



**TREE SURVEY,
ARBORICULTURAL IMPACT ASSESSMENT,
TREE PROTECTION PLAN &
ARBORICULTURAL METHOD STATEMENT
Rev:0,**

with regard to proposed development at:

**‘Jessica Buttons Factory’,
Clarendon Road, London
N8 0DJ,**

for:

Paul Simon Homes.

Job no. MJC-22-0174

6th January 2023.

Mark Carter

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1.0 Instruction

- 1.1 MJC Tree Services Limited have been instructed by Paul Simon Homes as follows:

“Re: Development Site Tree Report in Accordance With BS5837:2012 at 9 Clarendon Road, Haringey, N8 0DJ.

To carry out the following works in respect of the above:

- *To discuss a proposed development of the site with the design team in the light of the identified tree constraints with a view to arriving at a proposed layout that is acceptable in arboricultural planning terms:*
- *To draw up an Arboricultural Impact Assessment for the proposed development of the above site, using the tree constraints information that we have on file for reference and a proposed site layout plan (including all access and service plan details) that will need to be supplied, via email, as a .dwg (AutoCAD) file to the above office before the report can be completed:*
- *To draw up a Tree Protection Plan and, if required, the heads of terms for an Arboricultural Method Statement for the proposed development that will provide adequate protection to the trees identified for retention:*
- *To combine these elements into a single report and to supply the completed report in an electronic format as a .pdf file, with the plans available as .dwg (AutoCAD) files.”*

2.0 Qualifications and Caveats

- 2.1 The author of this report is a:

- Fellow of the Institute of Chartered Foresters:
- Chartered Arboriculturist:
- Chartered Surveyor:
- Registered Consultant of the Institute of Chartered Foresters.
- Professional Member of the Arboricultural Association:

He also holds the Royal Forestry Society's Professional Diploma in Arboriculture and has over 28 years' experience in UK arboriculture. A full CV and CPD record are available as a .pdf file upon request to the above office.

- 2.2 The tree survey was preliminary in nature and was carried out from ground level using visual techniques only. No trees were climbed or internally investigated. Should a more detailed inspection be required then this will be highlighted in the recommendations.
- 2.3 Trees are living organisms whose health and condition can change rapidly. The health, condition and safety of trees in high use areas should be checked on a regular basis, preferably at least once every eighteen months. The conclusions and recommendations in this report are based only on the observations made by the author during the tree survey.

- 2.4 This report is for the sole use of the above named client and refers only to those trees identified within. It may not be reproduced in whole or in part, or sold, lent, hired out or divulged to any third party not directly involved in the subject matter, without our consent. Use by any other person(s) in attempting to apply its contents for any purpose other than stated in this report renders the report invalid for that purpose.
- 2.5 This report is supplied subject to our terms and conditions in force at the time of our instruction by the client.

3.0 Introduction

- 3.1 This report is presented largely in the form of annotated plans with a tree survey schedule that are intended to be read in the sequence they are presented, cross referencing as instructed in the annotations.
- 3.1.1 The reason for this graphical form of presentation is to make its interpretation easier by the greater design team and the demolition/construction team. These teams work in a graphical environment, and if the arboricultural reports involved in the design and demolition/construction processes are to be easily interpreted by these teams they must also be presented in a graphical environment. To do otherwise would create an unhelpful disconnect between the arboricultural information and the design and demolition/construction teams. It also allows the report and the proposed development to be assessed on site by officers of the Local Planning Authority (LPA) whilst referencing a small number of single page documents, thereby avoiding the need to keep flicking backwards and forwards through a written report whilst holding open a large site plan.
- 3.1.2 The layout and order of the plans and schedule are intended to illustrate a logical progression from the existing site (Tree Survey Plan and Tree Survey Schedule), through the proposed development, its impact on the trees in terms of tree losses, the establishment of conflicts with the retained trees and how these conflicts will be resolved in principle (Arboricultural Impact Assessment), to the specific tree protection measures and methodologies required (Tree Protection Plan and Arboricultural Method Statement).
- 3.2 The tree works recommended on the schedule are based on the current context of the site, they are not works required as a result of any proposed development. This is to comply with section 4.4.1.1 of BS5837:2012 that states "*...the tree survey should be completed and made available to designers prior to and/or independently of any specific proposals for the development*". The tree works required as a result of the proposed development are detailed in the Arboricultural Impact Assessment plan.

