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ARBORICULTURAL AND WOODLAND CONSULTANTS

TITLE: **Arboricultural Survey &
Constraints Advice:**
Henham Road, Elsenham

DATE: 02/03/2022

PREPARED BY: Dominic Poston

REF: HWA10767_APIII



ARBORICULTURAL CONSTRAINTS ADVICE (APII)

Henham Road, Elsenham

**HWA10767_APIII
02/03/2022**

Prepared For
Countryside Properties

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All logos are with respect to principal consultant only.





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1 Introduction

1.1 **Particulars of instruction:** Hallwood Associates Limited (HWA) have been instructed by Enter client here. to undertake a tree survey in accordance with BS5837:2012 (Trees in relation to design, demolition and construction – recommendations) at Henham Road, Elsenham and provide the following:

- A survey and schedule of all relevant trees on or adjacent to the site including an assessment of condition;
- Appraisal of the above and below ground constraints imposed by existing trees on the potential development of the site;
- Preliminary tree work recommendations on the basis of good arboricultural management.

1.2 **Use of this document:** The purpose of this report is to provide an analysis of development constraints above and below ground which are imposed on the site by existing trees. Its primary purpose is as an aid for the scheme architects in developing a proposal which considers all existing constraints. This report considers all significant trees on the site or other area as designated within our instructions. Adjacent properties may also contain trees that pose a constraint on development and where necessary their details will be included.

1.3 **Provided documents and information:**

- Countryside Properties Topographical survey (ref: SURV2956)

1.4 **Authorship:** This report has been prepared by me, Dominic Poston MICFor, FARborA, CEnv, PDArb (RFS), BSc, HND Hort. The findings in this report are reached through site observations and conclusions are made in light of my experience. Details are available upon request or at [REDACTED]

2 Limitations

2.1 The following is a brief description of legal constraints as they apply to trees. Please note the information is for guidance only and is not a definitive interpretation of the law as it affects trees. HWA have not checked whether trees on site are statutorily protected as this can delay report production. You **must** carry out a statutory tree protection check if you intend to undertake any tree works prior to formal planning consent being issued.

Tree preservation orders: A tree preservation order gives statutory protection to trees and makes it a criminal offence to carry out most work to them without written permission from

the local planning authority. Tree work necessary to implement full planning consent overrides the need to apply separately. Please note there may be a need to discharge pre commencement conditions before tree works can be undertaken.

Conservation areas: If trees are within a conservation area, a minimum of six weeks' written notice (a Section 211 Notice) must be given to the LPA of the intention to carry out works to trees. The LPA then has the option to allow the works or to place a TPO on the tree/s to manage the works. Tree work necessary to implement full planning consent overrides the need to notify separately. Please note there may be a need to discharge pre-commencement conditions before tree works can be undertaken.

Trees and the planning system: LPAs have a statutory duty to consider the protection and planting of trees when granting planning permission. The potential effect of development on trees is a material consideration, whether statutorily protected (e.g. by a TPO or by being within a CA) or not.

Other legal restrictions: Restrictive covenants and existing planning conditions sometimes restrict works to trees. Sites within or adjacent to Sites of Special Scientific Interest, Ancient Semi-Natural Woodland, nature reserves and other land designations, restrict some works to trees. Legal advice may be required in some of these cases.

Occupiers Liability 1957 and 1984: The Occupiers Liability Act places a duty of care to ensure that no reasonably foreseeable harm takes place due to tree defects. Therefore, this report includes recommendations within the tree tables for work required for safety reasons. 'Common sense risk management of trees (National Tree Safety Group 2012)' states that 'the owner of the land on which a tree stands, together with any party who has control over the tree's management, owes a duty of care at common law to all people who might be injured by the tree. The duty of care is to take reasonable care to avoid acts or omissions that cause a reasonably foreseeable risk of injury to persons or property.'

