

Christopher Nash
3/06 Wing
Temple Quay House
2 The Square
Bristol
BS1 6PN

Dear Mr Nash

Town and Country Planning Act 1990
Appeal by Mr Moran
Site at 20 Brookside, Old Langho, Blackburn, BB6 8AP

Local Authority	Ribble Valley Borough Council
Planning Application Reference	3/2014/0175
Application Proposal	Erection of one new dwelling.
Site Address	20 Brookside, Old Langho, Blackburn, BB6 8AP
Appellant	Mr P Moran
Date Application Validated	26 th February 2014
Council Decision Notice Dated (Committee)	20 th June 2014
Reasons for Refusal	- The proposal is considered contrary to Key Statement DS1 and Policy DMG2 of the Ribble Valley Core Strategy Submission Version as proposed to be modified because approval of the application would lead to the creation of a new dwelling in a Tier 2 Settlement without sufficient justification which would cause harm to the development strategy for the Borough as set out in the emerging core strategy leading to unsustainable development. - Permission for the proposed development would create a harmful precedent for the acceptance of other similar proposals without sufficient justification which would have an adverse impact on the implementation of the emerging planning policies of the Council contrary to the interests of the proper planning of the area in accordance with core principles and policies of the NPPF. - The submitted access and parking layout is considered to be unsatisfactory and could lead to additional parking on the highway to the detriment of highway safety contrary to Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Ribble Valley Core Strategy

	Submission Version as proposed to be modified.
Application Drawings and Supporting Documents	Application Form Design and Access Statement Proposed Plans Sectional Plans Site and Location Plans Pre-Application Advice (however this was not listed on the website along with the other submitted documents)
Responses	Environmental Agency Reply Highway Response

1. The above planning application was submitted to Ribble Valley Borough Council for planning approval and was validated on 26th February 2014. Regrettably, after a considerable timeframe, the application was refused by the Planning Committee on 20th June 2014 for the reasons outlined above.
2. Following due consideration, our Client has instructed us to appeal the Council's decision and the following statement prepared by AJH Associates outlines the reasons why the appellant considers this appeal conforms to the local and national planning policy and therefore should be supported.
3. The agent undertook a detailed survey of the site and prepared a scheme proposing the erection of a single dwelling within the curtilage of 20 Brookside.
4. Prior to the application being submitted our Client approached RVBC for some pre-application advice as to the possibility of obtaining planning permission for a single dwelling; please find this attached in its entirety (Appendix 1) and summarised here.
 - a. *"The proposed dwelling is clear of the Root Protection Zone of the Oak Tree on the adjoining land...a dwelling of this size and position could be acceptable."*
 - b. *"Avoid any proposed hard surfaced areas between the side wall of the dwelling and the Oak tree."*
 - c. *"Show the provision of a minimum of two parking spaces for each dwelling."*
 - d. The Client was advised to get a town planning consultant / architect to aid with the planning process.
5. With the above information in mind and the attached Arboriculture Report (Appendix 2) our Client contacted AJH Associates (ourselves) and requested us to submit a planning application.
6. AJH Associates then took the information from the pre-application advice and the arboriculture report and put together the proposed plans as submitted. The scheme ensured that the dwelling was not to be any closer to the Oak Tree than the proposed location that was assessed during the pre-application stages. The size of the dwelling has also not been altered to the footprint originally assessed and there is no proposed hard standing to the Oak tree side of the dwelling. The proposed application showed two parking spaces for each dwelling, along with a shared driveway and space for manoeuvring.
7. With the proposed plans finalised and in accordance with the advice given AJH Associates submitted the planning application to Ribble Valley Borough Council, the planning

application was received on 7th January 2014, registered on 7th March 2014 and validated on 26th February 2014, acknowledgement was received on by AJH Associates on 9th March 2014 from the Local Council advising that the statutory timeframe for determining the application would expire on 23rd April 2014.

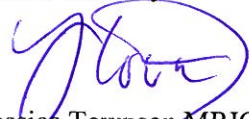
8. An email was received from the Planning Officer on 13th March 2014 with comments on the application and suggestions of areas where he felt changes were required to the Design and Access Statement and also with respect to the application form. This was the only email received from the Planning Officer throughout the 15 week process.
9. An email in response to the afore mentioned email was sent from AJH Associates to the Planning Officer which addressed the issues raised and where required amendments were made to documents and attached. There were no further comments from the Planning Officer.
10. AJH Associates tried to contact the Appointed Officer on two occasions (14.04.14 and 24.04.14) by email following the submission and validation without success.
11. It was not until 20th June 2014 when AJH Associates and the appellant were provided a copy of the refusal notice.
12. It can be noted that there were comments submitted from the Highways Agency and the Environmental Agency; both of whom had no particular objections to the application.

Given that AJH Associates has considered the information submitted by the Council in the format of pre-application advice and also that of the Arboriculture Report when preparing the submission and that all recommendations were adhered to we do not feel that the right conclusion was made. Nor do we feel that the timescale was within the policy of the Council.

When AJH Associates contact the Appointed Officer 7 weeks and 8 weeks post validation there was no response from the Appointed Officer. At no stage within the process were AJH Associates advised that the decision date was not to be till the Committee Meeting in June, nor were they advised that the application would be going for a decision in front of the Committee. It should be noted that the Appellant and AJH Associates would have liked to attend this meeting with the opportunity to speak.

I trust that the above is satisfactory and should you require any further information please do not hesitate to contact us.

Yours sincerely



Jessica Townson MRICS
AJH Associates

Appendix 1

Ribble Valley Borough Council Pre-Application Advice – Mr Colin Sharpe

Appendix 2

Arboriculture Report – Gary Marsden



RIBBLE VALLEY BOROUGH COUNCIL

please ask for: COLIN SHARPE

direct line: 01200 414500

e-mail: colin.sharpe@ribblevalley.gov.uk

my ref: CS/EL/ENQ2013/00055

your ref:

date: 11 November 2013

Council Offices
Church Walk
CLITHEROE
Lancashire BB7 2RA

Switchboard: 01200 425111
Fax: 01200 414487
www.ribblevalley.gov.uk

Dear Mr Moran

PROPOSED DEMOLITION OF ATTACHED GARAGE AND ERECTION OF DETACHED DWELLING AT 20 BROOKSIDE, OLD LANGHO

This letter relates to your pre-application enquiry as described above to which I have responded previously by letters dated 20 June 2013 and 10 October 2013. In the second of my letters, I suggested that, in order to move this matter forward, it would assist if you could decide on (approximately) the size and shape of the dwelling you would wish to build and its precise position on the site; and for you to peg out the outline of the dwelling on the ground in order that myself and the Countryside Officer, David Hewitt, could visit the site and discuss the matter with you further.