4.0 Summary

- 4.1 It is proposed to demolish the existing building on site and to replace it with the building illustrated in the Arboricultural Impact Assessment plan.
- 4.2 There are no substantive arboricultural reasons for the Local Planning Authority (LPA) to object to the proposed development, providing the tree protection measures suggested in the Arboricultural Impact Assessment plan and detailed in the Tree Protection Plan & Arboricultural Method Statement are undertaken, along with adequate mitigation planting of new trees as suggested in the Arboricultural Impact Assessment plan. In order to ensure that these measures take place, it is likely that, if the LPA grant planning permission for the proposed development, they will make that permission conditional of the following:
- Adherence to the Tree Protection Plan & Arboricultural Method Statement ref. MJC-22-0174-03 rev.0 (see following Tree Protection Plan & Arboricultural Method Statement):
 - The pre-commencement drawing up and approval of a comprehensive soft landscaping scheme for the proposed development that includes adequate mitigation planting of new trees and shrubs to compensate for the identified tree losses:
- 4.2.1 The use of these conditions is reasonable, necessary and commonplace. Therefore, the required use of these conditions should not form a legitimate reason for the LPA to object to the proposed development.

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5.0 Tree Constraints Plan

MJC TREE SERVICES LIMITED

Site:
9 Clarendon Road, Haringey,
N8 ODU.

TREE CONSTRAINTS PLAN

Plan no. MJC-22-0174-01
rev:0

This is based on the Laser
Surveys' topographical survey
plan no. 9761/1 rev:0,
amended by MJC on
06/01/2023.

This plan was produced in
colour. A monochrome
version must not be relied
upon.

KEY

- T1 Category U tree
and ref' no'
- T1 Category A tree
and ref' no'
- T1 Category B tree
and ref' no'
- T1 Category C tree
and ref' no'
- Crown spread of
surveyed trees
- Extents of noted
shrubs and
hedges
- Estimated
mature crown
spread for trees
with significant
potential for
future growth
- Indicative root
protection area
(RPA)
- Modified root
protection area
(RPA)
- Direction of
lowest significant
branch, length
of arrow
indicates height
i.e. the longer
the arrow the
higher the
branch
- Areas of
potentially
significant shade
constraint for A,
B & C grade
trees, based on
surveyed heights

SCALE
1:200 © A2

Tree Constraints Plan Notes

1.0 Introduction

- 1.1 The tree survey was carried out on the 19th May 2020.
- 1.2 The survey was carried out in accordance with British Standard 5837:2012 'Trees in relation to design, demolition and construction – Recommendations' (BS5837:2012).
- 1.3 The survey was carried out from ground level using visual techniques only. No trees were climbed or internally investigated. Should a more detailed inspection be considered necessary then this will be highlighted in the recommendations section of the tree survey schedule.
- 1.4 The tree works recommended on the schedule are based on the current context of the site, they are not works required as a result of any proposed development. This is to comply with section 4.4.1.1 of BS5837:2012 that states "...the tree survey should be completed and made available to designers prior to and/or independently of any specific proposals for the development". Any tree works required as a result of the proposed development will be listed separately in the Arboricultural Impact Assessment plan (AIA).

