each direction on days surveyed. This is an underestimate due to the way the sign registers cars travelling in close proximity.

The new development will be directly opposite the Barley Fields development. To place 150 houses opposite this will create additional hazards at the junction with the Barkby Road.

Crossing the Barkby Road is often difficult, especially at peak time. The road is crossed by children and parents on the way to and from school. This together, with the problems of speeding outlined above, require serious attention being given to traffic calming and pedestrian crossings for the road.





In addition, 'Traffic and Transport' was identified as the main key issue from Queniborough Neighbourhood Plan Steering Group's recent Community and Stakeholder's Consultation Events and as such the group will have to address the issues in Queniborough's Neighbourhood Plan. The top two specific concerns, regarding 'Traffic and Transport', that villagers would like to see improved were 'Speeding and the Bus Service'.

Area of separation. The development is in the area of separation between Queniborough and Syston. The development at Millstone Lane has reduced the green space surrounding the built environment of Queniborough village on the Syston side. This will further reduce this green space. It is a policy of the Charnwood Local Plan to maintain the area of separation around the current built environment of Queniborough village. This is a major concern raised by residents in the consultations for the Queniborough Neighbourhood Plan. The Parish Council noted that Plans Committee recently turned down the application P/20/1605/2. Outline application for erection of up to 200 dwellings, all matters reserved except access. Land at Melton Road, Queniborough, LE7 3FL, on the grounds of the damage to the area of separation. The Parish Council judges this application to be a similar threat to the area of separation and contrary to the Queniborough Neighbourhood Plan Q6.

Amenities. The Council has great concerns about the ability of the local amenities to cope with this level of increase in dwellings. The primary school is at capacity and the Council understands that the school wishes to remain at its current size. There is increasing pressure on health and other services in the area. There are increasing waiting times at the Syston Health Centre. Parking in Syston is inadequate to meet current demands as it is at the Thurmaston shopping centre, especially at peak times. The Local Plan defines Queniborough as an 'other settlement' which is not capable of sustaining large scale developments as it does not have the amenities to support this. It is clear to the Council that neither does the service centre in Syston and the surrounding villages.

Conclusion. As previously, the Parish Council would like Charwood's Planning Officers to take into account the impact of this proposed development on the local infrastructure and services not only in Queniborough but the surrounding villages e.g. East Goscote, Barkby and the neighbouring town of Syston.

Overall, The Parish Council objects to the outline application for up to 150 new dwellings with associated works including open space, landscaping, drainage and access from Barkby Road and pedestrian link to Chestnut Close in the village of Queniborough. The previous application was

refused, and the Council believes that those factors still apply. In addition, the closeness of the Neighbourhood Plan to referendum and the refusal of P/20/1605/2 makes the case for refusal even stronger for a second application.

Philip Laughton
Clerk
Queniborough Parish Council

From: clerk@queniboroughpc.org.uk [mailto:clerk@queniboroughpc.org.uk]

Sent: 12 August 2021 11:42

To: development.control@charnwood.gov.uk

Cc: Rachel Barlow-Skinner

Subject: P/20/2380/2. Outline application for up to 150 dwellings, together with new open space, landscaping and drainage infrastructure, with all matters reserved except for access. Barkby Road Queniborough Leicestershire

Dear Planning and Control,

P/20/2380/2. Outline application for up to 150 dwellings, together with new open space, landscaping and drainage infrastructure, with all matters reserved except for access.

Barkby Road Queniborough Leicestershire

Queniborough Parish Council has already registered its objection to this application. Since the Council made that comment the Queniborough Neighbourhood Plan has passed through referendum and has been 'made'. Also the proposed Local Plan for 2021-37 has been agreed by Council and is out for pre-submission consultation. The Parish Council wish to emphasise that this proposed development is not supported by either the Neighbourhood Plan or the pre-submission Local Plan. In addition the the Neighbourhood Plan is less than two years-old and allocates a site for future housing at Queniborough Lodge (HA4). As this is the case then Queniborough Parish Council is aware that the Planning Authority only has to demonstrate 3 years housing supply. As the Planning Authority is aware Queniborough has already taken substantial housing growth at The Millstones and Barley Fields as well as catering for further development within its Neighbourhood Plan. The Parish Council believes that any acceptance of this current application is therefore completely untenable.

Regards,

Philip Laughton

Clerk

Queniborough Parish Council

Parish Office hours: Wednesdays and Thursdays 10am-4pm.

Tel: 0116 2603313

P/20/2380/2. Outline application for up to 150 dwellings, together with new open space, landscaping and drainage infrastructure, with all matters reserved except for access.

Queniborough Parish Council wish to comment further on this application, in addition to the comments already submitted on 29th April 2021 and 12th August 2021.

The comments submitted on 29th April gave the Council's objections to the application. The comments submitted on 12th August pointed out the adoption of the Queniborough Neighbourhood Plan and therefore the need for the planning authority to only demonstrate 3-years housing supply with regard to this application.