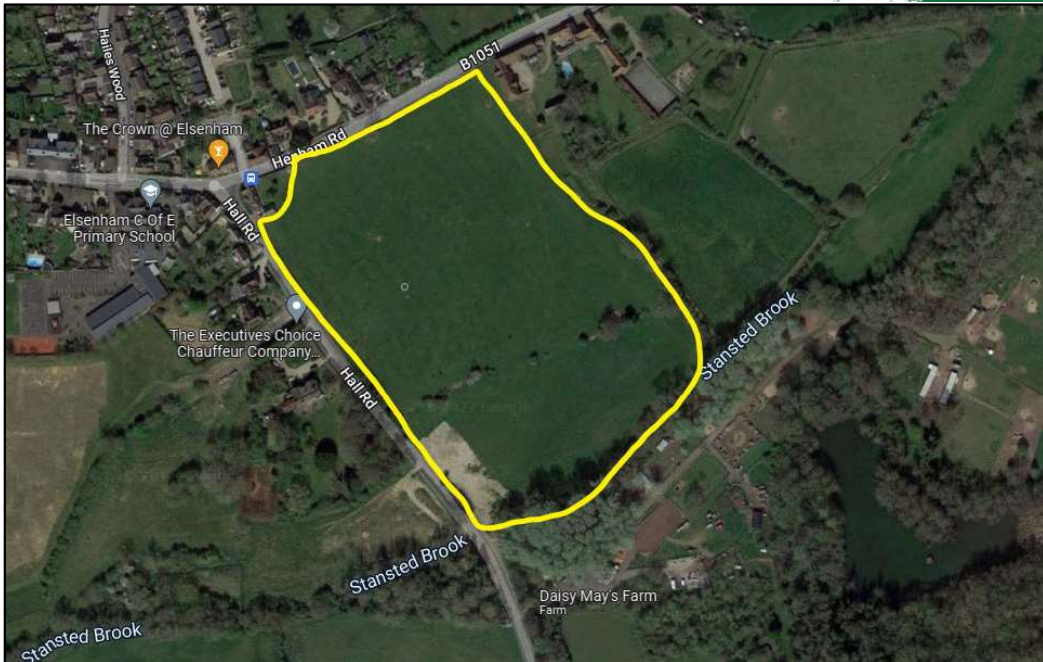
Common Law: This enables pruning back of the crown and roots of trees on adjacent land where they overhang neighbouring property, providing the work is reasonable and does not cause harm. This right does not override TPO and CA legislation.

Ecological constraints: The Wildlife and Countryside Act 1981, as amended, The Conservation of Habitats and Species Regulations 2010 and the Countryside and Rights of Way Act 2000, provide statutory protection to species of flora and fauna including birds, bats and other species that are associated with trees. These could impose significant constraints on the use and timing of access to the site. It is the responsibility of the main contractor and tree surgery contractor to ensure that no protected species are harmed whilst carrying out site clearance or tree surgery works. Unless competent to do so, the advice of an ecologist must be sought.

- 2.2 **Validity:** The statements, findings and recommendations made within this report do not take into account any effects of extreme climate and weather incidences, vandalism, changes in the natural and built environment around the tree(s) after the date of this report, nor any damage whether physical, chemical or otherwise. Hallwood Associates cannot accept any liability in connection with the above factors, nor where recommended tree management is not carried out in accordance with modern tree health care techniques, within any proposed timeline.
- 2.3 All rights in this report are reserved. Its content and format are for the exclusive use of the addressee in dealing with this site. It may not be sold, lent, hired out or divulged to any third party not directly involved in this site without the written consent of Hallwood Associates Limited.
- 2.4 This report is restricted to those trees shown on the attached plans and described in the tree survey schedule. All plans and discussions within this report are based entirely on the drawings provided to Hallwood Associates and referenced above. Any material planning changes after the date of report issue will invalidate this report.
- 2.5 Due to the above statements, this report remains valid for two years from the date of issue only.