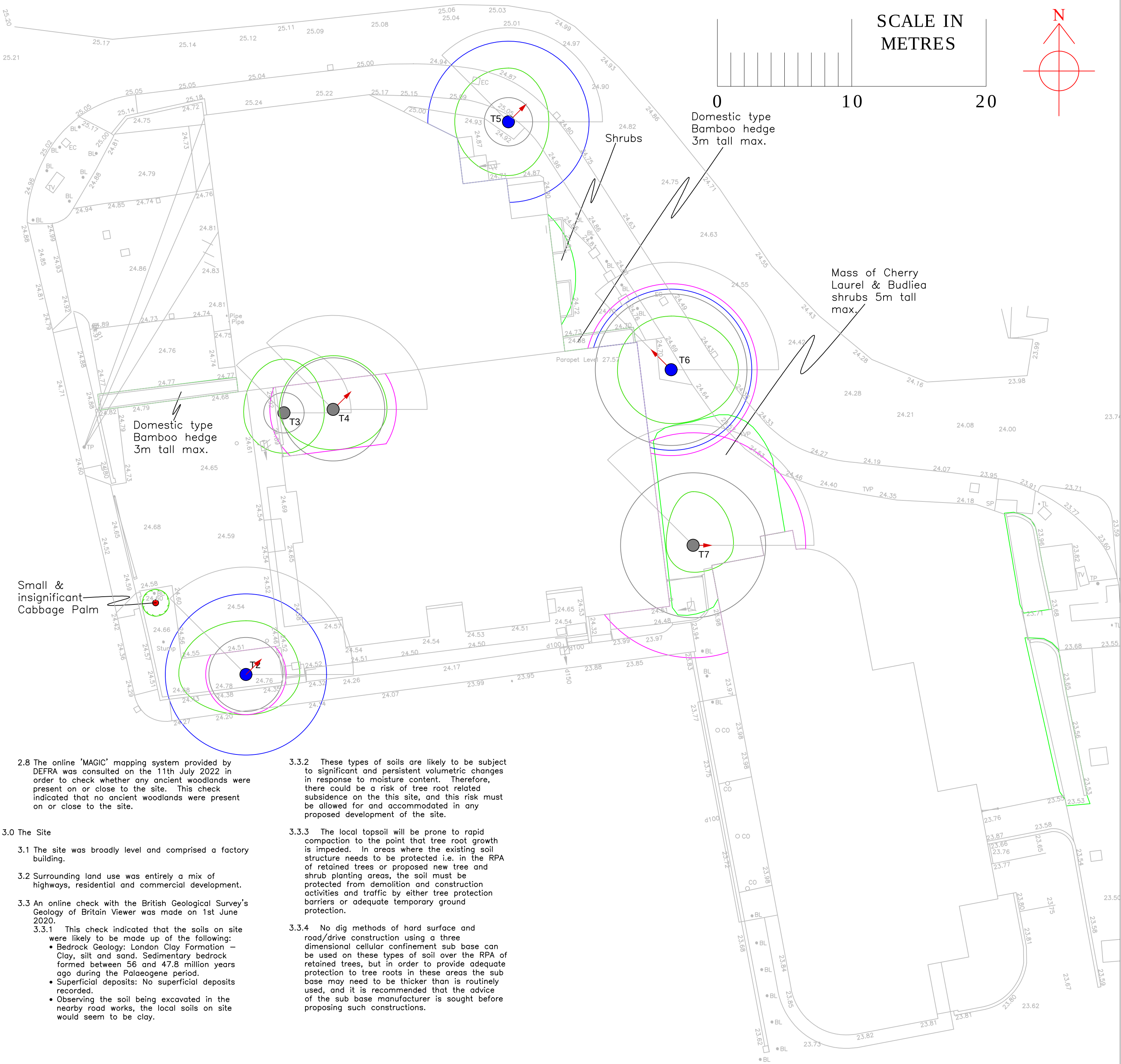
2.0 The Trees

- 2.1 The details of the individual tree survey are provided on the following tree survey schedule.
- 2.2 The tree constraints have been calculated and are illustrated in accordance with BS5837:2012.
- 2.3 A number of trees included in the survey were omitted from the supplied site plan, namely tree nos. T3, T4 and T7. The position of these trees has been estimated by eye while the author was on site. This issue is noted in the tree survey schedule. If the position of any of these trees becomes critical to any proposed development of the site, their position should be confirmed by a competent land surveyor and this report updated accordingly.

2.4 Root Protection Areas (RPA)

- 2.4.1 The indicative and circular RPA of several trees, as derived by using the calculation provided at section 4.6.1 of BS5837:2012 and illustrated by a grey circle in this plan, extend under the footprint of nearby and existing structures. It has been considered reasonable to assume that these structures will have restricted past tree root growth to varying degrees. Section 4.6.2 of BS5837:2012 states "Where pre-existing site conditions or other factors indicate that rooting has occurred asymmetrically, a polygon of equivalent area should be produced. Modifications to the shape of the RPA should reflect a soundly based arboricultural assessment of likely root distribution." In order to comply with this requirement, the RPA of some trees have been modified to form an irregular polygon, illustrated with a magenta margin in this plan, as follows.
- 2.4.2 Tree nos. T2, T4, T6, and T7. The indicative RPA extends under the existing and substantial buildings on site. It has been considered reasonable to assume that the walls and foundations of the building(s) will have created an effective barrier to root growth. In order to compensate for this, the area of indicative RPA that extends under the buildings has been excluded, and the equivalent area evenly added to the remaining RPA that was considered unrestricted.
- 2.4.3 Where the indicative RPA extends under existing paths, roads, and light buildings and structures, it has been considered reasonable to assume that these have not formed a significant barrier to root growth. Therefore, no modification as a result of these structures has been considered necessary.

- 2.5 The areas of potentially significant shade illustrated in this plan have been derived following the guidance provided at section 5.2.2 Note 1 of BS5837:2012. This area does not indicate an area where development may not take place, it merely indicates an area where tree shade may have an adverse impact on a proposed development if that part of the development has a need for high levels of direct and natural light e.g. patios and living room windows, and it may also reduce useable amenity space in gardens.
- 2.6 Some of the surveyed trees were considered to have significant potential for future growth. The potential and estimated mature crown spread of these trees is illustrated by a blue crown spread margin in this plan.
- 2.7 The online mapping system provided by the Local Planning Authority (LPA) was consulted on the 11th July 2022 in order to check on the protected status of the surveyed trees. This check indicated that none of the surveyed trees are protected by a Tree Preservation Order, or are within a Conservation Area.