These new comments address the response from the Highway's Authority dated 27th August 2021.

The Council is dismayed by a new of points in the Highway Authority's response:

- The observed traffic flows are still based on November 2017 figures. Despite growth factors being modelled in the response, the Council feels that this is not good enough to base a response on given the increase in building in the area. See comments in the next section.
- The committed development traffic analysis, takes into account the developments at Queniborough Lodge (although lapsed it is a designated site in the Queniborough Neighbourhood Plan), The Millstones, Barley Fields, and the North of Leicester SUE. It does not take in to account developments in the area which affect the traffic flow through the village. The building in Syston and recent developments agreed or proposed at East Goscote and Rearsby do not feature. All of these bring traffic through the village on the way into Leicester and will further cause congestion at the Crossroads. Neither does the analysis take into account the proposed developments in the pre-submission Charnwood Local Plan 2021-37. The proposed development in this application, is a speculative development not designated in either the Queniborough Neighbourhood Plan or the Charnwood Local Plan 2021-37. To not take these into account when carrying out the analysis seems to the Council to show a lack of understanding of the development of the area over the next few years.
- The Council notes that the Crossroads at Rearsby Road/Barkby Road/Queniborough Road/Syston Road is already at 108% capacity at peak times. The Highway Authority predicts if this application is agreed then it will be raised to 113%. The Council wish to know if this takes in to account the areas identified above. This needs to be done to get a full picture of future traffic patterns.
- Mitigation at the Crossroads. The Council is disappointed to see this put forward as a proposal. This was originally proposed as part of the Davidsons development at Barley Fields (P/14/0708/2) and subsequently rejected by both Davidson's and the Highways Authority in P/17/1975/2 (Variation of condition 5 of P/16/0613/2). In the application for P/17/1975/2 Davidson's said *'Following grant approval at our development at Land off Barkby Toad, Queniborough, we would like to vary condition 5 of the planning application P/16/0613/2. The reason for such request is due to highway safety; it's our view and also that of Leicestershire County Council that the amended plan is more appropriate than the current drawing by Stirling Maynard, which in fact reduces highway safety.'* This request was supported by a road safety audit. The Parish Council would require to see a very robust argument from the Highway Authority and the Planning Authority as why this scheme was considered unsafe by both authorities only four years ago and yet, despite increases in traffic, this is now considered safe and a mitigation to the overcapacity at the Crossroads.
- The Council notes the proposed travel plan. The Council would wish to see an analysis of how successful travel plans have been in other developments. There must be a wide number

of statistics available now and Council would wish to see evidence that travel plans do anything to mitigate traffic in the long term

- The Parish Council is extremely concerned about the effect on the trees on the green area from the proposed works. An extension to the carriageway will mean a lowering of the surface where the pavement is located. The existing base course will need to be removed and the ground excavated for a new, deeper base course to be put in place. It is difficult to see how this can be achieved without likely damage to the trees and their roots. The trees and the landscaped area is central to the character and setting of the village and will have significant effect on the adjoining conservation area. The Trees are listed and will require separate planning permission to this application.

Philip Laughton
Clerk
October 2021

WYG Transport Planning

17 / 1975 / 2



Davidsons Developments Ltd

25 SEP 2017

**S278 Works
Barkby Rd/Syston Rd/Rearsby Rd Junction
Queniborough**

Stage 1 Road Safety Audit

Report No. RT92812-RSA-1

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Date: 5th June 2015
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REPORT CONTROL

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Client: Davidsons Developments Ltd
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Review By	Pravin Godhania	Initialled:	PG
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Issue	Date	Status	Checked for Issue
1	4/06/15	Draft	PG
2	5/06/15	Issue	
3			
4			



Contents

1	Introduction.....	1
2	Road Safety Audit Findings	3
3	Audit Statement.....	5

Appendices

- Appendix A – List of documents provided
- Appendix B – Location of Problems

1 Introduction

1.1 PREAMBLE

1.1.1 This report presents the findings from a Stage 1 Road Safety Audit carried out at the request of the Davidsons Developments Ltd., on the proposed S278 works at the Barkby Road/Syston Road/Rearsby Road crossroads junction in the centre of Queniborough village. The proposed highway improvement works are associated with a new residential development off Barkby Road to the south of the village centre. The site location is shown in **Figure 1**.

