

NMA Justification Statement

Justification

This document has been prepared in support of the Non-Material Amendment application **PL/26/0044/NMA**. It provides additional technical justification and clarification for the amendments proposed, demonstrating that the revisions are necessary to address site-specific constraints while maintaining the approved design intent and ensuring compliance with relevant planning and environmental requirements.

The document specifically provides supporting justification for the following matters:

1. Ground constraints relating and driving the relocation of trees.
2. Confirmation that the tree pit detail governs the required planting depth.
3. Justification for the Root Protection Area (RPA) footpath construction methodology.
4. Ecologist's Environmental Management and Monitoring Plan (EMMP) management and monitoring proposals.
5. Lighting considerations and the assessment of sensitive receptors.
6. Quantity of trees relocation in comparison to the original application.

These statements have been collated to clearly explain the rationale for the proposed amendments and to assist in understanding why the updates have been incorporated into the current NMA application. The information should be read alongside the submitted plans and supporting documentation forming part of the application.

1. Ground constraints relating to the relocation of trees.

The installation of Root protection barriers provides many challenges for future proofing EV charging on development sites, primarily through the impacts on both active and passive charging but is becoming increasingly more challenging due to the higher percentages of passive charging now being installed as a future proofing measure, constraints highlighted below.

- **Trenching requirements** – EV charger installations require excavated trenches/ducts to run power cables and ducting from the local distribution boards to each charging bay. Conventional trenching within or adjacent root protection barriers risks severing or compacting structural and fine feeder roots, which can destabilise the tree or cause long-term decline and dieback. Therefore, the most common method is to avoid installing EV's around or adjacent root protection barriers.
- **Restricted access** – The physical barriers prevent excavation plant and personnel from entering the protected zone at all, meaning standard construction methods simply cannot be used wherever a charger or cable route falls within or adjacent a root protection barrier. This impacts the future flexibility of the car park for future EV charging installations.
- **Need for specialist methods** – Where crossing a root protection barrier is unavoidable, standard trenching must be replaced with more expensive, slower techniques such as hand-digging, air-spading (to expose roots without damage), or trenchless methods like directional drilling beneath the root zone — all of which create constraints against the flexibility of EV charging as industrial developments move further towards the widescale adoption of EV's.

- **Long-term maintenance conflict** – EV infrastructure requires ongoing access for repairs and upgrades, which is difficult to guarantee if the ducting route sits within or adjacent to a permanently protected root zone, particularly if the barriers are reinstated after initial works.
- **Position of Active/Passive EV Chargers** – Dependant on the position of the root protection measures, these are typically located within the landscaping adjacent car parking bays where EV chargers are typically located, this often results in a decrease in the number of EV chargers or passive ducts which can be provided.
- **Routes & Cable Lengths** – Often ducts are re-routed to avoid root protection or protected areas to avoid constraints however this often increases bends within the ducting infrastructure making it more challenging to pull cables through the access pits. In additional cable lengths are also extended resulting in larger cable sizes, higher cable temperatures and excess energy losses.

In summary, root protection barriers are incompatible with standard EV charger and ducting installation methods because they physically and legally prevent excavation in the very zones where cable routes are often most practical and creating constraints where charging infrastructure can realistically be sited.

2. Confirmation that the tree pit detail governs the required planting depth.

The tree pits within the development are to be in accordance with the tree pit detail regardless of the required soil depths for general landscape areas. This is to provide sufficient space for the tree rootballs as supplied by the nurseries. Typically, the tree pits are 900mm depth with a further 300mm being de-compacted to ensure free drainage of water. The tree pits should be backfilled with 600mm depth sandy subsoil with 300mm depth topsoil loosely filled and a timber peg positioned to mark the position of the tree pit, prior to landscape contractors site attendance.

In summary, all tree pits are to be constructed in accordance with the specified detail, backfilled with the required soil profile, and clearly marked to ensure they are ready for tree planting upon the landscape contractor's arrival.

3. Justification for the Root Protection Area (RPA) footpath construction methodology.

The alignment and location of this footpath were previously approved under Non-Material Amendment application **PL/25/1529**. As this element has already been approved by the Local Planning Authority, it is questioned whether further approval is required as part of the current NMA application? In anticipation of needed justification, please see below.

The proposed footpath was reviewed at an early stage of the project through discussions between the Main Contractor and the Design Team. During the design development process, it became evident that the originally proposed route would have resulted in conflicts with both the Root Protection Areas (RPAs) and the physical locations of existing tree trunks within this section of the site. Retaining the original alignment would therefore have increased the potential for adverse impacts on the existing trees and would have required more significant intervention within protected areas.