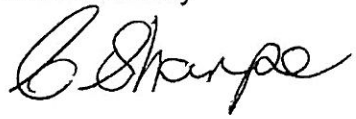
In accordance with that advice, you marked out the position on the ground of what you consider to be the maximum size of the dwelling that you would propose; and a meeting was held with myself and David Hewitt at your property on 11 November 2013. I will now confirm/summarise the outcomes of that meeting as follows:

- A dwelling of the size and in the position that you had pegged-out would be clear of the Root Protection Zone (RPZ) of the Oak tree on the adjoining land. We therefore advised you that, subject to a number of conditions, a dwelling of this size and position **could** be acceptable. We did advise, however, that it would be helpful if you could reduce the floor area of the dwelling so that it would be even further away from that tree.
- Any planning application should avoid any proposed hard surfaced areas (driveways, parking spaces, patios etc) between the side wall of the dwelling and the Oak tree.
- Any planning application should show the provision of a minimum of two parking spaces (with turning areas if possible) for each of the dwellings (your existing property and the proposed dwelling).
- In the event of planning permission being granted, a condition would be imposed requiring the erection of fencing to protect the Oak tree (and other trees within the adjoining woodland) during the construction of the dwelling.
- We advised you that you might now decide to employ a town planning consultant/architect to assist you in the preparation of fully detailed plans for the proposed house and the submission of a planning application. We stated that you should provide your advisor with the Arboricultural Report by Gary Marsden and should advise him/her that this should be used to assist in decisions relating to the

size and precise position of the dwelling. I have returned your original Arboricultural Report with this letter having taken a copy for the Council's file.

Whilst I hope you will find the comments made by myself and David Hewitt at our site meeting, and the comments made in this letter of assistance, I must still point out that the advice is given at officer level only and is entirely without prejudice to the Council's formal consideration of any planning application that you might submit.

Yours sincerely

A handwritten signature in black ink, appearing to read 'C Sharpe', written in a cursive style.

COLIN SHARPE
SENIOR PLANNING OFFICER

Encs

Mr Paul Moran
20 Brookside
Old Langho
BLACKBURN
BB6 8LP

STAGE 1

FDS Arb **M.Arbor.A**

Paul Moran

20 Brookside,
Old Lango,
BB6 8AP





Validation statement for council registration of this report

In accordance with the *Department for Communities and Local Government circular 02/2008* and its guidance document *Validation of Planning Applications*, this report fulfils the recommended national list criteria for tree survey/arboricultural information. More specifically, it contains the following:

- A full tree survey compliant to the requirements of *BS5837; (2012) Trees in relation to design, demolition and construction - Recommendations* undertaken by a qualified arboriculturist.
- A plan to a suitable scale with a north point and showing tree survey information, retention categorisation and root protection areas, tree height and ultimate tree height.



Summary

I have inspected all the relevant trees that could influence the development of this site and listed there details within this report, a minimum root protection zone is indicated around each tree, as no construction would be allowed within this area of any retained tree.

This information can now be used to assist the architect in producing there design while still protecting any retained trees in compliance with *BS 5837:2012 Trees in relation to design, demolition and construction - Recommendations*.

At the design stage consideration will need to be given to the root protection area of T1 when designing any development on this site, the height of the canopy should not be an issue if roof angles are sloping away from the tree / canopy.

Gary Marsden FDS Arb M.Arbor.A



1.0 Introduction

1.1 Instruction:

I am instructed by Paul Moran (referred to as the 'client' from here on) to inspect any significant trees that could have an effect on the development at 20 Brookside, Old Lango and to provide the following information to aid in the design of the site:

- A schedule of the relevant trees to include basic data and a condition assessment as per section 4.4.2.5 of BS 5837:2012 Trees in relation to design, demolition and construction - Recommendations.
- A tree constraints map showing: root protection areas, above ground constraints, crown spreads, retention categories, tree height plus ultimate tree height.

1.2 Purpose of this report:

This reports primary purpose is to allow the architect to design relevant buildings / site layout while taking into account any impact this will have on the retained trees on site.

Within this planning process, this report will be available for inspection by people other than tree experts so the information is presented to be helpful to those without a detailed knowledge of the subject.

1.3 Qualifications and experience:

I have based this report on my site observations and any provided information and I have come to conclusions in the light of my experience. I have experience and qualifications in arboriculture, and include a summary in Appendix 'A'.

1.4 Documents and information provided:

My client or architect provided me with copies of the following documents or information:

- Their verbal of instruction outlining the situation;
- Their verbal instruction commissioning this report and agreeing to the T&C and cost.
- No drawing or documentation has been provided to date.

1.5 Relevant background information:

Prior to the site survey, my client advised me that:

- Their intention is to knock down the existing garage / extension to the east and build a new detached property on the vacant space / garden area.

1.6 Scope of this report:

This report is only concerned with the prominent trees within or around the proximity of the site that could influence the development of this site. It takes no account of any trees outside this remit or any building structural issues. It includes a preliminary assessment based on the site visit and any documents provided, listed in 1.4 above.

The survey is based upon information that was available at the time of the inspection. Further inspections are necessary over time to give a fuller picture of the health of trees.

1.7 Mapping:

Site plans showing all tree locations and any relevant details can be found in Appendix 'D'



1.8 Justification of work:

Where management action / tree surgery are recommended, this is based on maximizing the tree's safe useful life expectancy (SULE), given its current situation or the safety of persons and surrounding targets.