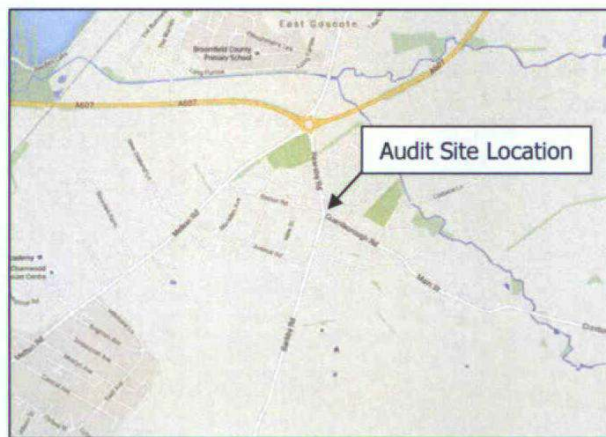


Figure 1 – Audit Location

1.1.2 The proposed works comprise of a length of localised strip widening on the Rearsby Road approach to the junction to provide a dedicated left only lane and a separate straight ahead and right turn lane. To achieve this, it is proposed to incorporate the existing footway on the eastern side of Rearsby Road into the carriageway. A new section of footway is proposed on the western side of the adjacent service road to provide a pedestrian link to the existing zebra crossing on Rearsby Road to the north of the junction.

1.1.3 The extents of the audit are as detailed on the Stirling Maynard drawing 4746/26/05. Additional information relating to vehicle swept paths was provided on Morgan Tucker drawings JN1878-NWK-SK007, 8 & 9.

1.1.4 The audit was carried out by the following:



Audit Team Leader

Steve Richards IEng FIHE MCIHT RegRSA(IHE)
Associate, WYG Leicester

Audit Team Member

Pravin Godhania BEng MCIHT MSORSA
Associate, WYG Leicester

- 1.1.5 The audit comprised of a desk-top study of the plan and documents provided, which are listed in **Appendix A**. A site visit was also carried out by the audit team on Wednesday 3rd June 2015. At the time of the site visit the weather was fine and the carriageways were dry.
- 1.1.6 The terms of reference of the review are primarily as described in HD 19/15. Reference may be made to certain design standards however this report is not intended to provide a design check.
- 1.1.7 The locations of any specific problems are referenced on the plans in **Appendix B**.



2 Road Safety Audit Findings

2.1 PROBLEM

Location: Rearsby Road Approach

Summary: Risk of collision between left turning vehicles and eastbound vehicles on Syston Road

The proposed layout for the Rearsby Road approach to the junction indicates a dedicated left turn only lane and a combined straight ahead and right turn lane. The audit team consider that there a number of safety issues associated with this proposed layout, including:

- The angle of a left turning vehicle at the give-way line is such that a driver's view to the west could be compromised by the vehicle structure or could require the driver to twist in their seat to observe oncoming vehicles. As a result an approaching vehicle, in particular a motorcycle or cycle, could be masked from view resulting in the left turning vehicle emerging into the path of the oncoming vehicle.
- The above situation could be further compromised if a vehicle, in particular a larger vehicle, is waiting to proceed in the straight ahead/right turn lane as this could potentially further mask approaching vehicles.

RECOMMENDATION

Retain the existing angle of waiting at the give-way for left turning vehicles.

2.2 PROBLEM

Location: Straight ahead vehicle movements

Summary: Risk of collision with vehicles in the left turn lane or vehicles waiting to turn right from Barkby Road

The proposed layout of the Rearsby Road approach indicates a combined straight ahead and right turn lane. However, a vehicle wishing to travel straight ahead into Barkby Road would be required to take a minor left/right stagger movement across the junction. This may result in



them being in collision with either adjacent left turning vehicles or vehicles waiting to turn right from Barkby Road.

RECOMMENDATION

Retain the existing alignment for vehicles wishing to travel south towards Barkby.

2.3 PROBLEM

Location: Re-aligned footway

Summary: The proposed footway arrangements may increase the risk of inappropriate pedestrian crossing movements across the mouth of the junction.

The proposed design requires that the existing footway on the east side of Rearsby Road is incorporated into the carriageway to provide the indicated left turn lane. To accommodate pedestrian movements it is indicated that a new section of footway would be provided on the western side of the parallel service road. This would link to the existing controlled pedestrian crossing on Rearsby Road to the north of the junction. As a result of the increased walking distance that this would entail, the risk of pedestrians walking along the north side of Syston Road choosing to cross Rearsby Road at the junction may be increased. As a result the risk of collisions between pedestrians and vehicles may be increased. As the width of the carriageway is also increased this may further increase the risk of collision between pedestrians and vehicles.

RECOMMENDATION

Retain a footway on the east side of Rearsby Road.