3 Methodology

- 3.1 **Site visit:** The site was visited by Michael Bunker on 15 February 2022 and comprises green field bordered by historic boundary vegetation.



This aerial image is provided courtesy of Google. The yellow line indicates the approximate site boundary and is illustrative only.

- 3.2 **Tree Survey:** Each tree was surveyed and given a number corresponding to the tree constraints plan (TCP) found at appendix B. For each group or individual information was collected as recommended at 4.4.2.5 of BS 5837. The survey was preliminary in nature and did not involve aerial or detailed inspection. This data is held within the tree schedule (table 2) which can be found at Appendix A.

The survey is based on the Visual Tree Assessment (VTA) method developed by Mattheck and Breloer (1994); it is preliminary in nature and should not be interpreted as a detailed tree condition inspection. Works are recommended to those trees that present an immediate and serious hazard to life or property, or maybe affected by a pest or pathogen that may spread to other trees on the site.

- 3.3 **Interpretation of data:** BS5837 recommends that trees within categories A-C (where A is highest quality) are a material consideration in the development process, however young trees with a stem diameter less than 150mm could be considered for relocation. Category U trees are those that will not be expected to exist for long enough to justify their consideration in the planning process. The tree categories are illustrated on the plans with colour coding. Category A trees are light green, category B are mid blue, category C are grey and category U are dark red.

4 Constraints Appraisal

- 4.1 **Below ground constraints:** Section 4.6 of BS5837 recommends that the trunk diameter measurement for each tree is used to calculate the root protection area (RPA), which can then be interpreted to identify the design constraints and, once a layout has been developed, the Construction Exclusion Zone (CEZ) to be protected by barriers (tree protection plan (TPP)). Figure 1 in appendix C (TCP) graphically shows the surveyed trees and their relevant RPA and appendix D includes a table specifying the minimum RPA for each tree. RPA's shown on the included TCP may have been altered where it is deemed necessary due to predicted eccentric root morphology. Root morphology will be influenced by the ground conditions; roots will proliferate where soil conditions are favourable and less so where the ground conditions are poor. Buildings and metalled road with deep foundations may inhibit root growth into the area.
- 4.2 **Above ground constraints:** The second constraint is the amount of space required around a tree(s) in order for it to be successfully retained once development is finished and the pressures of human occupation come to bear. This area would not normally be suitable for occupied accommodation, but un-occupied structures or hard surfacing may be feasible. This is represented by a separate polygon on figure 1 in appendix C (TCP).
- 4.3 **Indirect damage:** Damage by indirect action can occur in shrinkable soils such as clay when vegetation takes moisture from the ground, causing a significant volume change resulting in ground movement. Buildings and drainage need to be protected against the effects of subsidence and heave. For this project, I made a preliminary field assessment of the likely soil type and would estimate that the soil type is Clay. however, specialist soil assessment must be commissioned in order to influence layout development and the engineering design of built structures.

Subsidence: Occurs when water is withdrawn from the soil causing it to shrink.

Heave: Occurs when previously dehydrated soils take up water and swell. This can happen when vegetation is removed or roots severed.

Note: Advice from an arboriculturist on the zone of influence of existing vegetation along with guidance and specifications from a qualified engineer must be sought when considering the above constraints.

5 Recommendations and Conclusions

- 5.1 **Concept and design:** It is anticipated that a development layout can be designed, which is sympathetic to the existing tree cover of the site. However, a qualified and competent arboriculturist should be retained as a member of the design team in order to advise on the potential effects on or by existing arboricultural features. The scheme architect should utilise the information contained above and shown in figure 1 (appendix C) to inform the development layout. Incursion into indicative RPA's may be feasible provided arboricultural input is sought at the design stage and that adequate mitigation measures are provided for.
- 5.2 **Arboricultural Impact Assessment:** Following the development of a considered design layout an Arboricultural Impact Assessment (AIA) must be commissioned to support the planning application.
- 5.3 **Preliminary tree works:** Detail of preliminary (remedial) tree works required are detailed within the tree survey schedule which can be found at Appendix A. These works are considered required for good arboricultural management and should be considered irrespective of any development proposal. Please note that confirmation of any statutory tree protection must sought if commissioning tree works in advance of a planning application.