2.0 Limitations

- 2.1 The inspection was carried out from ground level only and relates only to arboricultural aspects. All visual observations and recommendations, relate, to the condition of the trees on the day of the survey. The trees have been assessed with the aid of a Nylon mallet for the purpose of detecting changes in resonance which may indicate that further investigation is required. Any unusual weather conditions, changes in soil, soil levels and changes to surroundings may result in a dramatic change in the trees health.
- 2.2 Due to the changing nature of trees and other site circumstances, this report and any recommendations made are limited to a 12-month period. Any alteration to the site and any development proposals could change the current circumstances and may invalidate this report and any recommendations made.
- 2.3 Trees are dynamic structures that can never be guaranteed 100% safe: even in good condition they can suffer damage under average conditions. Regular inspections can help to identify potential problems before they become acute.
- 2.4 A lack of recommended work does not imply that a tree is safe and likewise it should not be implied that a tree would be made safe following the completion of any recommended work.
- 2.5 This report does not consider the structural condition of existing buildings, nor the impact of existing trees on their foundations. If there are concerns over such matters the advice of a structural engineer should be sought.

3.0 Site visit and observations.

3.1 Site visit:

- I carried out the accompanied site visit on 12th July 2013 in the presence of Mr Moran, the landowner.
- All my observations were from ground level without detailed investigations and I measured all dimensions unless otherwise indicated.
- I did not have access to trees outside the client's boundaries and have confined any observations to what was visible from within the client's property, any dimensions have been estimated.
- The weather at the time of inspection was clear, still and dry, with good visibility.

3.2 Brief site description:

- Brookside is located in the residential suburbs Old Lango.
- Number 20 is on the northern side of the road and surrounded by similar residential properties.
- The property consists of a house that is currently occupied and set to the in a large garden.
- The surrounding topography is relatively flat and the site is not particularly exposed
- No utility services were observed on site.



- No visual inspections of any services were made below ground level.
- There is no known history on this site either personal nor from a third party.

3.3 Identification and location of the trees:

I have illustrated the locations of the significant trees on the digital maps included in Appendix 'D'. These plans are for illustrative purposes only and it should not be used for directly scaling measurements. All the relevant information on it is contained within this report and the provided documents.

3.4 Soil assessment

An assessment of the underlying bedrock profile has been undertaken using the British Geological Survey web site (<http://mapapps2.bgs.ac.uk/geoindex/home.html>) to determine as far as reasonably practicable the presence of any shrinkable clay soils and there possible implications on the design of the development.

The bedrock formation found on or around this site is:

- CLITHEROE LIMESTONE FORMATION AND HODDER MUDSTONE FORMATION (UNDIFFERENTIATED) - MUDSTONE

The superficial deposits found on or around this site are:

- TILL, DEVENSIAN – DIAMICTON

From this data it has been determined that the bedrock formation is not shrinkable. If a more detailed analysis is required, then this must be undertaken by an expert in soil analysis with access to a specialist laboratory.

3.5 Restrictions:

I have emailed the local arboricultural officer requesting information as to the status of the trees on site in relation to tree preservation orders, Conservation Areas and any other known constraints. As yet I have had no response and due to the deadline for submitting this report I can therefore not confirm or deny any constraints.

If I am contacted in the meantime I will forward any information to yourselves but until this, I advise that you contact the local authority before commencing with any tree works

The Arboricultural Officers details are listed below:

David Hewitt,
Arboricultural Planning and Tree Preservation Officer,
Ribble Valley Borough Council
Council Offices,
Church Walk,
Clitheroe,
Lancashire,
BB7 2RA
Tel: 01200 414505,
E-mail: david.hewitt@ribblevalley.gov.uk

Tree Preservation Orders (TPO)

A tree preservation order, referred to as a 'TPO', is an order made by a local planning authority ('LPA') in respect of trees or woodlands.



The principal effect of a TPO is to prohibit the: Cutting down, uprooting, topping, lopping, wilful damage, or wilful destruction of trees without the LPAs consent. The cutting of roots is potentially damaging and so, in the Secretary of State's view, requires the LPAs consent.

Anyone who, in contravention of a TPO, wilfully damages a tree in a way that is likely to destroy it is guilty of an offence. Anyone found guilty of this offence is liable, if convicted in the Magistrates Court, to a fine of up to £20,000. In serious cases a person may be committed for trial in the Crown Court and, if convicted, is liable to an unlimited fine.

Conservation Areas (CA)

Conservation Areas are areas of special architectural or historical interest with a character or appearance that is desirable to preserve or enhance. Trees may often contribute to the special character of the area.

All trees in a Conservation Area are subject to controls which enable the LPA to protect the special character of the area created by the trees. If trees have a specific Tree Preservation Order (TPO) on them, then the normal Tree Preservation Order controls apply.

You must give the LPA 6 weeks' notice, in writing, of your intention to do any work to trees in a Conservation Area. You must not carry out any work during the six week period, which starts from the date of receipt of your notification by the council, unless you receive written permission to do so.

Work which is not exempt and is carried out without formal notification or within the six week period without the written consent of the council is illegal. The LPA may prosecute offenders and fines of up to £20,000 for each tree may be imposed by the Magistrates Court in the event of offenders being convicted of an offence. If proceedings are instituted in the Crown Court fines are unlimited. There is a duty to replace any tree removed without permission.

It is strongly advised that prior to undertaking work to tree/s an up to date check is carried out to establish if a TPO / CA is in force on the tree/s.

The information in this report is correct at the time of writing but it is possible that conditions could have been applied to the tree/s after this report was written.

3.5 Collection of basic data:

I inspected each tree and have indicated the numbering on the site map enclosed in Appendix 'D'. I identified obvious hedges and groups where appropriate. For each individual tree, group or hedge, I collected information on species, height, diameter, maturity and potential for contribution to amenity in a development context. I have recorded this information in the tree schedule included as Appendix 'E'.

I stress that my inspection was of a preliminary nature and did not involve any climbing or detailed investigation beyond what was visible from accessible points at ground level. This data collection is fully compliant with the *BS 5837:2012 Trees in relation to design, demolition and construction – Recommendations* set out in subsection 4.4.2.5 of the standard.