- 2.8 The online 'MAGIC' mapping system provided by DEFRA was consulted on the 11th July 2022 in order to check whether any ancient woodlands were present on or close to the site. This check indicated that no ancient woodlands were present on or close to the site.

3.0 The Site

- 3.1 The site was broadly level and comprised a factory building.
- 3.2 Surrounding land use was entirely a mix of highways, residential and commercial development.
- 3.3 An online check with the British Geological Survey's Geology of Britain Viewer was made on 1st June 2020.
 - 3.3.1 This check indicated that the soils on site were likely to be made up of the following:
 - Bedrock Geology: London Clay Formation – Clay, silt and sand. Sedimentary bedrock formed between 56 and 47.8 million years ago during the Palaeogene period.
 - Superficial deposits: No superficial deposits recorded.
 - Observing the soil being excavated in the nearby road works, the local soils on site would seem to be clay.
 - 3.3.2 These types of soils are likely to be subject to significant and persistent volumetric changes in response to moisture content. Therefore, there could be a risk of tree root related subsidence on the this site, and this risk must be allowed for and accommodated in any proposed development of the site.
 - 3.3.3 The local topsoil will be prone to rapid compaction to the point that tree root growth is impeded. In areas where the existing soil structure needs to be protected i.e. in the RPA of retained trees or proposed new tree and shrub planting areas, the soil must be protected from demolition and construction activities and traffic by either tree protection barriers or adequate temporary ground protection.
 - 3.3.4 No dig methods of hard surface and road/drive construction using a three dimensional cellular confinement sub base can be used on these types of soil over the RPA of retained trees, but in order to provide adequate protection to tree roots in these areas the sub base may need to be thicker than is routinely used, and it is recommended that the advice of the sub base manufacturer is sought before proposing such constructions.

6.0 Tree Survey Schedule

TREE SURVEY SCHEDULE

Key:

- o **Ht** = Height estimated in metres.
 - o **Stem Diam** = Stem or trunk diameter, measured and calculated in accordance with Annex C and section 4.6 of BS5837:2012.
 - o **oi** = Measurement taken over ivy, which is likely to produce an exaggerated figure;
 - o **cmb** = combined stem diameter value for multi stem trees.
 - o **Crown Spread** = Crown spread to the cardinal points in metres, measured by pacing.
 - o **1st significant branch ht' & direction** = First significant branch height in metres and direction of growth e.g. N = North.
 - o **Crown base ht'** = Minimum distance between surrounding ground level at the trunk base and the base of the main crown, estimated by eye in metres.
 - o **Life stage** is chosen from the four following categories;
 - Y = Young;
 - SM = Semi mature;
 - EM = Early mature;
 - M = Mature;
 - OM = Over Mature.
- o **Ht** = Height estimated in metres.
 - o **Stem Diam** = Stem or trunk diameter, measured and calculated in accordance with Annex C and section 4.6 of BS5837:2012.
 - o **oi** = Measurement taken over ivy, which is likely to produce an exaggerated figure.
 - o **Crown Spread** = Crown spread to the cardinal points in metres, measured by pacing.
 - o **1st significant branch ht' & direction** = First significant branch height in metres and direction of growth e.g. N = North.
 - o **Crown base ht'** = Minimum distance between surrounding ground level at the trunk base and the base of the main crown, estimated by eye in metres.
 - o **Life stage** is chosen from the four following categories;
 - Y = Young;
 - SM = Semi mature;
 - EM = Early mature;
 - M = Mature;
 - OM = Over Mature.
 - o **n/a** = not available.

Ref no	Species	Ht (m)	Stem diam (mm)	No. of stems	Crown spread (m)				1 st sig' branch ht' (m)	Direction of 1 st sig branch	Crown base ht' (m)	Life stage	General observations	Preliminary management recommendations	Rem' cont' (years)	Reten' Cat
					N	E	S	W								
T2	Flowering Cherry	8	230	1	4	4	3	5	2	ESE	2	SM	- The tree was an attractive roadside feature. - The crown had been lifted in the past over the pavement and highway. - The tree had some potential for future growth.	- No works currently identified. - RPA: radius = 2.8 metre; area = 24 square metres.	20-40	B2