Appendices

APPENDIX A - Tree Survey Schedule

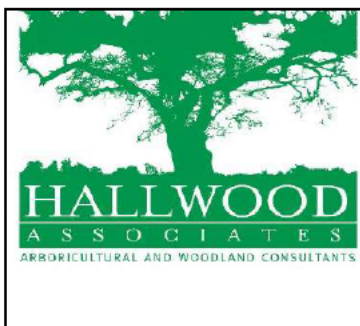
APPENDIX B - BS 5837 Tree Categorisation Cascade Chart

APPENDIX C - Plan(s)



Appendix A

TREE SURVEY SCHEDULE



TREE SURVEY REPORT (BS5837:2012)	
Site:	Henham Road, Elsenham
Date:	02/03/2022
Consultant:	Dominic Poston <i>F.Arbor.A, MICFor, CEnv, Prof Dip (RFS), BSc (Hons), HND</i>
Tagged:	No

Notes:

1. It may be advised that some trees should have the ivy removed to enable a re-survey to be carried out. This would also alleviate the tree from becoming suppressed; carrying additional weight that increases the chance of windthrow due to a larger dense crown area; and only receiving restricted light. Unless otherwise stated, in order to prevent regrowth, it is only necessary to remove a 300mm section of ivy and clear around the base.
2. It may be advised that it was only possible to estimate the diameter of some trees because of ivy smothering, dense vegetation, or trees located off-site with no access.
3. The estimated remaining contribution in years, and the tree grading category have been calculated for the current situation and may alter where further investigation works are advised.
4. Some trees or groups may have been given an interim grade. The reason for the interim grading is addressed in the timescales given as this may have a bearing on health and safety and/or any development proposals.
5. Tree Groups have been assessed with estimated and representative data.
6. This is not a Tree Works Schedule. Any preliminary management recommendations are listed in the interests of health and safety and should be carried out by a prudent tree owner.
7. Any management recommendations are suggested for reasons of health and safety only, regardless of development proposals at this stage. However, the defects requiring remedial tree surgery are by their very nature potential wildlife habitats, including protected species which needs consideration prior to any tree surgery works commencing.
8. The data collected and any advice provided within this report is supplied in the interests of sound arboricultural management. Trees are a living dynamic organism that can be affected by external conditions (high winds, storms, snow, heavy rain or drought) and may occasionally fail without warning. It is therefore not possible to state with any certainty that any tree or group of trees is completely safe. The condition of a tree or group of trees can change rapidly as a result of external factors; we would advise that the occupier/ owners inspect the trees at least every 12 months or following periods of extreme weather and where concerns are raised relating to tree health that would be considered beyond the knowledge of a layperson, further arboricultural advice should be sought.

TREE PRESERVATION ORDER / CONSERVATION AREA STATUS: HWA were not instructed to check on the statutory protection status of surveyed trees.

(Ref) No.	Species	Height (m)	Stem diameter (mm)	Branch spread N (m)	Branch spread E (m)	Branch spread S (m)	Branch spread W (m)	Base of crown (m)	Life Stage	Observations	Preliminary Recommendations (irrespective of development proposals)	Remaining contribution (yrs)	Value categorisation (BS 5837)
T1	holm oak	14	600	6	6	6	6	5s	M	Off-site tree growing in garden on north side of public highway	no action required to privately owned tree	40+	B2
T2	common ash	13	660	5	5	5	5	2n	M	Scattered deadwood throughout crown, very minor crown encroachment over public highway	No works required at the present time	40+	B2
T3	pedunculate oak	17	800	7	7	7	7	3w	M	Off-site tree growing on bank of ditch	No works required at the present time	40+	B2
T4	pedunculate oak	7	350	3	5	3	5		SM	Off-site tree, with no crown encroachment over site	No works required at the present time	40+	C2
T5	common ash	6	400			3		2e	M	Off-site tree leans away from site	No works required at the present time	20+	C2
T6	common ash	17	700	6	6	6	6	4	M	Off-site, crown appears to be dying back	No works required at the present time	10+	B2