4.0 Tree Categorisation

4.0 Guidance:

BS 5837:2012 is published by BSI Standards Limited, under licence from The British Standards Institution, and came into effect on 30 April 2012 and supersedes BS 5837:2005, which has been withdrawn.

BS 5837:2012 provides recommendations and guidance for arboriculturists, architects, builders, engineers, and landscape architects. It is also expected to be of interest to land managers, contractors, planners, statutory undertakers, surveyors, and all others interested in harmony between trees and development in its broadest sense.

The category for the tree is ascertained by following the guidelines in the BS 5837:2012 Trees in relation to design, demolition and construction – Recommendations "Cascade chart for tree quality assessment" included with the TCP tree schedule in Appendix 'F'. A brief summary of each category is outlined as follows:

4.1 Category 'A' trees:

This category signifies trees that are of a high quality and value with an estimated remaining life expectancy of at least 40 years. Occasionally a veteran tree, although not in the best condition may warrant this category because of its wildlife and cultural value.

It is essential to retain these trees. The design of the proposed development should take into account the retention of category 'A' trees. A design layout that suggests the removal of category 'A' trees has a high increased risk of planning refusal.

4.2 Category 'B' trees:

This category signifies trees that are of a moderate quality and value with an estimated remaining life expectancy of at least 20 years.

It is important to retain these trees. The design of the proposed development, where feasibly possible, should take into account the retention of category 'B' trees. A design layout that suggests the removal of category 'B' trees has an increased risk of planning refusal.

4.3 Category 'C' trees:

This category signifies trees that are of low quality and value with an estimated remaining life expectancy of at least 10 years, or young trees with a stem diameter below 150mm.

They are generally trees that could remain and are expected to have a safe useful life expectancy of between 10 and 20 years if no development were to occur. However, because of their generally low quality it would not be a great loss if they had to be removed if they were a significant constraint to the design or construction process of the proposed development. Particular attention is drawn to the phrase "significant constraint".

4.4 Category 'U' trees:

This category signifies trees that are in such a condition that they cannot be realistically be retained as living trees in the context of the current land use for longer than 10 years and which should, in the current context, be removed for reasons of sound arboricultural management.



5.0 Root Protection Areas (RPAs)

5.1 Why do we need root protection areas?

Approximately eighty percent of a tree's roots are in the top 600 mm of soil. Therefore any changes in this vital environment including: ground level, soil compaction, physical damage to roots, moisture or levels of contaminants can have a dramatic effect on the health of a tree. At deeper strata alterations in water table and routing of services can cause detrimental, long term, effects.

5.2 Method of calculations:

The area of roots that need to be protected around a tree to try and ensure that it does not suffer damage during the construction process is called the Root Protection Area (RPA).

The RPA is calculated using a formula based upon the diameter of the tree at 1.5 metres high for single stem trees and near ground level for multi-stem trees. At this stage it is generally represented by a circle centred on the trees stem. A small percentage lost from the outside of the circle may be tolerated by the tree or offset in another direction. However, where there are significant existing constraints additional root loss in close proximity near to a tree's stem is likely to have a detrimental effect on the trees health or even complete failure of the root plate.

5.3 How to use RPAs:

The RPAs for the trees in question are indicated in Appendix 'E'. At this point the RPA is only indicative and intended to assist in preparing the design layout.

5.4 Optimum RPA calculation:

If the site conditions prevail it is recommended to increase the size of the RPA to accommodate as much potential rooting area as possible, this it will reduce any conflict with the tree and minimise the chance of rejection / conflict with the planning application / Local Planning Authority.

6.0 Pre Development Appraisal

6.1 Category 'U' trees (Removal):

There are no category 'U' trees located on or bordering this site that are recommended for removal regardless of whether development proceeds.

6.2 Category 'A' trees:

There are 2 trees that should be retained due to the physiological and structural strengths of the trees and the contribution to the amenity value that they make now and there potential in the future. **note – T1 is located within the group 'G1' and is the only tree that could have an impact on any proposed development.

6.3 Category 'B' trees:

There are 2 trees that should be retained if feasibly possible in line with the proposed development. Each tree should be assessed as to the impact it has on the development and recommendations drawn from this as to whether removal is an option.

6.4 Category 'C' trees:

There are no category 'C' trees located on or bordering this site.



6.5 Groups:

There is 1 category 'A' group that should be retained due to their physiological and structural strengths of the trees and the contribution to the amenity value that they make now and their potential in the future.

There are no category 'B' groups located on or bordering this site.

There are no category 'C' groups located on or bordering this site.

There is a large band of trees located behind the plotted trees, these have not been surveyed or plotted due to the intention of the proposed development and that they will not be affected by the proposed development.

6.6 Conflict:

At the design stage consideration will need to be given to the root protection area of T1 when designing any development on this site, the height of the canopy should not be an issue if roof angles are sloping away from the tree / canopy.

6.7 Tree works:

The management options noted in the survey data should be followed so to keep a maintained tree stock on and around this development site, particularly giving clearance from properties and over any adopted roads or footpaths.

7.0 Other Considerations

7.1 Trees subject to statutory controls:

If any trees are covered by a tree preservation order or located in a conservation area, it will be necessary to consult the council before any pruning works other than certain exemptions can be carried out. The works specified above are necessary for reasonable management and should be acceptable to the council. However, tree owners should appreciate that they may take an alternative point of view and have the option to refuse consent.

7.2 Trees outside the property boundaries:

Any trees that are located in adjacent properties are effectively out of the control of the client / land owner. It will not be possible to easily carry out any recommended works without the full co-operation of the tree owners. The implications of non-cooperation require legal interpretation and are beyond the scope of this report. By common law, branches from trees on adjacent properties extending over boundaries can be pruned back to the boundary line without the permission of the owners. However, the material belongs to the tree owner and the same guidance on statutory controls applies as discussed in 8.1 above.

7.3 Development within the rooting area:

The zone of influence has been determined using the calculation outlined in Table 2, of section 5.2.2 of *BS 5837:2012 Trees in relation to design, demolition and construction - Recommendations*. This calculation utilises the diameter of the trunk, at a height of 1.5m from the surrounding ground level; and calculates the root protection area (RPA) by multiplying the diameter by a value of 12; the result is then used to calculate the total area (m²) of the RPA. The calculations are illustrated in the tree survey data in Appendix 'E'.