Ref no	Species	Ht (m)	Stem diam (mm)	No. of stems	Crown spread (m)				1 st sig' branch ht' (m)	Direction of 1 st sig branch	Crown base ht' (m)	Life stage	General observations	Preliminary management recommendations	Rem' cont' (years)	Reten' Cat
					N	E	S	W								
T3	Almond	5#	100# + 75# = 125 combined	2	4	3	3	3	2	SSW	2	SM	- The tree was not plotted in the supplied topographical survey plan and its position was estimated by eye whilst on site. If the position of this tree becomes critical to any proposed development on the site the position of this tree must be confirmed by a competent land surveyor and this survey and report updated accordingly. - The tree was inaccessible behind a locked gate and fence, therefore all assessments and measurements used were estimates made from a distance. - The tree was suffering from severe Peach Leaf Curl disease. - The tree was growing abutting the nearby walls and fence, and this was likely to result in direct damage being caused to both the walls and fence, and the tree, therefore the long-term retention of this tree was not anticipated.	- Consider felling and replacing with a better formed specimen Almond tree, located slightly further away from the walls and fence. - RPA: radius = 1.5 metre; area = 7 square metres.	10-20	C1

Ref no	Species	Ht (m)	Stem diam (mm)	No. of stems	Crown spread (m)				1 st sig' branch ht' (m)	Direction of 1 st sig branch	Crown base ht' (m)	Life stage	General observations	Preliminary management recommendations	Rem' cont' (years)	Reten' Cat
					N	E	S	W								
T4	Flowering Cherry	7#	250# + 200# = 320 combined	2	4#	4#	3#	4#	2#	NE#	2#	EM#	- The tree was not plotted in the supplied topographical survey plan and its position was estimated by eye whilst on site. If the position of this tree becomes critical to any proposed development on the site the position of this tree must be confirmed by a competent land surveyor and this survey and report updated accordingly. - The tree was inaccessible behind a locked gate and fence, therefore all assessments and measurements used were estimates made from a distance. - The tree was two stemmed from just above ground level with a swollen and potentially weak fork between the stems. - The presence of this structural defect makes the long-term retention of this tree unlikely. - The crown had been reduced in the past on the southern side, most likely to clear the nearby building. - The crown was in contact with the wall to the north and this introduces a potential risk of causing direct damage to both the wall and the tree.	- Consider felling and replacing with a better formed specimen tree. - RPA: radius = 3.8 metre; area = 46 square metres.	10-20#	C1#

Ref no	Species	Ht (m)	Stem diam (mm)	No. of stems	Crown spread (m)				1 st sig' branch ht' (m)	Direction of 1 st sig branch	Crown base ht' (m)	Life stage	General observations	Preliminary management recommendations	Rem' cont' (years)	Reten' Cat
					N	E	S	W								
T5	Flowering Cherry	7	150#	1	4	3	4	4	1.6	NE	2	SM	- The tree was an attractive roadside feature with some potential for future growth. - The original support stakes and protective mesh was still present around the trunk and this prevented close access to the trunk hence estimated stem diameter measurement used to calculate the root protection area. - The surrounding tarmac surface was becoming disrupted most likely as a result of direct root damage, a symptom common with this genus of tree. - However, this root growth could be accommodated by removing the immediately surrounding hard surface and replacing it with soft landscaping.	- Remove supporting stakes and protective mesh. - Consider removing the immediately surrounding asphalt surface and replacing with soft landscaping. - RPA: radius = 1.8 metre; area = 10 square metres.	20-40	B2
T6	Swedish Whitebeam	8	470 @ 1m agl	1	4	5	4	4#	1.5	NW	1.5	EM	- The tree was an attractive roadside feature with some potential for future growth. - The tree was heavily covered in Ivy which restricted the extent of visual survey possible. - A low branch bole was present hence stem diameter measurement at 1 metre above ground level used to calculate the root protection area.	- Sever at ground level Ivy stems growing up this tree and re-survey in 12 months-time, when the Ivy has died back. - RPA: radius = 5.6 metre; area = 100 square metres.	20-40	B2

Ref no	Species	Ht (m)	Stem diam (mm)	No. of stems	Crown spread (m)				1 st sig' branch ht' (m)	Direction of 1 st sig branch	Crown base ht' (m)	Life stage	General observations	Preliminary management recommendations	Rem' cont' (years)	Reten' Cat
					N	E	S	W								
T7	Swedish Whitebeam	9#	450#	1	4#	3#	2#	2#	2#	E#	2#	EM#	- The tree was not plotted in the supplied topographical survey plan and its position was estimated by eye whilst on site. If the position of this tree becomes critical to any proposed development on the site the position of this tree must be confirmed by a competent land surveyor and this survey and report updated accordingly. - The tree was inaccessible behind a locked gate and fence, therefore all assessments and measurements used were estimates made from a distance. - The tree was an attractive feature visible from the public highway, but unfortunately it was growing so close to the existing buildings that it was likely to come into repeated conflict with these structures in the future, therefore the long-term retention of this tree was considered unlikely.	- Consider replacing with a new tree more appropriately located. - RPA: radius = 5.4 metre; area = 92 square metres.	10-20#	C1#

7.0 Arboricultural Impact Assessment Plan

MJC TREE SERVICES LIMITED

Site:
9 Clarendon Road, Haringey,
N8 0DJ.