(Ref) No.	Species	Height (m)	Stem diameter (mm)	Branch spread N (m)	Branch spread E (m)	Branch spread S (m)	Branch spread W (m)	Base of crown (m)	Life Stage	Observations	Preliminary Recommendations (irrespective of development proposals)	Remaining contribution (yrs)	Value categorisation (BS 5837)
T7	field maple	4	250	2		2	4	3w	SM	Off-site tree growing at base of T6	No works required at the present time	20+	C2
T8	field maple	6	300	3	3	3	3	2.5w	M	Hedgerow tree of poor form	No works required at the present time	40+	C2
T9	pedunculate oak	7	300	4	4	4	4	3w	SM	Tree has mis-shaped crown	No works required at the present time	40+	C2
T10	common ash	17	650	5	5	5	5	3w	M	Minor old storm damaged crown	No works required at the present time	40+	B2
T11	pedunculate oak	18	950	9	9	9	9	3	M	Cavity at base of stem from ground level extending up stem by one metre, north east side of main stem. Scattered deadwood throughout crown	No works required at the present time	40+	B2
T12	common holly	7	290 290 100 100	3	3	3	3	1	M	Tree growing along line of remnant hedgerow. Crown one metre above ground level, all round	No works required at the present time	20+	C2

(Ref) No.	Species	Height (m)	Stem diameter (mm)	Branch spread N (m)	Branch spread E (m)	Branch spread S (m)	Branch spread W (m)	Base of crown (m)	Life Stage	Observations	Preliminary Recommendations (irrespective of development proposals)	Remaining contribution (yrs)	Value categorisation (BS 5837)
T13	pedunculate oak	11	870	7	7	7	7	3	M	Former hedgerow tree, with minor crown die-back and scattered deadwood in lower crown	No works required at the present time	40+	B2
T14	sycamore	10	300 150 150	4	4	4	4	3e	M	Tree growing at the top of bank adjacent to public highway	No works required at the present time	20+	C2
T15	sycamore	11	450	4	4	4	4	3e	M	Ivy covered tree on top of bank adjacent to public highway	No works required at the present time	20+	C2
T16	sycamore	11	400 400	3	4	4	4	3e	M	Ivy covered tree on top of bank adjacent to public highway	No works required at the present time	20+	C2
T17	sycamore	12	300 300 150 150	3	4	4	4	3e	M	Ivy covered tree on top of bank adjacent to public highway	No works required at the present time	20+	C2
T18	commom hawthorn	6	x6 200	4	4	4	4	4e	M	Multi-stem tree growing on top of bank adjacent to public highway	No works required at the present time	20+	C2

(Ref) No.	Species	Height (m)	Stem diameter (mm)	Branch spread N (m)	Branch spread E (m)	Branch spread S (m)	Branch spread W (m)	Base of crown (m)	Life Stage	Observations	Preliminary Recommendations (irrespective of development proposals)	Remaining contribution (yrs)	Value categorisation (BS 5837)
T19	common hawthorn	5	e300	3	3	3	3	3e	M	ivy covered tree on top of bank adjacent to public highway	No works required at the present time	20+	C2
T20	common hawthorn	4	x6 90	3	3	3	3	1	OM	low growing shrubby tree	No works required at the present time	10+	C2
T21	common hawthorn	5	260 100 180 70	4	4	4	4	1	OM	low growing shrubby tree	No works required at the present time	10+	C2
T22	common hawthorn	4.5	180 180	4	3	2	3	1	OM	low growing shrubby tree	No works required at the present time	10+	C2
T23	common hawthorn	5	380 200	3	4	3	2.5	1.5e		Grp2, T20, Grp3, T12 & T13, T20-T23 form remains of old field boundary vegetation	No works required at the present time	10+	C2
T24	common alder	20	800 300 200 190	8	6	6	6	4n	M	ivy extending into crown of tree, 4metres of crown extends over fenceline into site	No works required at the present time	40+	B2

