

APPENDIX C: Tree and Landscape Assessment Guidance for Planning Applications

Information Requirements to support planning applications on sites where trees are a factor:

Stage	Minimum Detail Required	Additional Detail at Discretion of LPA
Pre-application/ layout	<ul style="list-style-type: none"> • Topographic survey • Arboricultural Assessment in accordance with BS5837:2012 • Draft Tree Retention and Removal Plan • Draft Tree Protection Plan 	<ul style="list-style-type: none"> • Draft Arboricultural Impact Assessment
Application	<ul style="list-style-type: none"> • Topographic survey • Arboricultural Assessment in accordance with BS5837:2012 • Tree Retention and Removal Plan including Schedule of Tree Works • Tree Protection Plan • Arboricultural Impact Assessment • Hard and soft landscape details • Service details • Proposed levels 	<ul style="list-style-type: none"> • Arboricultural Method Statements • Any play area details – equipment and surfacing
Reserved Matters/ Discharge of Conditions	<ul style="list-style-type: none"> • Arboricultural Method Statement • Hard and soft landscape details • Landscape Management and Maintenance Details • Any play area details - equipment and surfacing 	<ul style="list-style-type: none"> • Arboricultural monitoring (on complex or large sites)

The basic requirement to enable any useful discussion is a Arboricultural (Tree) Assessment in accordance with BS5837:2012 showing all trees within the site and any on adjacent land which may impact on the site. This will reveal the opportunities and constraints likely to affect development of the site and enable design and assessment of a proposal. More detailed technical information is required to accompany a planning application, including information about site levels, tree impact, any special engineering and services plus information on how the health of the retained trees will be safeguarded during and after the development.

All information must be produced in accordance with BS5837:2012 Trees in Relation to Design, Demolition and Construction. This standard sets out a

logical sequence of events relating to what information is required, why & when and has tree care at the heart of the process.

Details of Assessments and Surveys:

Topographical (Land) Survey (Ref BS5834:2012 section 4.2):

- Accurately plotted and to a recognizable and appropriate scale
- Site contours preferably at 1.0m levels
- Spot levels of roads, structures and base of all trees
- Show existing hard and soft landscape features
- Show accurate crown spread of all trees, based on the 4 cardinal points (N. E.S.W) that may influence the site e.g. through crown spread or extent of the root protection zone.
- Accurate plotting of all existing trees with a stem diameter greater than 100mm at 1.50m above ground level (or other designation agreed in writing with the Council) on or adjacent to the site. Where woodland is within or adjacent to a site the woodland should be accurately plotted with all boundary trees shown. Hedgerows should be accurately plotted identifying which side of a boundary line the hedge was planted on.
- All boundary treatments and features
- Existing services both under and over ground including invert levels and inspection chambers or fixed equipment
- On complex or large sites a full hydrological and soil survey may be required
- A topographical negative will allow interpretation of requirements for changes in levels in relation to tree cover and should be submitted with any applications

Arboricultural (Tree) Assessment (Ref BS 5837:2012 Section 4.4):

- An accurate survey of all existing trees on or that may influence the site e.g. through crown spread or extent of the root protection zone including the following details:
 - all trees individually numbered as specimens or distinct individuals. Group numbering may be acceptable where the trees are growing together.
 - tree species, approximate age and physical condition
 - tree height, diameter at breast height (DBH) and crown spread must be shown (the four cardinal points of the crown spread should be shown and the location of the trunk, to indicate any uneven growth characteristics)
 - consideration should be given to wildlife value, rarity, defects, hazard trees, safe useful life if development is permitted and any other value that will allow a clear indication of the tree's amenity and landscape contribution.
- All sites with trees on or near them should be evaluated prior to trees being identified for removal and independent of layout design being finalised
- Assessment should be site specific and not include comments such as 'remove to facilitate development'.

Arboricultural Impact Assessment (AIA)(Ref BS5837:2012 Sec 5.4)

Should be presented as a formal report including:

- The Topographical (Land) Survey
- The Arboricultural Assessment.
- A detailed assessment of the impact of the development on the trees and vice versa. It must be site specific and not generic in its approach.
- A Tree Protection Plan showing issues to be addressed by any Arboricultural Method Statement.

Tree Protection Plan (TPP)(Ref BS5837:2012 Sect 5.5)

Should include:-

- Trees identified for removal
- Trees identified for retention.
- Proposed tree works.
- Extents of Tree Protection Zones
- Position of tree protection fence.
- Areas for storage and mixing.
- Contractor's car parking.
- Areas designated for landscaping.
- Proposed services
- Any other requirements for space.
- All changes in ground level
- Changes in level including retaining walls.
- Position and space required for specialist foundations

Arboricultural Method Statement (AMS) (Ref BS5837:2012 Sect 6.1)

- Where any works are proposed within the 'Root Protection Area' (RPA) and/or crown spread of a tree, an AMS will be required in order to demonstrate that the proposed works are practical and can be undertaken without adverse impacts on retained trees
- Such works may include the following:-
 - Removal of existing structures and hard surfaces.
 - Installation of temporary ground protection within the RPA's
 - Installation of services within the RPA's.
 - New hard surfaces with the RPA's
 - Specialist foundation and the effect they will have on finished levels and finished heights.
 - Retaining structures to facilitate changes in level.
 - Landscaping works.
- The AMS should also include:

- An auditable system of monitoring.
- A list of relevant contacts.
- The AMS must be site specific and written in a way that is definitive and enforceable. Words such as 'ideally', 'should' and 'if' must be avoided as they imply that this is an option. Appropriate wording in the AMS includes 'shall' or 'must' when describing on-site operations and protective measures.