3 Audit Statement

3.1.1 I certify that the general terms of reference of the audit are as described in HD 19/15.

Audit Team Leader

Steve Richards IEng FIHE MCIHT RegRSA(IHE)

Associate, WYG Leicester

Signed:



Date: 5th June 2015

Review Team Member

Pravin Godhania BEng MCIHT MSORSA

Associate, WYG Leicester

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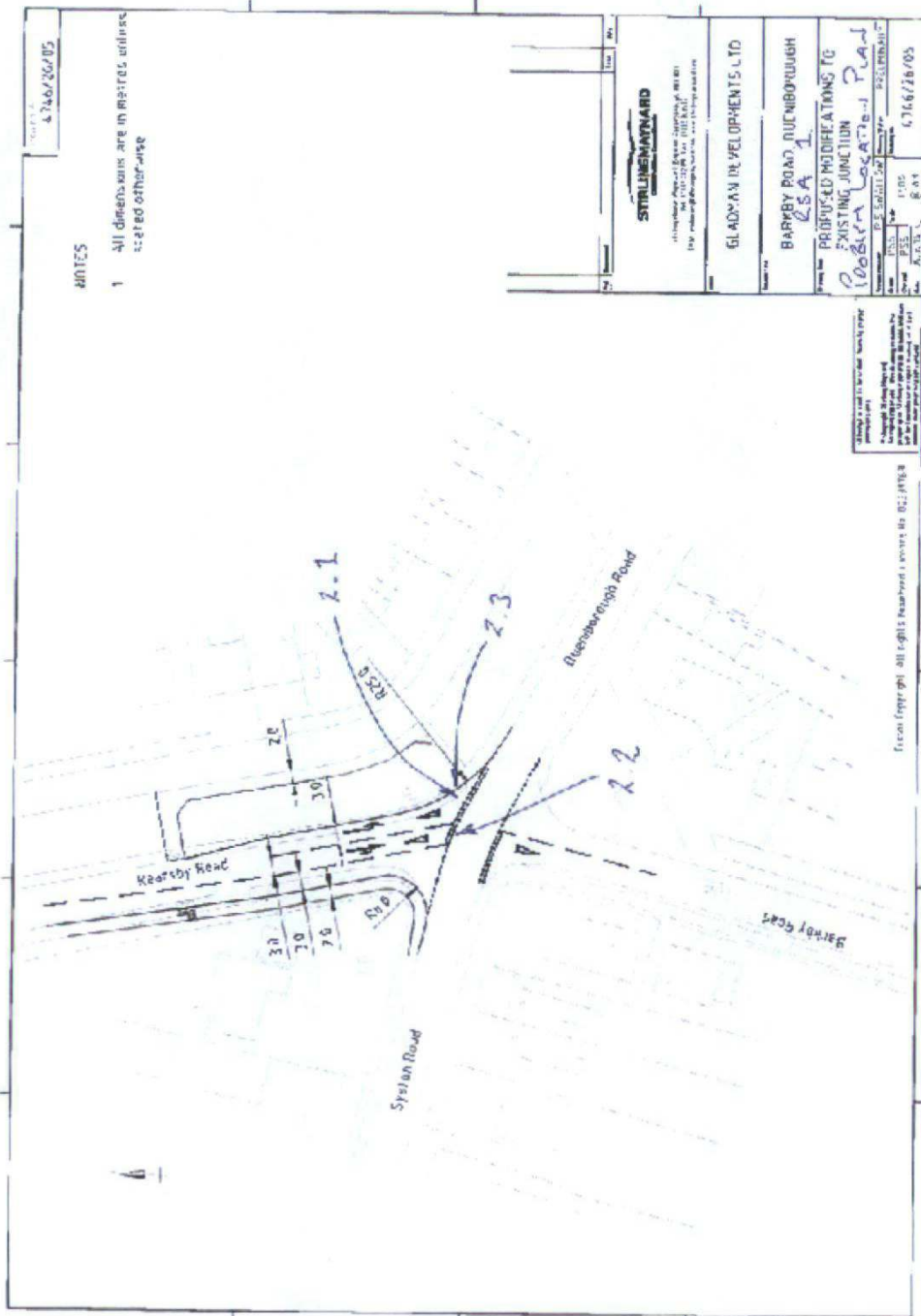
Appendix A – List of documents provided

List of Drawings and Documents Provided

Doc. No.	Doc. Date	Doc. Title
4746/26/05 Stirling Maynard	Aug 2014	Proposed Modifications of Existing Junction
JN1878-NWK-SK007	May 2015	Van/Large Car Swept Path Analysis
JN1878-NWK-SK008	May 2015	Refuse Vehicle
JN1878-NWK-SK009	May 2015	Standard Rigid Bus

Appendix B – Problem Location Plan

Appendix 2



NOTES

- 1 All dimensions are in metres unless stated otherwise

DATE: 4/26/2015

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GLADMAN DEVELOPMENTS LTD	
BARKBY ROAD, QUENIBOROUGH, LEICESTERSHIRE, LE12 6LQ	
PROPOSED MODIFICATIONS TO EXISTING JUNCTION	
POBCKA CONSULTING	
Author: P.S.	Date: 11/05
Check: A.L.S.	Date: 8/04
6/16/2015	

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ARBORICULTURAL CONSULTANCY LIMITED

Directors: David C. Dowson, Andy L. D. Summerley

Arboricultural Report

Title: **Arboricultural Report**
Evaluation of a report carried out by FPCR Environment and Design Limited (24th February 2022) on behalf of David Wilson Homes related to trees located at the junction between Barkby Road and Queniborough Road in order to form an objection to the proposal