(Ref) No.	Species	Height (m)	Stem diameter (mm)	Branch spread N (m)	Branch spread E (m)	Branch spread S (m)	Branch spread W (m)	Base of crown (m)	Life Stage	Observations	Preliminary Recommendations (irrespective of development proposals)	Remaining contribution (yrs)	Value categorisation (BS 5837)
T25	common ash	22	900	6	6	6	6	15n	M	tree growing on south bank of stream	No works required at the present time	40+	B2
Grp1	mixed species group	up to 5m	200	2	3	2	3	1	M	Hedgerow growing along eastern boundary, consisting of: thorn, blackthorn, elder, hazel and one holly	No works required at the present time	20+	C2
Grp2	common hawthorn	up to 5m	200	4	4	4	4	1	OM	Group of 4 no. hawthorn, largest specimen dying back	No works required at the present time	10+	C2
Grp3	common hawthorn	up to 4m	200	3	3	3	3	2	OM	Group of 5 no. thorns, remnant of old field boundary hedgerow	No works required at the present time	10+	C2
Grp4	common hawthorn	up to 4m	200		1		1	0.25	OM	Section of old thorn hedge/ivy hedging growin on top of bank adjacent to public highway	No works required at the present time	10+	C2
Grp5	mixed species group	up to 20m	up to 900						M	Linear group stradling stream and consisting predominantly of common alder.	No works required at the present time	40+	B2

Appendix B

BS 5837 TREE CATEGORISATION CASCADE CHART

TREES TO BE CONSIDERED FOR REMOVAL

CATEGORY AND DEFINITION	CRITERIA	Identification on plan
Category U Those in such a condition that any existing value would be lost within 10 years and which should, in the current context, be removed for reasons of sound arboricultural management	Trees that have a serious, irremediable, structural defect, such that their early loss is expected due to collapse, including those that will become unviable after removal of other U category trees (i.e. 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 (e.g. Dutch elm disease), or very low-quality trees suppressing adjacent trees of better quality NOTE Habitat reinstatement may be appropriate (e.g. U category tree used as a bat roost: installation of bat box in nearby tree).	DARK RED