In response to these findings, the Design Team undertook a review of alternative alignments and proposed repositioning the footpath so that it passes between the existing trees. This revised alignment was identified as the most appropriate solution, as it significantly reduces the potential for disturbance to the existing tree root systems while also avoiding conflicts with the tree trunks. The revised route has been carefully developed to work within the existing constraints, ensuring that the integrity and long-term health of the retained trees are safeguarded.

Importantly, the amended footpath alignment can be delivered without the need for the removal, relocation, or pruning of any existing trees within this area. As a result, the proposal has only a minimal impact on the existing Tree

Protection Plan (TPP), with no additional protective measures required beyond those already incorporated into the approved method strategy. The revised design therefore represents a considered and sensitive approach that balances the functional requirements of the development with the need to protect and retain the site's established tree resource, in accordance with best practice and the overarching objectives of sustainable site design.

4. Ecologist's Environmental Management and Monitoring Plan (EMMP) management and monitoring proposals.

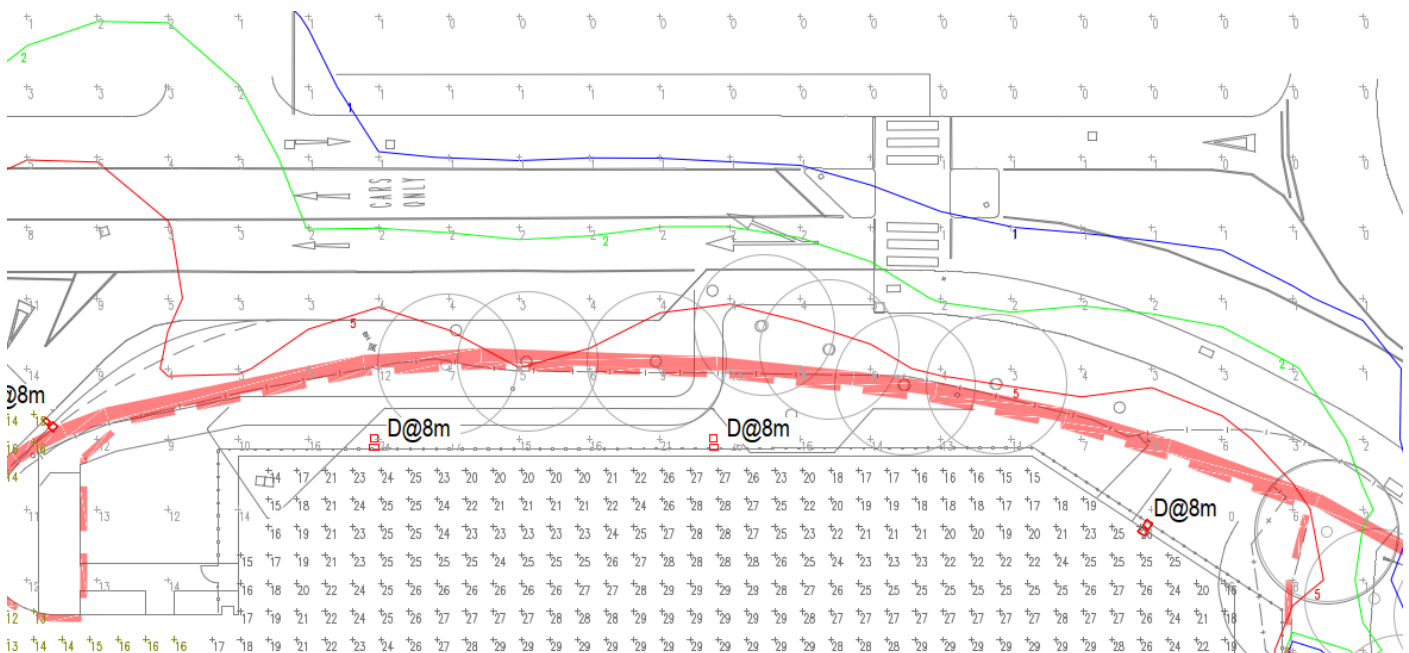
Please see a statement below, from Ecology Solutions, regarding the EMMP management and monitoring proposals.

'I can confirm that the management and monitoring measures detailed within our (Ecology Solutions) Ecological Mitigation and Management Plan (EMMP), both regarding protected and priority species as well as to the on-site habitats, are not materially altered by the new Biodiversity Feature Plan (BFP). As such, the extant management and monitoring measures, as detailed within the EMMP, can / will remain in force, with the continued commitment to delivering these ensuring the desired enhancements for wildlife are met.'

5. Lighting considerations and the assessment of sensitive receptors.

Area 1 – Boundary Adjacent Unit 2, Service Yard Boundary (Drawing No 2092-ESC-00-ZZ-DR-E-2101 P2)

- Lux level detail has been expanded to show levels at each specific spot
- Further Lux Isolines have been included to aid understanding for offsite split.
- Previously offsite split mitigation measures have already been including Column heights reduced to 8m and the installation of Backshield spill protection devices. Timeclock and photocell devices to switch off lighting out of hours.
- Use of a lower service yard lux level of 30lux to mitigate spill.
- It should also be noted that a significant lux level is already applied on the trees in this area from the main carriageway into Tesco's entrance, refer to image provided below.