Prepared for: Queniborough Parish Council
Parish Office Rearsby Road
Queniborough
Leicester LE7 3DH

Prepared by: **David C Dowson**
MAEA BA (Hons) F.ARBOR.A Dip ARB (RFS) Tech Cert (ARBOR A) CUEW Cert Ed FCIEA
Registered Consultant of the Arboricultural Association retired 2022
Chartered Arboriculturist retired 2022

Date: **24th June 2022**

Braemar Court · 1319 Melton Road · Syston · Leicester LE7 2EN

Telephone/Fax 0116 260 6939 · www.treelifetraining.co.uk

Registered Office: England · Registered in England No. 4268200 · VAT Registration No. 695 5876 60

1.0 Instructions

- 1.1 I have been instructed by the parish council to evaluate a report that has been prepared by FPCR Environment and Design Limited (24th February 2022) on behalf of David Wilson Homes in order to form an objection to a planning application to widen a road junction adjacent to trees. The report carried out by FPCR contains an Arboricultural Assessment and survey of trees located at the junction between Barkby Road and Queniborough Road, Queniborough, Leicestershire.
- 1.2 My report will focus specifically on the tree survey, impact assessment and the tree protection recommendations. It particularly covers Trees 3-20 as contained in the report's tree survey as the ones that might be directly negatively impacted by a widening of the highway at the above junction.
- 1.3 **This report is prepared as part of an objection to the widening of the highway which is potentially harmful to trees T.3-20.**

2.0 Summary of Opinion

- 2.1 The report compiled by FPCR on behalf of David Wilson homes is not fit for purpose and therefore should be unacceptable to the Local Planning Authority as an appropriate document. This is because it does not identify the actual impacts on trees or specify how the retained trees will be fully protected from damage.
- 2.2 The group of valuable trees would be unnecessarily harmed by the proposed road widening potentially causing premature decline in their condition.

3.0 The Report of FPCR provides the following statements

- 3.1 The report states in para. 1.3 as its scope, that "The tree survey and assessment of existing trees has been carried out in accordance with guidance contained within British Standard 5837:2012 'Trees in Relation to Design, Demolition and Construction - Recommendations' (hereafter referred to as BS5837). The guidelines setting out a structured assessment methodology to assist in determining which trees would be deemed either as being suitable or unsuitable for retention".
- 3.2 The report further states in para. 1.4 "The guidance also provides recommendations for considering the relationship between existing trees and how those trees may integrate into designs for development; demolition operations and future construction processes so that a harmonious and sustainable relationship between any retained trees and built structures can be achieved".

- 3.3 And in para. 1.5 the report states “The purpose of the report is therefore to firstly, present the results of an assessment of the existing trees’ arboricultural value, based on their current condition and quality and to secondly, provide an assessment of impact arising from the proposed development of the site”.
- 3.4 The report describes the site in para. 1.9 as “situated within the centre of the village of Queniborough, at the junction between Rearsby Road, Barkby Road and Queniborough Road. The tree cover comprised of trees situated within the roadside grass verge offering the amenity value to local landscape. A range of species were recorded at various ages”.
- 3.5 In para.1.6 the report states it has been “produced to address comments received from Nola O’Donnell, Senior Landscape Officer for Charnwood Borough Council. These comments are in relation to the proposed development of up to 150 dwellings off Barkby Road and highway improvements. The tree survey has therefore focused on any trees present within or bordering the junction that may potentially be affected by the proposed highway works”.
- 3.5.1 Those comments received on 14th December 2021 from Nola O’Donnell, Senior Landscape Officer for Charnwood Borough Council area as follows:

“The proposed highway improvements to the crossroad junction of Rearsby Road and Queniborough Road would slice through the existing verges which form the root supporting environment of trees protected by Borough of Charnwood Tree Preservation Order (Land at Rearsby Road/Queniborough Road, Queniborough) 2015, Group G1. Species include sycamore, pine, lime, horse chestnut, maple, robinia and whitebeam. The quality and nature of the tree lined verge needs to be preserved as an essential landscape feature of the main crossroad of the village. However, there was no tree survey or arboricultural method statement submitted to support the proposed junction re-alignment. The indicative retention of some of the trees is therefore in doubt without evidence to demonstrate that the trees could feasibly be retained in a healthy form to protect their long-term viability. Approximately six trees could be affected. Loss of trees at this junction would be highly noticeable disrupting the cadence of trees on The Ringway verge trees are iconic along Rearsby Road and Queniborough Road. Arboricultural Assessment & Method Statement – Barkby Road Junction, Queniborough

The adverse effect of their removal post-completion would be significant. Any losses could be mitigated by replacement planting which would reduce the adverse effect in the long term e.g., from approx. year 20 onwards. Early significant adverse effect could be further mitigated were semi mature specimens to be used for replacement tree planting. In such a scenario I would suggest fewer trees could be replanted to allow for good distinct canopy formation.

