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Dear Emma,

25/00931/FUL – Planning Response to Tree Officer Comments (08/12/2025)

We write on behalf of Caddick Developments Limited and their interests at Land at Junction 22, Cliffe Hill Farm ('the Site').

As you know, a full planning application (ref: 25/00931/FUL) has been submitted to Hinckley and Bosworth Borough Council (HBBC) and is under determination for the '*Redevelopment of a logistics park for storage and distribution (Class B8), general industry (Class B2), ancillary office space (Class E) and associated infrastructure*'. This will deliver circa 64,794 sqm of employment floorspace which will help meet the identified employment needs in Hinckley and Bosworth and those in the wider Leicestershire Functional Economic Market Area.

This letter specifically focuses on the comments made by the Tree Officer as part of this process. As you also know, there have been significant discussions regarding tree retention, tree loss and tree replacement in recent weeks. We wish to place on record our concerns over the consistency of advice provided and the merits of that advice.

Initial Tree Officer Response

The first consultation response from the Tree Officer is dated 6th November 2025. The response followed a review of the Arboricultural Impact Assessment (AIA) prepared by Lightwoods Green Ltd dated 24th September 2025, the Landscaping proposals and the BNG Calculator both prepared by FPCR and dated September 2025. In the response, there is no formal 'objection' or 'support' for the proposals.

It states there is "*considerable tree loss... which cannot be offset by the landscape proposals alone, the proposed loss remains significant and must be acknowledged as such*". However, it is also acknowledged that there are no veteran trees, ancient woodland, or statutory designations. The importance of potential visual impacts and landscape proposals are also highlighted. The importance of an Arboricultural Method Statement which seeks to protect the existing trees on site is identified.

This response was noted by Caddick Developments. It is important to note that the BNG Calculator acknowledged from the start the value of tree loss and that off-site BNG units will be required to fully mitigate all impact.

Amended Tree Officer Response

An amended consultation response was received from the Tree Officer which is undated, but was uploaded on application portal the 8th December 2025. Between the 6th November and the 8th December there were no changes to the proposals under determination. In this latest response, the Tree Officer does not object or suggest refusal of the scheme, but provides a changed assessment of the proposals. In essence the amended response has three main elements. These are :-

Classification of Trees - In this updated response, the Tree Officer states they disagree with the grading of two trees – T87 and T88. The Tree Officer considers that T87, currently graded as B1, should be Category A



and that, T88, currently graded as C1, appears to warrant a higher grading. We have discussed this position with Lightwoods Green Ltd who stand by their assessment based on 25 years of arboricultural experience. As a matter of completeness, we need to come to an agreed position on the status of these trees. In the experience of Lightwoods Green Ltd, it is very rare not to be able to agree the status of individual trees. If this is not possible, then we might need to agree to disagree.

Notwithstanding the above, to T88 there is 11sqm of minimal level change works in the RPA of 31sqm (35%), which whilst the percentage may be high, the actual impacts may be minimal. The retention of tree T88 can be changed if the council consider this degree of impact is acceptable.

We also noted the council may wish to consider the retention status of T86. The impact of the proposed works, based on the indicative location, will be on 4% of the RPA, and therefore the status of this tree has been revised from *removed* to *retained* in the AIA.

National Forest Guidance - The updated response proceeds to add commentary in respect of the National Forest consultee response and the level of planting which contributes to this. The response states – *‘the National Forest Company has highlighted that the applicant has failed to clearly identify existing National Forest planting and has not met the required 30% planting provision (8.47ha for a site of this size). Current proposals fall well short of this, offering only 2.3ha of woodland and 1.4ha of scrub. Additional woodland and scrub planting is essential, and mitigation for tree loss must be provided in addition to (not instead of) the National Forest requirement. Furthermore, the woodland mix and planting density require revision to meet National Forest standards’*. We consider this position to be factually incorrect.

Savills have responded to the National Forest consultation response by email on the 11th December. Attached to this email is a revised plan prepared by FCPR which shows the extent of National Forest Green Infrastructure we are providing. Of a total site area of 28.24ha, the FCPR plan demonstrates 12.28ha of National Forest Green Infrastructure (NFGI) which far exceeds the 8.47ha planting requirement (of 30% of the entire site). This revised proposal includes 4.49 ha (of the 12.28ha) of woodland and scrub planting which is over 50% of the NFGI requirement (4.23ha). The planting density and mix has also been updated. This is as requested by the National Forest.

Furthermore, in addition to the National Forest planting requirements, the landscaping proposals incorporate the planting of a further 627 individual trees (all exceeding 3.5m height when planted). In addition the proposals will deliver over 17,000 trees once group planting is included.