7.4 **Construction Exclusion Zone:**

The values indicate the area of soil around the base of the tree to be retained undisturbed. This area should be protected with vertical barriers and considered sacrosanct. Signs should be erected on the fencing to indicate that the area is a Construction Exclusion Zone (CEZ).

7.5 **Arboricultural Method Statement:**

A detailed Arboricultural Method Statement (AMS), outlining the different stages and progression of construction is available as a further commission. This process should be undertaken once the final decision has been made on the proposed structure (if requested by the Local Planning Authority (LPA)).

7.6 **Implementation of works:**

All tree works should be carried out to BS 3998 *Recommendations for Tree Work* as modified by more recent research. It is advisable to select a contractor from the local authority list and preferably one approved by the Arboricultural Association. Their Register of Contractors is available free from:

Arboricultural Association
The Malthouse,
Stroud Green,
Standish,
Stonehouse,
Gloucestershire
GL10 3DL, UK
Tel: +44 (0)1242 522152
Email: admin@trees.org.uk
Website: www.trees.org.uk/contractors.htm
Fax: +44 (0)1242 577766

7.7 **Local Arboricultural Contractors:**

If requested I can provide a list of reputable arboricultural contractors that have carried out work on previous projects.

7.8 **Safety:**

Tree works can be a hazardous profession, so it is important that all operatives have the necessary and relevant training, health and safety policy and valid forms of insurance.

7.9 **Statutory wildlife obligations:**

The Wildlife and Countryside Act 1981 as amended by the Countryside and Rights of Way Act 2000, provide statutory protection to birds, bats and other species that inhabit trees. All tree work operations are covered by these provisions and advice from an ecologist must be obtained before undertaking any works that might constitute an offence.

7.10 **Future considerations:**

Any remaining trees should be inspected on a regular basis by a qualified arboricultural consultant.

7.11 **Replanting:**

Any trees on this site that are protected by a preservation order and are being recommended for removal, the appropriate replanting of replacement trees will be needed



as a condition of the council granting permission for these trees being felled. This should be incorporated into the landscaping plans at the design stage and followed through after building work is completed.

8.0 Bibliography / References

BS 5837:2012 Trees in relation to design, demolition and construction - Recommendations. – BSI Publication

BS 3998: 2010 Tree work – Recommendations – BSI Publication

[N1]NATIONAL JOINT UTILITIES GROUP (NJUG). *Guidelines for the planning, installation and maintenance of utility apparatus in proximity to trees.*
Volume 4, issue 2. London: NJUG, 2007.

Arboricultural Practice Note (APN) 12 – Through the trees to Development –
Derek Patch and Ben Holding – Arboricultural Advisory and Information Service

Principles of Tree Hazard Assessment and Management – David Lonsdale

The Body Language of Trees – Claus Mattheck and Helge Breuloer

Diagnosis of Ill Health in Trees R.G. Strouts and T.G. Winter

A Photographic Guide to the Evaluation of Hazard Trees in Urban Areas – Nelda P. Matheny and James R. Clark

E-mail communication with local Arboricultural / Planning Officer



APPENDIX 'A'

Brief qualifications and experience of Gary Marsden:

Qualifications:

- National Certificate in Arboriculture – August 1998
- The Leonard Cheshire Home Award , Practical Award – September 1998
- NVQ in Amenity Horticulture Level 1 – November 2003
- Foundation Degree In Science - Arboriculture - June 2005
- BTEC Higher National Diploma in Arboriculture – June 2005
- Certified Expert Witness by Cardiff Law School / Bond Solon – December 2011

Practical experience:

After qualifying at NC level in arboriculture I gained full time employment with Blackburn with Darwen Borough Council as an Arborist / Climber (September 1998) where I gained a wide range of practical Arboricultural experience ranging from pruning, dismantling and planting.

In January 2004 I was promoted to Team Leader Arborist where I developed my skills in Arboriculture, leadership, organisation and prioritising workloads.

In August 2005 I was promoted to 'Arboricultural Officer' this job involves:

- Health and Safety of all Arboricultural aspects
- Inspection and scheduling of tree complaints
- Tree surveys and report writing
- Staff management

In July 2008 I set up my own tree consultancy company – GM Tree Consultants – which I am constantly developing and evolving.

Continuing professional development:

As a conscious effort to stay in touch with the progression in modern techniques and practices in the arboricultural industry, I attend seminars, receive regular arboricultural literature and maintain membership of professional bodies, examples of which are listed below:

- Arboricultural Association Professional Member since November 2006
- Professional Member of the Consulting Arborist Society since May 2009
- Quantified Tree Risk Assessment licensed user since October 2008
- Attendance of Arboricultural Association annual conferences
- Attendance of specialist short courses in relation to specific fields in arboriculture including: Tree Preservation Orders, Subsidence and mortgage reports, Planning legislation and Tree inspection methods and skills.
- Accredited as an Expert Witness by Cardiff University Law School / Bond Solon since December 2011

A detailed breakdown of qualifications and continued professional development training is available; please contact me directly for this information if requested.



APPENDIX 'B'

Site Location aerial photo:





APPENDIX 'C'

Tree survey Index

Tree Locations:

This has been measured using a laser distancing device with a digital compass and plotted on the site plan using tree management software. The accuracy given for the tree stem location is $\pm 1\text{m}$.

Tree Number:

Each surveyed feature is assigned an individual number:

e.g. – Tree A072014013 is made up of:

- 'A' – this represents the tablet pc that was used to record the data
- '07' – this is the month that the inspection was recorded
- '20' – the day of the month when the tree was recorded
- '14' – the hour in the day when the tree was recorded
- '013' – the tree number recorded in that hour of the day (when the hour changes this resets to 001)

Alternatively; each surveyed feature is assigned a number prefixed by a 'T' for individual trees, 'G' for groups of trees and 'H' for hedgerows. It is used to locate the tree in the data survey and the relevant position on the plan.