Arboricultural Monitoring

On large or complex sites a programme of arboricultural monitoring may be requested from the tree consultant, to be submitted to the Local Planning Authority at key stages of the development process.

PROTECTED TREES

Trees can be protected by Tree Preservation Orders, Conservation Area designation and via planning conditions. Tree Preservation Orders may cover single specimens, groups or woodlands. Conservation Area protection extends to all trees above a specified size within the designated area. Trees and hedges on development sites may also be protected by conditions attached to planning permissions.

Tree Preservation Orders (TPO's)

TPO's are used to protect trees if their removal and the subsequent loss of visual amenity would have a significant negative impact on the local environment, now or in the future. Trees protected by TPO remain the responsibility of the land owner and as such the serving of an Order does not transfer any maintenance responsibility or liability to the Local Planning Authority. A formal written consent is required from the Local Planning Authority to carry out any works or to fell **before works are carried out**, unless a suitable exception can be demonstrated. Exceptions to the requirement to submit a formal application are covered by Regulation 14 of the Town and Country Planning (Tree Preservation)(England) Regulations 2012 which can be provided on request by the TPO Officer. All applications for tree works must be submitted on the standard 'applications for tree works' form with all of its sections fully complied with. Failure to meet this requirement will result in non-validation. Details of the application procedure can be obtained from the Local Authority Tree Protection Officer, who is available to attend pre-application meetings.

Works must be specified and carried out in accordance with BS3998:2010 (Tree Work – Recommendations) Conditions can be applied to consents to fell including a condition to replant. Trees felled in contravention of the Act, or under exemption due to them being dead or that they impose an immediate risk of serious harm are automatically required to be replanted (Section 206 – Town and Country Planning Act 1990). Young replanted trees may also be protected by TPO and in the case of those replaced subject to Section 206 are automatically protected by the original; Order, even if they do not match the description in the plan and first schedule.

TPO contravention is a criminal offence meaning that large fines or custodial sentences are possible. It should be noted that with the introduction of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (Fines on summary conviction) Regulations 2015, fines on summary conviction are no longer limited to £20,000 for wilful destruction. Fines for the wilful destruction of a TPO tree issued by the Magistrates Court are now unlimited. A full (detailed) planning permission can also give consent for works to TPO trees, but an outline planning consent cannot.

Trees in Conservation Areas

Trees in Conservation Areas are protected in a similar way as a result of their visual contribution to the character and appearance of an area. Conservation Areas are designated by the Local Planning Authority to recognise their special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance. It recognises that historic and architecturally interesting buildings exist in a particular urban or rural context which provides a setting for the buildings. Trees can make a significant contribution to a Conservation Area, providing a leafy backdrop to the buildings as well as framing views and acting as focal points. One of the consequences of designation is that it becomes an offence to cut down, top, lop, uproot, wilfully damage or wilfully destroy any tree in the Area except with the consent of the Local Planning Authority. Further details of this control and exceptions to it can be obtained from the Local Authority Tree Protection Officer.

Planning Conditions

Existing trees and hedges on development sites may be protected by conditions attached to planning permissions, which may require retention of trees and hedges and their protection in accordance with an approved scheme (see BS 5837:2012) and to secure other tree and landscape matters supporting the application.

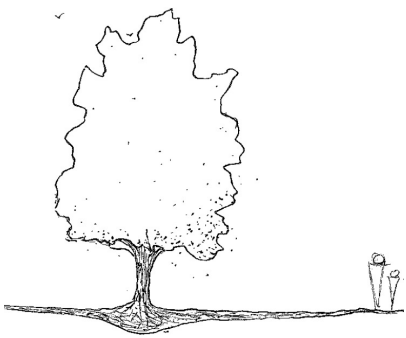


Fence designed to accommodate existing mature tree

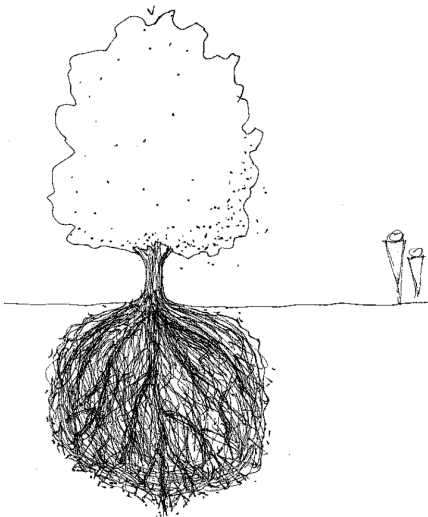


Addressing a change in levels adjacent to existing trees

Tree roots- myth versus reality



Roots spread outwards



Roots same as canopy spread below