

13th February 2024



Shepherd's Cot, Park Rd, London N8 8JJ

Dear Sir, Madam

Application by Highgate Cricket and Lawn Tennis Club for a Non Material Amendment to permission HGY/2023/2299: Resurfacing and extension of tennis courts including change of use from garden to sports use, provision of floodlights, redevelopment of clubhouse and associated works.

Highgate CLTC is submitting an application for a Non Material Amendment (NMA) to permission HGY/2023/2299 via the Planning Portal. The NMA sought is to amend condition 8 of that permission to allow the use of radar to investigate the presence and location of tree roots as an alternative or in addition to trial excavation by hand and air spade.

The application comprises:

- Completed Planning application form.
- Brookside Site Location Plan – Ref TQRQM23230155408000

It is accompanied by:

- The approved Proposed Site Plan – Drawing P 100 Rev P01
- The approved Proposed Clubhouse Layout and Elevations – Drawing P 200 Rev P01

We explain the approval sought in more detail below.

Condition 8

Condition 8 requires approval by the LPA of both the commencement and findings of a trial excavation to be undertaken by hand or air spade in accordance with the approved AIA.

Since the submission of the original application, the Club has investigated an alternative less intrusive but robust method of identification of tree roots ie ground penetrating radar and now wishes to carry out the investigation primarily by this method.

Radar could be used in all the locations accessible to the unit, i.e. the courts and other flat ground. The scanning unit has a 400MHz antenna which sends down a beam every 10mm to a depth of 2 - 3m. Water reflects the beam, so it only detects live roots containing water, not dead or dried out ones and only those over 20mm diameter. The results are analysed and plotted on a CAD file, which will be overlaid on the site plan, so the roots depths and locations will be known precisely in order to inform the works.

This is a relatively new technology that is being widely adopted and accepted by many Councils and other public bodies, including the London Borough of Haringey. Attached for information is a minute

of a committee meeting in March 2022 which records the use of radar to identify tree root locations by the Council. It is therefore envisaged that the LPA is familiar with and accepts the use of this approach. We are aware that other bodies such as Lewisham Council, the City of London, the Highways Agency and the RSPB also use this approach.

Radar has significant advantages over the various methods of physical excavation, in particular:

- Effect on roots - none, there is no ground disturbance
- Environment - it does not create the noise and dust associated with using compressed air.
- Sustainability - the carbon footprint is considerably smaller than physical excavation and associated works.
- Effect on court surface -there is a significant benefit to the Club in that radar would involve no damage to the playing surface of the courts meaning that they could continue to be used without the requirement for remedial work until the project commences.

Because of the wording of condition 8 which refers to 'trial excavation undertaken by hand or air spade' we are therefore seeking to alter this condition to allow investigation by radar as well.

The revised wording sought is:

"The development hereby approved shall take place in complete accordance with the approved Arboricultural Impact Assessment (AIA) and Tree Protection Plan (TPP) as supplied by Simon Pryce Arboriculture with trial investigation undertaken by radar, hand or air spade. The commencement and findings of the trial investigation should obtain written approval of the Local Planning Authority. The works shall also be monitored accordingly by a suitably qualified Arboricultural consultant during and until the completion of the project."

This change is considered to be non material. It just replaces the use of excavation with investigation (to facilitate a non intrusive form of investigation) and introduces the possibility of use of radar. It will not alter the permitted development, nor will it alter the purpose of the condition. The reason for condition 8 is:

" In order to ensure the safety and well being of the trees adjacent to the site during constructional works that are to remain after works are completed"

The revised wording will simply allow an alternative and accepted method of carrying out the necessary investigations to achieve the condition's purpose.

If you have any queries in relation to this application please contact me.

Yours faithfully

Gareth Morgan
On behalf of Highgate CLTC