(Extract from Drawing No 2092-ESC-00-ZZ-DR-E-2101 P2)



(Photo of significant lux level is already applied on the trees in this area from the main carriageway into Tesco's entrance)

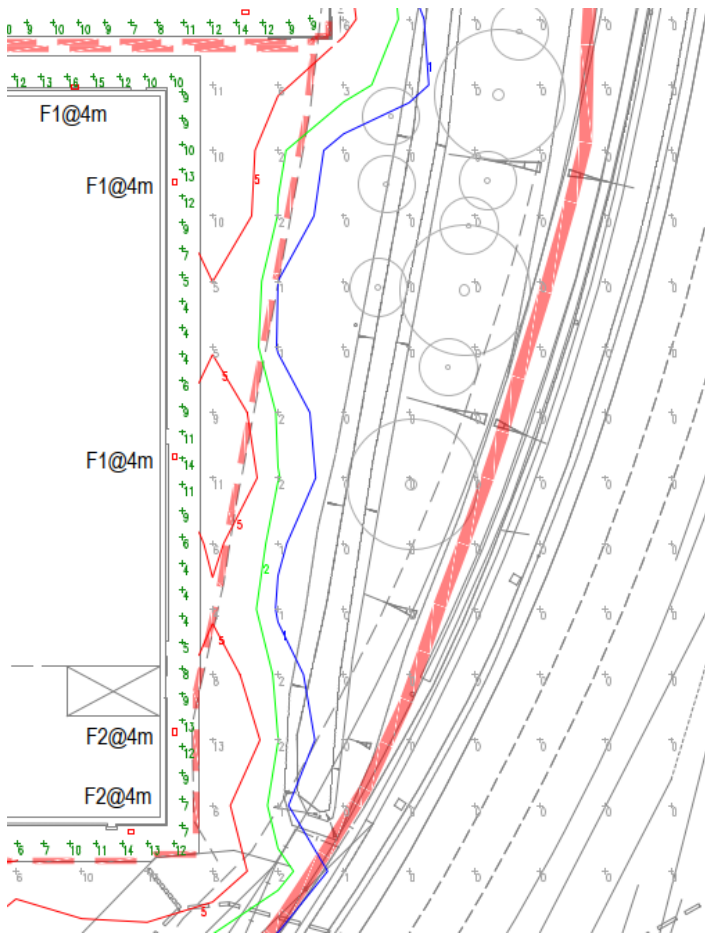
Area 2 – Boundary Adjacent Unit 2, Service Yard Boundary (Drawing No 2092-ESC-00-ZZ-DR-E-2101 P2)

- Lux level detail has been expanded to show levels at each specific spot
- Further Lux Isolines have been included to aid understanding for offsite split.
- Previously offsite split mitigation measures have already been including the use of low wattage fittings and a reduced mounting height of 4 metres. Timeclock and photocell devices to switch off lighting out of hours.
- Lux level split across this area is very low.

Additionally, ecologists have undertaken a review of the lighting considerations of the sensitive receptors around the site, please see a summary below highlighting the finding from the ecologists.

'It is considered that the design of the lighting strategy successfully avoids, or sufficiently limits, artificial light spill on retained vegetation of ecological interest, as well as the proposed ecological enhancement features (i.e. bat boxes). As such, it is considered that the integrity of the site for nocturnal species, and specifically foraging and commuting bats, is maintained and the development is in accordance with relevant guidance.'

The full brief note is attached as part of this submission with the reference '7695.Briefing Note.vf (complete)'



(Extract from Drawing No 2092-ESC-00-ZZ-DR-E-2101 P2)

6. Quantity of trees relocation in comparison to the original application.

A comparison of the proposed BCA landscape planting scheme with the approved Macgregor Smith landscape strategy demonstrates that the overall planting provision remains consistent with the approved scheme. Both proposals provide a total of 145 trees. However, the revised planting schedule increases the number of semi-mature standard trees (20-25cm girth) from 83 to 91. This is achieved through the incorporation of eight *Alnus glutinosa* previously identified as Extra Heavy Standard specimens (18-20cm), resulting in a greater proportion of larger, more established trees within the scheme and enhancing the immediate landscape presence of the development.

Overall, the revised planting scheme continues to deliver the biodiversity, ecological connectivity and landscape quality objectives established by the approved application. The proposal remains fully aligned with the intent of the approved landscape strategy, ensuring the creation of a high-quality and resilient landscape setting that will contribute positively to the site's long-term character.