Agreement would be required with LCC on suitable course of action and if any trees are lost, their CAVAT value is likely to be payable by the developer as well as replacement planting.

The proposed junction realignment is likely to require the reduction in levels to that of the existing carriageway. This would substantially impact RPAs of several trees.

The proposed realigned footpath would likely impact trees such as the pine on this side as it would require the reduction in levels.”

3.6 The report concludes in para. 9.1 that “provided that the protection methods in this AMS are followed on site, there shall be no unnecessary or adverse Arboricultural impacts and the loss of a single, low-quality tree is not deemed detrimental”.

4.0 **Requirements of the British Standard 5837:2012 ‘Trees in Relation to Design, Demolition and Construction - Recommendations’ and which should be followed by FPCR**

General

4.1 “Where tree retention or planting is proposed in conjunction with nearby construction, the objective should be to achieve a harmonious relationship between trees and structures that can be sustained in the long term. The good practice recommended in this British Standard is intended to assist in achieving this objective”.

4.2 “A tree survey should be undertaken by an arboriculturist to record information about the trees on or adjacent to a site. The results of the tree survey, including material constraints arising from existing trees that merit retention, should be used (along with any other relevant baseline data) to inform feasibility studies and design options”.

4.3 “Tree surveys undertaken after a detailed design has been prepared can identify significant conflicts: in such cases, the nature of and need for the proposed development should be set against the quality and values of affected trees”.

4.4 “Individual trees, groups of trees and woodlands should be assessed for their quality and benefits within the context of proposed development, in a transparent, understandable and systematic way. The quality of each tree or group of trees should be recorded by allocating it to one of four categories”.

- 4.5 “The tree categorization method, which should be applied by an arboriculturist” [identifies trees of high, moderate low and trees not to be retained because of their poor condition].
- 4.6 “For single stem trees, the RPA [root protection area] should be calculated as an area equivalent to a circle with a radius 12 times the stem diameter. In all cases, the stem diameter(s) should be measured in accordance with Annex C, and the RPA should be determined from Annex D”.

Arboricultural Impact Assessment

- 4.7 “The project arboriculturist should use the information detailed in [the tree survey] to prepare an arboricultural impact assessment that evaluates the direct and indirect effects of the proposed design and where necessary recommends mitigation. The assessment should take account of the effects of any tree loss required to implement the design, and any potentially damaging activities proposed in the vicinity of retained trees”.

Tree Protection Plan

- 4.8 “The plan should clearly indicate the precise location of protective barriers to be erected to form a construction exclusion zone around the retained trees. It should also show the extent and type of ground protection, and any additional physical measures, such as tree protection boxes, that will need to be installed to safeguard vulnerable sections of trees and their RPAs where construction activity cannot be fully or permanently excluded”.

Arboricultural Method Statement

- 4.9 “A precautionary approach towards tree protection should be adopted and any operations, including access, proposed within the RPA (or crown spread where this is greater) should be described within an arboricultural method statement, in order to demonstrate that the operations can be undertaken with minimal risk of adverse impact on trees to be retained”.
- 4.10 “The arboricultural method statement should be appropriate to the proposals and might typically address some or all of the following, incorporating relevant information from other specialists as required”.
- 4.11 “The default position should be that structures are located outside of the RPAs of tree retained. Where there is an overriding justification for construction within the RPA Technical solutions might be available”. If operations within the RPA are proposed the project arboriculturist should: demonstrate that the tree(s) can

remain viable and that the area lost to encroachment can be compensated for elsewhere contiguous with its RPA. Para.5.3 BS5837

5.0 Evaluation of the report that has been prepared by FPCR Environment and Design Limited

My additional comments to assist with understanding are in brackets and italics

Criteria	Strengths	Weaknesses
Introduction	Names the company preparing the report	The report states that the junction is in Rugby whereas it is in Queniborough, Leicestershire No qualifications are provided related to the report author.
Scope of the assessment	States work is to be carried out in accordance with BS5837:2012. Identifies harmonious and a sustainable relationship is required between trees and construction. States that an assessment of the impacts will be carried out to address comments by the senior landscape office Charnwood BC.	No mention that the scope of the report will cover mitigation measures. Although the title of the report states method statement. There is no mention of a Tree Protection Plan. No actual instructions are set out. The work does not comply with BS5837. A harmonious and sustainable relationship has not been achieved. The identification of the impacts on trees has not been fully stated therefore an assessment of impacts has not been carried out therefore the report does not address the comments made by the senior landscape office Charnwood BC.
Survey methodology	States to be carried out in accordance with BS5837	States that trees can be assessed as groups where it has been determined appropriate – this appears not to have been