Species:

The species identification is based on visual observations and the common English name of what the tree appeared to be is listed first. In some instances, it may be difficult to quickly and accurately identify a particular tree without further detailed investigations. The botanical name is followed by the abbreviation sp if only the genus is known.

Measured (M) or Estimated (#)

Trees that have been accurately measured are indicated with an 'm'. Trees that are off site or otherwise inaccessible where accurate data cannot be recovered; these trees are indicated with '#'.

Number of stems:

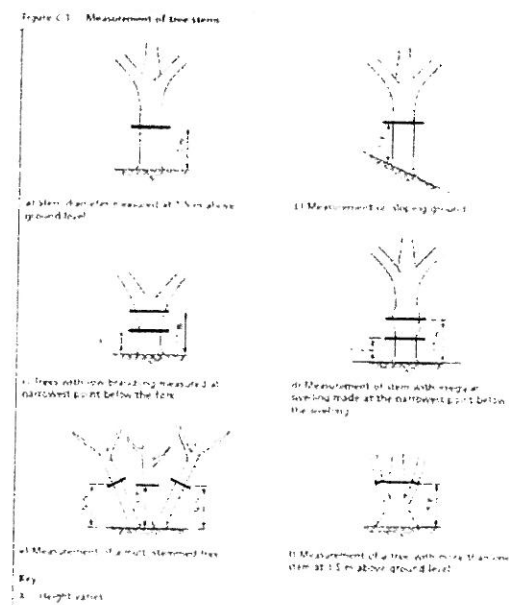
The number of main stems of each individual tree.

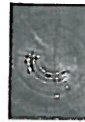
Stem Diameter:

These figures relate to stem diameter in millimetres at 1.5m above ground level. This is accurately measured using a girthing tape, unless access is restricted.

Diameters of single stem trees on level ground are measured in accordance with Figure C.1a). Diameters of other commonly encountered tree stems are measured in accordance with Figures C.1b) to C.1f).

NOTE - The thick black line indicates where the measurement is taken.



**Root Protection Area:**

This is the minimum area in m² which should be left undisturbed around each retained tree.

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Annex D
(normative)

Root protection area

The RPAs given in Table D.1 should be used for single stem trees and the equivalent resultant combined stem diameter for multi-stemmed trees.

Table D.1 Root protection areas

Single stem diameter mm	Radius of nominal circle m	RPA m ²	Single stem diameter mm	Radius of nominal circle m	RPA m ²
75	0.90	3	675	8.10	206
100	1.20	5	700	8.40	222
125	1.50	7	725	8.70	238
150	1.80	10	750	9.00	255
175	2.10	14	775	9.30	272
200	2.40	18	800	9.60	290
225	2.70	23	825	9.90	308
250	3.00	28	850	10.20	327
275	3.30	34	875	10.50	346
300	3.60	41	900	10.80	366
325	3.90	48	925	11.10	387
350	4.20	55	950	11.40	408
375	4.50	64	975	11.70	430
400	4.80	72	1000	12.00	452
425	5.10	81	1025	12.30	475
450	5.40	92	1050	12.60	499
475	5.70	102	1075	12.90	519
500	6.00	113	1100	13.20	547
525	6.30	124	1125	13.50	573
550	6.60	137	1150	13.80	598
575	6.90	150	1175	14.10	625
600	7.20	163	1200	14.40	652
625	7.50	177	1225	14.70	679
650	7.80	191	1250+	15.00	707

NOTE These figures are derived from the calculations described in 4.6.

Height:

Overall height of tree recorded in meters. Height is recorded using a digital clinometer.

Potential Height of species:

The expected mature height of the tree as a 'species'.

Potential Spread of species:

The expected mature spread of the tree as a 'species'.

Height of first branch and direction:

Existing height in metres of the first significant branch above ground level and the direction of growth in relation to the 4 cardinal points (NSEW).

Height of canopy above ground level:

Existing height in meters of the canopy above ground level.

Branch Spread:

This is measured in meters taken at the four cardinal points (NSEW) to derive an accurate representation of the crown.

Life stages:

Described as young, semi mature, early mature, mature, over-mature / veteran.

Physiological Condition:

Described as good, fair, poor, dead and notes as needed.

Structural Condition:

Described as good, fair, poor, dead and notes as needed.



Preliminary management recommendations:

Practical arboricultural operations that are suggested and described as needed.

Remaining Contribution:

Estimated remaining contribution in years: e.g. <10, 10+, 20+, 30+, 40+. This is based upon Jeremy Barrels' system of SULE (Safe Useful Life Expectancy).

Tree Retention Category Grading:

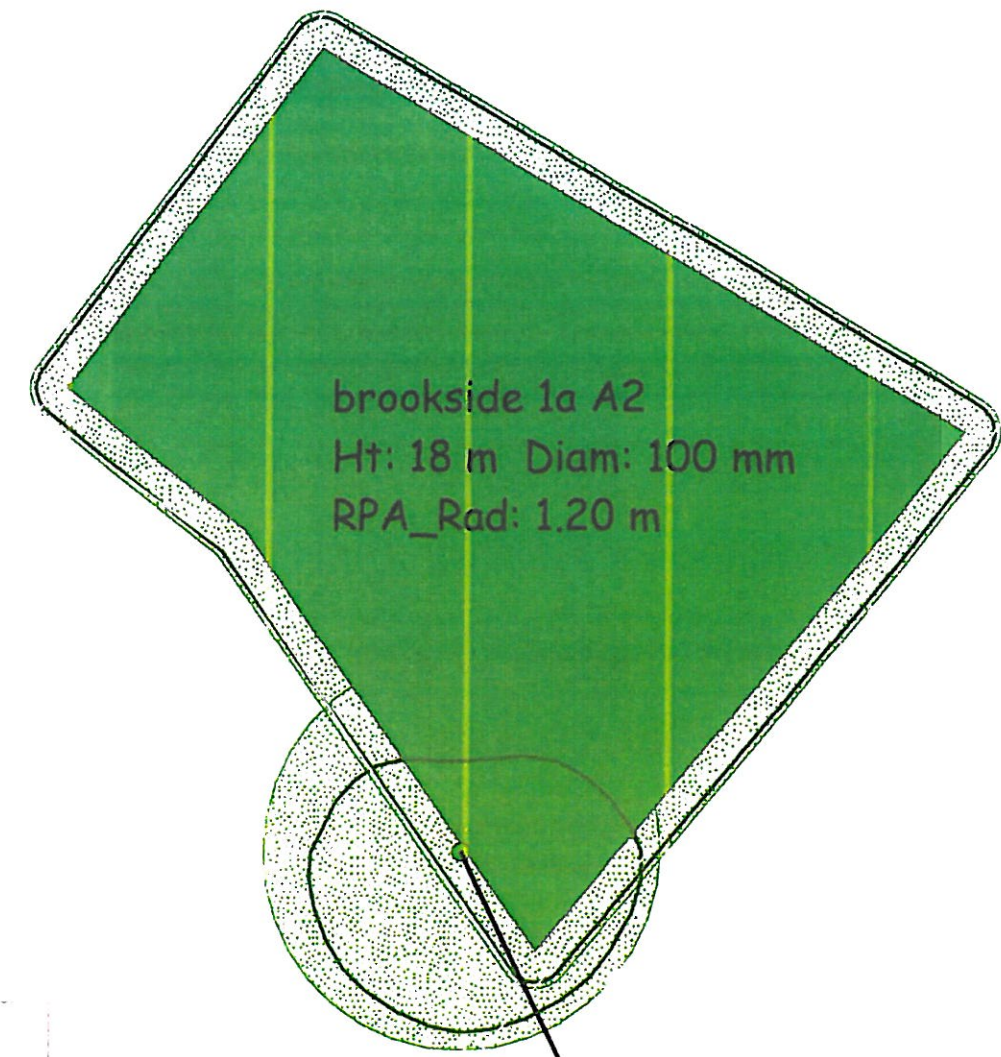
U or A to C category grading as referenced from BS 5837:2012 Trees in relation to design, demolition and construction - Recommendations. (see Table 1 in appendix 6)



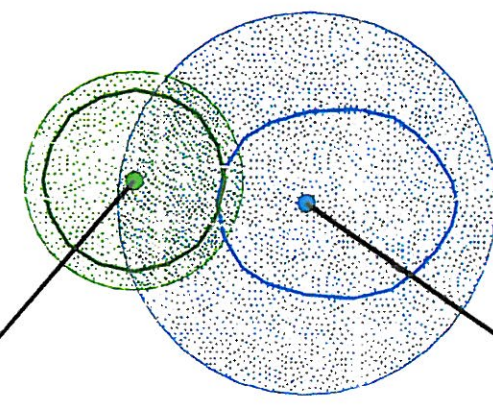
APPENDIX 'D'

Inserted site maps showing tree locations and all other relevant details:

Lango Wood



T001 Oak spp A1
Ht: 18 m Diam: 560 mm
RPA_Rad: 6.60 m



T003 Copper Beech A1
Ht: 9 m Diam: 310 mm
RPA_Rad: 3.60 m

T002 Copper Beech B1
Ht: 10 m Diam: 520 mm
RPA_Rad: 6.30 m

Site: Brookside, Old Lango
Job Ref: 0411

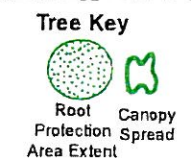
0 2.5 5 10 Metres

Date: 16th July 2013
Scale (@ A3): 1:250

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- BS5837 Tree Retention Category**
- Category A Desirable to retain in long term
 - Category B May be desirable to retain in medium term
 - Category C Could retain in short term
 - Category U Unsuitable for retention, Remove

- BS5837 Tree Retention Value**
- 1 - Mainly Arboricultural Value
 - 2 - Mainly Landscape Value
 - 3 - Mainly Cultural Value (inc. conservation value)



Tree Label Key

Tree Ref Number	Species	BS Retention Category & Value
T06	Sycamore	B1
Ht: 12m DBH: 420mm	RPA_Rad: 10.6m	
Tree Height	Tree Diameter	Radius of Root Protection Area

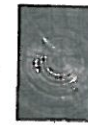




APPENDIX 5

Tree survey data inserted including the calculations for the root protection zones:

Job Ref: 0411		Survey Date: 12/07/2013	Site:	20 Brookside, Old Lango	Surveyor: Gary Marsden	BS:5837 (2012) TREE SURVEY DATA										GM TREE CONSULTANTS				Tel: 077 6166 7384 www.gmtreeconsultants.co.uk										
Tree number	Species (common)	measured (m) or estimated (m)	Number of stems	Single Trunk dia. @ 1.5m (mm)	Second trunk	third trunk	fourth trunk	fifth trunk	multiple average	calculated DBH (m)	crownheight (m) (m)	Height (m)	Potential height of SPECIES (m)	Potential spread of SPECIES (m)	Height of the branch (m) direction (N=0)	Height of canopy above G.L. (m)	C/S NORTH (m)	C/S EAST (m)	C/S SOUTH (m)	C/S WEST (m)	Life Stage	Physiological Condition		Structural Condition	Preliminary management recommendations to ensure SUILE is at least 10 years	REASONING	TREE QUALITY Assessment			
																						Abr.	comments (- and +)					Abr.	comments (- and +)	
1	oak	m	1	560	#	#	#	#	#	550	6.80	18	30	20	8s	8	3	6	5	5	m	good		#	good	suppressed slightly by dominant tree to the rear	no action needed - ***note - tree is part of G1 - this is the only tree close to the proposed development	40+	1	
2	copper beech	m	1	520	#	#	#	#	#	525	6.30	10	30	20	3e	2	3	5	3	3	3	sm	good		#	good	low canopy over road and footpath	no action needed	40+	1
3	copper beech	m	1	310	#	#	#	#	#	300	3.00	9	30	20	3s	2	3	3	3	3	3	sm	good		#	good	low canopy over road and footpath	no action needed	40+	1
4	mixed woodland	#	20+	600	#	#	#	#	#	600	7.20	18	30	20	6h	6	1	1	1	1	1	m	good		#	good	no action needed	no action needed	40+	1