ARBORICULTURAL IMPACT ASSESSMENT

Plan no. MJC-22-0174-02
rev:0

This is based on the Laser
Surveys' topographical survey
plan no. 9761/1 rev:0 and
the Stock Wool proposed
layout drawing no.
3572_PL(20)100_P0 - WIP,
amended by MJC on
06/01/2023.

This plan was produced in
colour. A monochrome
version must not be relied
upon.

KEY

- Existing site layout in grey
- Proposed site layout in colour and black
- Proposed new tree planting and new soft landscaping
- Category U tree and ref' no' T1
- Category A tree and ref' no' T1
- Category B tree and ref' no' T1
- Category C tree and ref' no' T1
- Crown spread of surveyed trees to be retained
- Crown spread of surveyed trees to be removed
- Extents of noted shrubs and hedges to be retained
- Extents of noted shrubs and hedges to be retained
- Estimated mature crown spread for trees with significant potential for future growth
- Indicative root protection area (RPA)
- Modified root protection area (RPA)
- Direction of lowest significant branch, length of arrow indicates height i.e. the longer the arrow the higher the branch
- Areas of potentially significant shade constraint for A, B & C grade trees, based on surveyed heights

SCALE

1:200 @ A2

Arboricultural Impact Assessment

1.0 Introduction

- 1.1 It is proposed to demolish the existing building on site and to replace it with the building illustrated in this drawing.
- 1.2 In this plan, the proposed development layout is illustrated in colour.
- 1.3 In order to provide context with the existing site, and highlight the proposed development, the existing site layout plan is also illustrated in pale grey in this plan.
- 1.4 The trees, their constraints, and areas where specific tree protection measures are required, are illustrated in accordance with the key.

2.0 Tree Works.

- 2.1 The proposed development requires the following tree works to be carried out.
 - 2.1.1 Fell of tree nos. T4, T5, T6 and T7, two domestic type Bamboo hedges, and one group of shrubs. These trees, hedges and shrubs are illustrated with red crown margins in this drawing.
- 2.2 These tree works are required, and are considered acceptable in arboricultural planning terms, for the following reasons.
- 2.3 Two domestic type Bamboo hedges, and one group of shrubs.
 - 2.3.1 These hedges and shrubs are within the footprint of the proposed building and/or within the footprint of new parking bays, and they cannot be retained for this reason alone.
 - 2.3.2 Domestic type hedges and shrubs are not a material consideration in the planning application determination process to the same extent as trees are, and the required removal of these hedges and shrubs should not form a substantive reason for the Local Planning Authority (LPA) to object to the proposed development.

2.4 Tree nos. T3 and T4.

- 2.4.1 These trees are so close to the proposed building that that their crowns will come into conflict with the proposed building, resulting in repeated pruning back of the crowns and future pressures to remove the trees. Although the crowns of these trees could be pruned back to accommodate the proposed building, this would not be a harmonious juxtaposition of trees and development. Therefore, it is more realistic to identify the loss of these trees as a result of the proposed development, even if the trees are ultimately retained and their crowns pruned back.
- 2.4.2 These trees were both 'C' grade with regard to their quality assessment as defined in Table 1 of BS5837:2012. BS5837:2012 describes such trees as 'Trees of low quality with an estimated remaining life expectancy of at least 10 years, or young trees with a stem diameter below 150 mm'.
- 2.4.3 Such trees cannot be considered to be of high public amenity value as individuals, although they may collectively accrue some public amenity value if they are present in sufficient numbers and located in a publicly prominent location. However, this is not the case with these trees. Therefore, the required removal of these trees should not form a substantive reason for the LPA to object to the proposed development.