	<p>The BS categories of retention are described accurately</p>	<p>considered. No thought has been given to trees T.3-T.20 that there are a cohesive group and therefore should be allocated a collective higher quality value than individual trees have been.</p> <p>Ancient woodland and veteran trees are described unnecessarily as no ancient woodland or veteran trees are present.</p>
<p>Tree Schedule</p>	<p>Identifies the tree species correctly</p>	<p>Groups, hedgerows and woodlands are described unnecessarily as only individual trees are said to be present. Therefore, the report is not site specific.</p> <p>Diameter at breast height is referred to in para.3.14 however, diameter at breast height has never appeared in a BS5837 document. Stem diameter is the correct term. <i>(Stem diameter is used to calculate the RPA of a tree)</i></p> <p>Appendix A Tree survey has headings that are not in accordance with BS5827 i.e. Age class <i>(the heading should be life stage)</i> .</p> <p>Data is also missing i.e. Height of canopy and lowest branch and direction of growth, life stage, estimated remaining contribution in years and preliminary management recommendations. <i>(if height of lowest branch is not recorded above where construction will take place then it is very difficult to refer specifically to any pruning that will be required. Crown lifting is mentioned in the method statement but is not mentioned in the impact assessment)</i></p>

		<p>The column labelled RPA has no key to explain what the figures in the column represent. <i>(the figure represents the square meters that the RPA requires and this must not be reduced. This fact is ignored in the report)</i></p> <p>The RPAs have not been calculated accurately for two reasons. 1. The measurements of stem diameter in some cases are incorrect and Annex D in BS5837 has not been used. In some cases the RPAs are under the requirement and in some cases the RPAs exceed the requirement.</p>
Retention categories	Are probably appropriate as mostly B and C as the trees are to be retained and are identified as individuals.	The line of trees could have been considered as a group as per the report and BS5837 descriptions. In that case the collective category of retention should be B1 & 2. <i>(Trees of moderate quality and in a group such that they attract a higher collective rating)</i>
Arboricultural Impact Assessment	<p>Provides information that the “alignment of the new highway will encroach into the existing verge by 0.5m”.</p> <p>Works are to be carried out under the supervision of an Arboricultural Clerk of Works.</p> <p>States that T.1, T.2 & T12 are to be removed.</p> <p>Describes the alignment of a footpath link to the north of T6 will pass through the calculated rooting area of both T5 & T6 and is in close proximity of the newly planted memorial tree.</p>	<p>No actual impacts on the trees are provided as required by BS5837.</p> <p>Therefore, no assessment of the actual impacts is provided as required by BS5837.</p> <p>There is no mention of potential root severance, compaction of soil leading to reduced photosynthesis, decline in trees health and potential premature tree loss. Yet root severance is mentioned in the method statement.</p> <p>More than a single tree is indicated for removal – not in line with a previous comment in para.9.1 of the report.</p> <p>No consideration of root distribution is present given the grassed area in which the trees</p>

		<p>stand is bordered by hard surfacing. <i>(Roots are likely to run within the grassed area and may be found predominately along the edge of the soft surface where it meets the hard surfacing. Encroaching into the grassed area by 0.5m may damage root systems more extensively than would otherwise be the case)</i></p> <p>The impact of tree losses in terms of amenity value is not assessed.</p> <p><i>(The removal of T.12 appears to be convenient to the development, the tree is slightly suppressed by its neighbour but does not warrant removal at this time based on its condition)</i></p> <p><i>(The loss of T.1 and T.2 is minor given their position next to the highway. In my view they are arboriculturally in the wrong place very adjacent to the current highway)</i></p> <p>In relation to T.5 and T.6 the report says in para.5.8 "There will be the requirement for some excavation to tie into existing Levels" <i>(this is not explained)</i></p> <p>Para. 5.12 and 5.13 describe the routing of underground services, yet no impact of these services on trees is mentioned or assessed. No routing of services appears on the Tree Protection Plan.</p> <p><i>(Are any services planned? If so, more details are required)</i></p> <p>As an example, the incursion into T.11 is huge at 60+% (as indicated by the TPP) yet the report calls this minimal. <i>(The RPA required is 9.9m from stem centre yet the new line of the</i></p>
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		<p><i>highway/footpath is at 3m from the stem centre)</i></p> <p>Similarly with T.16 the encroachment into the RPA is considerable. <i>(The RPA required is 10.2m from stem centre yet the new line of the highway/footpath is at 3.5m from the stem centre)</i></p> <p>In my opinion, the encroachment into the RPAs of the trees 3-20 is unacceptable. The impacts on the trees of this have not been correctly identified or assessed by the report. <i>(To be objective, the root distribution is likely affected by the hard surfacing and is not really reflected accurately by circles as most of the roots, in my opinion, will be contained within the grassed area, that actually could limit the extent of a normal RPA requirement)</i></p> <p>The potential for damage to occur from storage of materials or machinery during the construction period to tree 21 and the other trees in the group that are contained further along the grassed area has not been recognised or accounted for.</p>
Arboricultural method statement	None	Extremely wordy, presented partially as part of the report, as opposed to a stand a lone document and then by appendices separated by pages of plans, the tree survey schedule and pictures of signs. This does not make a cohesive easy to follow method statement. In many parts in is not site specific. There is a reference to trees requiring crown lifting in the tree work specification to allow fences to be put in place, this need is not apparent in the tree