Finally, it is important to recognise that the National Forest guidance is guidance not policy and is a factor to be considered in the planning balance. This guidance is the remit of the National Forest and not the Tree Officer. The Tree Officer response considers mitigation for tree loss *“must be provided in addition to (not instead of) the National Forest requirement”*. This is incorrect with no basis to support this assertion. Nevertheless, tree replacement is provided at a ratio above 3:1, despite there being no policy requiring such replacement.

Therefore, the information submitted demonstrates that the scheme provides sufficient green infrastructure in accordance with the National Forest guidance. National Forest in their most up-to-date consultation response¹ acknowledge that the scheme achieves a compliant area of National Forest planting, despite the National Forest discounting some of the smaller areas of land from the total. Some of these areas of land are being utilised for other purposes such as amenity space or particular types of BNG habitat therefore we maintain their compliance with the planting requirements, though this is not material to the overall conclusion that the proposal meets the guidance.

Informing the Design Process – The amended Tree Officer response states *“The trees on this site should have informed the design process, yet it is evident that the existing tree stock has not shaped the proposed footprint. This is a clear disregard for the tree stock”*. This was not a conclusion that the Tree Officer reached

¹ National Forest Planning, Response to 25/00931/FUL Rev P02 dated 23rd January 2026.

in November at the time the first response to the planning application was made. Between the two responses, the only change that has occurred is the debate over the classification of the two trees as set out above.

This position has not been evidenced and is incorrect. As set out in the AIA² a Tree Constraints Plan was used by the design team to minimise Arboricultural impact wherever feasible and resulted in several revisions of the Site's Masterplan. This has resulted in the AIA identifying that of the 611 individual trees on site, 401 will be retained, and the losses which have occurred have been several iterations of design review to minimise the impact which in turn is to be off set through mitigation.

It is important to consider that due to the nature of Industrial and Logistics development plateaus are created which restrict flexibility of design and therefore reduces the ability to avoid individual trees. Nevertheless, tree retention has been a significant consideration in the design of the proposals and to conclude otherwise is not based on any evidence.

Whilst tree loss is regrettable, particularly where it involves trees of better quality, the loss has to be seen within the larger picture of development, with the nature and need for the development balanced against the arboricultural impact. This is recognized in BS5837 *that the competing needs of development mean that trees are only one factor requiring consideration*. BS5837 does not identify a given quantity of tree retention, or that trees of any particularly quality have to be retained. There is a recognition that certain trees may be of such importance as to be a major constraint on development or to justify substantial modification. This is consistent with the National Planning Policy Framework which identifies that developments that will result in the loss of, or negative impacts on, veteran and ancient trees should be refused³. As detailed within the AIA assessment of the trees against the criteria of the NPPF has been carried out, and none were found.

As noted in the AIA there has been a fully engaged process from the first tree survey through to the submission layout. The nature of the development limits the options for micro adjustments for localized tree retention, though where modifications of the layout can be made to facilitate tree retention these have been implemented. The involvement with this project Lightwoods Green has provided is as follows,

- May 2020 Lightwoods Green provided a tree survey and preliminary constraints advice.
- June 2024 Lightwoods Green updated survey plus additional trees. Constraints plan and report delivered.
- January 2025 Caddick carried out a layout review to increase tree retention based on the 2024 tree survey and constraints advice.
- March 2025 Lightwoods Green provided specific advice on the impacts of level changes in RPAs and how these can be minimised.
- March 2025 Lightwoods Green carried out a layout review to highlight how tree retention can be improved.
- May 2025 Team meeting to look in detail at the arboricultural impact of the levels works and minimise the impact on the trees.
- May 2025 Lightwoods Green provided a preliminary AIA.
- August 2025 Lightwoods Green provided an updated (and final) AIA including minor layout changes.

Common Ground

Notwithstanding the above comments, there remain clear areas of common ground. All parties agree that there are no veteran trees, ancient woodland, or statutory designations on site. All parties agree that retained trees must be protected in accordance with BS5837:2012 which can be controlled through an appropriately worded planning condition.

² Lightwoods Green Ltd, Tree Survey & Arboricultural Implications Assessment Tree Retention & Removal Plan (24 September 2025), Paragraph 4.1.1. – 4.1.3.

³ National Planning Policy Framework (December 2024), Paragraph 193 c)



Conclusion

We are disappointed by the inconsistencies in the Tree Officer's advice which has changed over time. Nevertheless, the scheme clearly demonstrates that the trees have been considered in the design and where loss is unavoidable, this has been comprehensively mitigated through a scheme that accords with the National Forest guidance, which it exceeds it through a 3:1 replacement ratio of standard trees, and BNG requirements.

Yours sincerely

Adam Key
Director