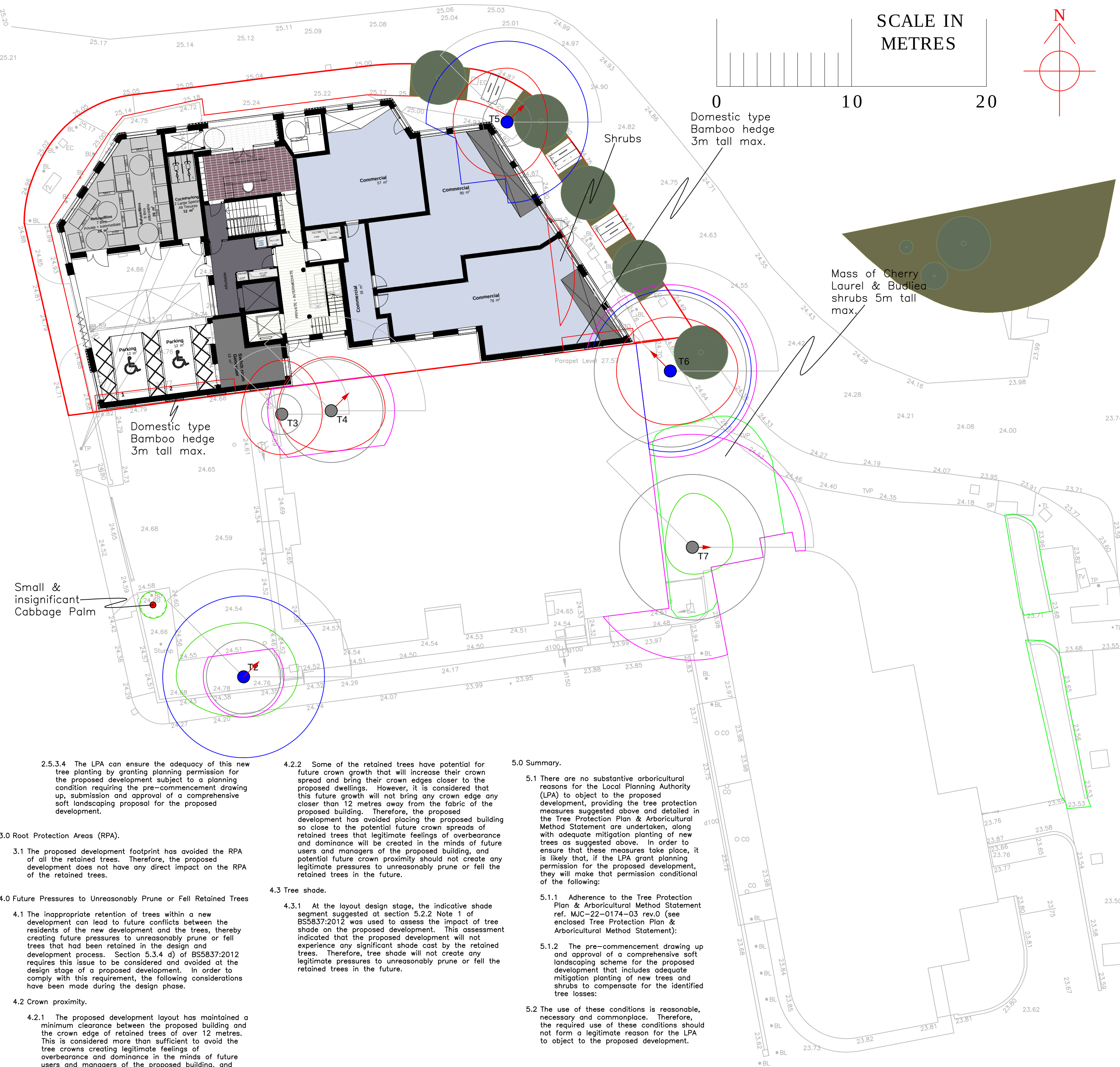
2.5 Tree nos. T5 and T6.

- 2.5.1 The proposed development will adversely impact on the root protection area (RPA), existing crown spreads, and potential future crown spreads of these trees. These cumulative impacts will make the survival of these trees unlikely, and even if they do survive their crowns will need to be repeatedly pruned back in the future, and this will create future conflict between the trees and the development and future pressures to fell the trees. Therefore, they should be removed as a consequence of the proposed development.
- 2.5.2 These trees were both 'B' grade with regard to their quality assessment as defined in Table 1 of BS5837:2012. BS5837:2012 describes such trees as 'Trees of moderate quality with an estimated remaining life expectancy of at least 20 years'.
- 2.5.3 The required removal of 'B' grade trees can form a substantive reason for the Local Planning Authority (LPA) to object to the proposed development if the trees are of high public amenity value and their removal would have a significant detrimental impact on the public amenities of the locality.

- 2.5.3.1 These trees are located next to the public highway and therefore have significant public visual amenity value.

- 2.5.3.2 In order for the removal of these trees to be acceptable to the LPA, it will be necessary to carry out the compensatory planting of a number of new trees of a size, type and location to be agreed with the LPA, as part of the proposed development. The scale of this planting will need to be sufficient to replace, at least in the long term, the public amenity value of the 'B' grade trees to be removed.