		<p>survey as heights of lowest branches have not been recorded and no mention of pruning appears in the Impact Assessment.</p> <p><i>(A method statement should be a stand-a-lone document that is site specific written for a target audience of the construction manager)</i></p> <p>Appendix C3 refers to residential plots as part of the development – clearly the method statement is not site specific.</p> <p>The whole method statement is confused in its information and not site specific. It is not possible to determine what construction method for the footpath is to be used or how a raised level will be edged or how a change in levels will be accommodated for the new foot path.</p> <p>No details are given about where storage of materials or welfare huts may be sited.</p> <p>The protected areas on the TPP are required to be called a Construction Exclusion Zone (CEZ), they are not in the report.</p> <p>Nothing is said about the removal of existing hard surfaces required in order to relay new surfaces.</p> <p>T.21 and other trees in the grassed area are ignored to the fact that machinery or storage of materials might be placed on their root systems as they stand in open space.</p>
Tree Protection Plan		The Tree Protection Plan provides insufficient details e.g. the

		<p>protective fence line is only shown on one side of the trees whereas both sides of the trees require protection to prevent access to tree root systems.</p> <p>Trees beyond T.20 are not shown as protected. In other words, no consideration has been given to where materials and machinery will be stored during works.</p>
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6.0 Conclusion to the evaluation of the report

6.1 In conclusion the report prepared by FPCR Environment and Design Limited on behalf of David Wilson Homes is not fit for purpose and should be unacceptable to the Charnwood Borough Council Planning authority for the following reasons.

- a) The report states the site is in Rugby as opposed Queniborough Leicestershire.
- b) The tree survey data collection is not in accordance with BS5837, the report having stated that it is.
- c) Many of the RPAs have been incorrectly calculated.
- d) The impact assessment does not identify the actual impacts of the highway widening on trees therefore, it also does not assess the impacts as required by BS5837.
- e) The impact of any pruning (crown lifting) is not stated.
- f) The Method Statement is not site specific, is confusing to understand and does not do the job it needs to in demonstrating how the retained trees will be protected during the road widening.
- g) Protective fencing is only shown as protecting one side of the trees which would allow potentially harmful access to protected areas by construction staff and machinery.
- h) The Tree Protection Plan is incomplete.
- i) The report does not identify clearly how the widening construction of the highway and pavement will be carried out e.g. at what depth are kerb/edging stones/pegs going to be installed.
- j) No indication of level changes and the impact on trees is covered.
- k) Consideration has not been given to the likely true distribution of roots which may be more prominent along the edge of the grassed area where widening is to take place.

- l) Nothing is written in way of response to the landscape officer's notes related to replacement planting of T.12 if that was removed, or the reduction of levels required to meet the existing highway.
- m) The report makes no attempt to demonstrate that the trees can remain viable despite encroaching within RPAs or to demonstrate that the area lost to encroachment can be compensated for elsewhere contiguous with its RPA. Given the limited size of the rooting area it is almost impossible to compensate for the encroachment. No overriding justification is presented for the incursions into the RPAs.
- n) The report fails to understand that the square meterage of the RPAs must not be reduced.

6.2 Expert opinion

- 6.2.1 The incursion into the tree RPAs of trees 3-20 is not appropriate due to the extent of incursion and likely distribution of tree roots within the grassed area. The impacts of root severance to increase the highway width is significant where early decline of trees may occur.
- 6.2.2 Overall, the report fails to demonstrate how the trees will be protected thus retained so that a harmonious and sustainable relationship in the future between them and the road widening can be achieved.
- 6.2.3 In my opinion the report is biased towards delivering what David Wilson Homes requires.
- 6.2.4 The author of the report appears not to have the relevant experience to deliver this type of report for the site.
- 6.2.5 The group of trees are valuable to the street scene. Besides all the values that any tree has in a street e.g. amenity, locking up carbon, production of oxygen etc these trees have site specific values. They provide a screen between residential properties on opposite sides of the road, filter pollution from road traffic, act as a buffer for traffic noise, and reduce wind speeds to the houses on the leeward side of the prevailing wind as key values.
- 6.2.6 It appears unnecessary for the widening to take place adjacent to trees 3-20 when 0.5 is a minimal amount of widening yet can have a significant impact on the trees due to the likely root distribution running alongside the current edge of the grassed area.
- 6.2.7 The provision of a footpath between T.5-6 appears unnecessary given the likely disturbance to tree roots.

7.0 On the basis of the above information this report is produced as an objection to the widening of the road which potentially would have a significant detrimental effect on trees T.3-20.



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