APPENDIX 'F'

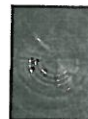
Cascade chart showing tree retention categories exerted from:
BS 5837:2012 *Trees in relation to design, demolition and construction - Recommendations.*

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BS 5837:2012

Table 1 Cascade chart for tree quality assessment

Category and definition	Criteria (including subcategories where appropriate)	Identification on plan
Trees unsuitable for retention (see Note)		
Category U Those in such a condition that they cannot realistically be retained as living trees in the context of the current land use for longer than 10 years	- Trees that have a serious, irremediable, structural defect, such that their early loss is expected due to collapse, including those that will become unstable after removal of other category U trees (e.g. where, for whatever reason, the loss of companion shelter cannot be mitigated by pruning) - Trees that are dead or are showing signs of significant, immediate, and irreversible overall decline - Trees infected with pathogens of significance to the health and/or safety of other trees nearby, or very low quality trees suppressing adjacent trees of better quality NOTE Category U trees can have existing or potential conservation value which it might be desirable to preserve, see 4.5.7	See Table 2
Trees to be considered for retention		
1 Mainly arboricultural qualities		
2 Mainly landscape qualities		
3 Mainly cultural values, including conservation		
Category A Trees of high quality with an estimated remaining life expectancy of at least 40 years	Trees that are particularly good examples of their species, especially if rare or unusual; or those that are essential components of groups or formal or semi-formal arboricultural features (e.g. the dominant and/or principal trees within an avenue)	Trees, groups or woodlands of particular visual importance as arboricultural and/or landscape features
Category B Trees of moderate quality with an estimated remaining life expectancy of at least 20 years	Trees that might be included in category A, but are downgraded because of impaired condition (e.g. presence of significant though remediable defects, including unsympathetic past management and storm damage), such that they are unlikely to be suitable for retention for beyond 40 years; or trees lacking the special quality necessary to merit the category A designation	Trees present in numbers, usually growing as groups or woodlands, such that they attract a higher collective rating than they might as individuals; or trees occurring as collectives but situated so as to make little visual contribution to the wider locality
Category C 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	Unremarkable trees of very limited merit or such impaired condition that they do not qualify in higher categories	Trees with material conservation or other cultural value
		Trees with no material conservation or other cultural value



APPENDIX 'G'

Table showing generic tree data of commonly found tree species:

<u>Tree "type"</u>	<u>Common name of tree species</u>	<u>Scientific name of tree species</u>	<u>Ultimate height of tree at maturity</u>	<u>Ultimate spread of tree canopy at maturity</u>
Deciduous	Alder	<i>Alnus glutinosa</i>	19m	14m
Deciduous	Ash	<i>Fraxinus excelsior</i>	30m	18m
Deciduous	Apple (all <i>malus</i> spp)	<i>Malus spp</i>	9m	8m
Deciduous	Beech	<i>Fagus sylvatica</i>	30m	20m
Deciduous	Silver Birch	<i>Betula pendula</i>	18m	10m
Deciduous	English Elm	<i>Ulmus procera</i>	30m	20m
Deciduous	Elderberry	<i>Sambucus nigra</i>	10m	8m
Deciduous	Hornbeam	<i>Carpinus betula</i>	19m	10m
Deciduous	Hawthorn	<i>Crataegus monogyna</i>	5.5m	8m
Deciduous	Hazel	<i>Corylus avellana</i>	6m	6m
Evergreen	Holly	<i>Ilex aquafolia</i>	25m	16m
Deciduous	Horse chestnut	<i>Aesculus hippocastanum</i>	30m	20m
Deciduous	Laburnum	<i>Laburnum anagyroides</i>	9m	8m
Evergreen	Larch	<i>Larix decidua</i>	30m	8m
Evergreen	Lawson Cypress	<i>Chamaecyparis lawsoniana</i>	60m	8m
Evergreen	Leyland Cypress	<i>X Cupressocyparis leylandii</i>	30m	8m
Deciduous	London Plane	<i>Platanus x hispanica</i>	30m	20m
Deciduous	Lime (small)	<i>Tilia cordata</i>	30m	16m
Deciduous	Lime (common)	<i>Tilia x europea</i>	39m	16m
Deciduous	Lime (Large)	<i>Tilia platyphyllos</i>	41m	16m
Deciduous	Norway Maple	<i>Acer platanoides</i>	18m	18m
Evergreen	Norway Spruce	<i>Picea abies</i>	36m	10m
Deciduous	English Oak	<i>Quercus robur</i>	30m	20m
Deciduous	Black Poplar	<i>Populus nigra</i>	30m	16m
Deciduous	Robinia	<i>Robinia pseudoacacia</i>	25m	20m
Deciduous	Rowan	<i>Sorbus aucuparia</i>	15m	8m
Deciduous	Sweet chestnut	<i>Castanea sativa</i>	30m	20m
Deciduous	Sycamore	<i>Acer pseudoplatanus</i>	30m	18m
Evergreen	Scots Pine	<i>Pinus sylvestris</i>	36m	10m
Deciduous	Swedish Whitebeam	<i>Sorbus intermedia</i>	10m	10m
Deciduous	Tulip Tree	<i>Liriodendron tulipifera</i>	45m	20m
Deciduous	Whitebeam	<i>Sorbus aria</i>	25m	10m
Deciduous	Wild Cherry	<i>Prunus avium</i>	18m	16m
Deciduous	White willow	<i>Salix alba</i>	25m	18m
Deciduous	Walnut	<i>Juglans regia</i>	30m	18m

Above is a list of the more common trees found and their ultimate height and spread at maturity.

All information is taken from 'Trees in Britain, Europe and North America' by Rodger Phillips. ISBN 0 330 25480 4



I hope that this report provides all the necessary information, but should any further advice be needed please do not hesitate to contact me.

Signed

A handwritten signature in black ink, appearing to read 'G Marsden', with a long horizontal flourish underneath.

Gary Marsden FDS Arb M.Arbor.A
Professional Member - Arboricultural Association (AA)
Professional Member - Consulting Arborist Society (CAS)

For and on behalf of **GM TREE CONSULTANTS**

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