- 2.5.3.3 In this drawing, indicative new tree planting and soft landscaping is illustrated, and this confirms that the proposed development has ensured that sufficient space has been allocated to new tree planting and soft landscaping that will compensate for the loss of tree nos. T5 and T6 in public amenity terms. Therefore, the required removal of these trees should not form a substantive reason for the LPA to object to the proposed development providing adequate mitigation planting of new trees is carried out as part of the proposed development.



Small &
insignificant
Cabbage Palm

- 2.5.3.4 The LPA can ensure the adequacy of this new tree planting by granting planning permission for the proposed development subject to a planning condition requiring the pre-commencement drawing up, submission and approval of a comprehensive soft landscaping proposal for the proposed development.

3.0 Root Protection Areas (RPA).

- 3.1 The proposed development footprint has avoided the RPA of all the retained trees. Therefore, the proposed development does not have any direct impact on the RPA of the retained trees.

4.0 Future Pressures to Unreasonably Prune or Fell Retained Trees

- 4.1 The inappropriate retention of trees within a new development can lead to future conflicts between the residents of the new development and the trees, thereby creating future pressures to unreasonably prune or fell trees that had been retained in the design and development process. Section 5.3.4 d) of BS5837:2012 requires this issue to be considered and avoided at the design stage of a proposed development. In order to comply with this requirement, the following considerations have been made during the design phase.

4.2 Crown proximity.

- 4.2.1 The proposed development layout has maintained a minimum clearance between the proposed building and the crown edge of retained trees of over 12 metres. This is considered more than sufficient to avoid the tree crowns creating legitimate feelings of overbearance and dominance in the minds of future users and managers of the proposed building, and crown proximity should not create any legitimate pressures to unreasonably prune or fell the retained trees in the future.

- 4.2.2 Some of the retained trees have potential for future crown growth that will increase their crown spread and bring their crown edges closer to the proposed dwellings. However, it is considered that this future growth will not bring any crown edge any closer than 12 metres away from the fabric of the proposed building. Therefore, the proposed development has avoided placing the proposed building so close to the potential future crown spreads of retained trees that legitimate feelings of overbearance and dominance will be created in the minds of future users and managers of the proposed building, and potential future crown proximity should not create any legitimate pressures to unreasonably prune or fell the retained trees in the future.

4.3 Tree shade.

- 4.3.1 At the layout design stage, the indicative shade segment suggested at section 5.2.2 Note 1 of BS5837:2012 was used to assess the impact of tree shade on the proposed development. This assessment indicated that the proposed development will not experience any significant shade cast by the retained trees. Therefore, tree shade will not create any legitimate pressures to unreasonably prune or fell the retained trees in the future.

5.0 Summary.

- 5.1 There are no substantive arboricultural reasons for the Local Planning Authority (LPA) to object to the proposed development, providing the tree protection measures suggested above and detailed in the Tree Protection Plan & Arboricultural Method Statement are undertaken, along with adequate mitigation planting of new trees as suggested above. In order to ensure that these measures take place, it is likely that, if the LPA grant planning permission for the proposed development, they will make that permission conditional of the following:

- 5.1.1 Adherence to the Tree Protection Plan & Arboricultural Method Statement ref. MJC-22-0174-03 rev.0 (see enclosed Tree Protection Plan & Arboricultural Method Statement):

- 5.1.2 The pre-commencement drawing up and approval of a comprehensive soft landscaping scheme for the proposed development that includes adequate mitigation planting of new trees and shrubs to compensate for the identified tree losses:

- 5.2 The use of these conditions is reasonable, necessary and commonplace. Therefore, the required use of these conditions should not form a legitimate reason for the LPA to object to the proposed development.

8.0 Tree Protection Plan & Arboricultural Method Statement



9.0 Tree Protection Barrier Sign



**PROTECTIVE FENCING. THIS
FENCING MUST BE
MAINTAINED IN ACCORDANCE
WITH THE APPROVED PLANS
AND DRAWINGS FOR THIS
DEVELOPMENT.**



**TREE PROTECTION AREA
KEEP OUT !**

**(TOWN & COUNTRY PLANNING ACT 1990)
TREES ENCLOSED BY THIS FENCE ARE PROTECTED BY
PLANNING CONDITIONS AND/OR ARE THE SUBJECTS OF A
TREE PRESERVATION ORDER.
CONTRAVENTION OF A TREE PRESERVATION ORDER MAY
LEAD TO CRIMINAL PROSECUTION**

**ANY INCURSION INTO THE PROTECTED AREA MUST BE
WITH THE WRITTEN PERMISSION OF THE LOCAL
PLANNING AUTHORITY**

10.0 References

- BS5837:2012 = British Standard 5837:2012 'Trees in relation to design, demolition and construction – Recommendations'.
- BS3998:2010 = British Standard 3998:2010 'Tree work – Recommendations'.