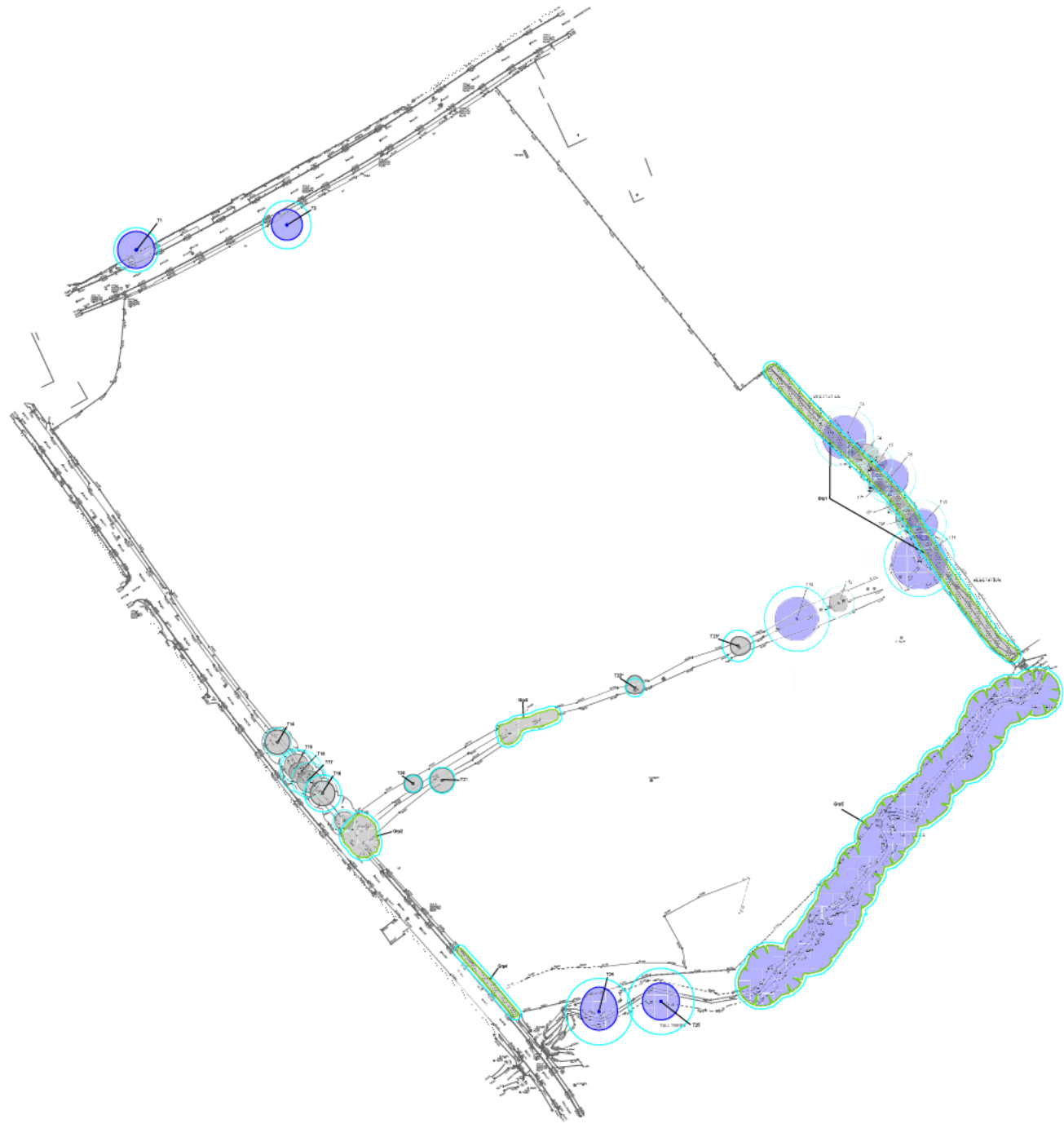
TREES TO BE CONSIDERED FOR RETENTION

CATEGORY AND DEFINITION	CRITERIA — Subcategories			Identification on plan
	1. Mainly arboricultural values	2. Mainly landscape values	3. Mainly cultural values, including conservation	
Category A Those of high quality and value: in such a condition as to be able to make a substantial contribution (a minimum of 40 years is suggested)	Trees that are particularly good examples of their species, especially if rare or unusual, or essential components of groups, or of formal or semi-formal arboricultural features (e.g. the dominant and/or principal trees within an avenue)	Trees, groups or woodlands which provide a definite screening or softening effect to the locality in relation to views into or out of the site, or those of particular visual importance (e.g. avenues or other arboricultural features assessed as groups)	Trees, groups or woodlands of significant conservation, historical, commemorative or other value (e.g. veteran trees or wood-pasture)	LIGHT GREEN
Category B Those of moderate quality and value: those in such a condition as to make a significant contribution (a minimum of 20 years is suggested)	Trees that might be included in the high category, but are downgraded because of impaired condition (e.g. presence of remediable defects including unsympathetic past management and minor storm damage)	Trees present in numbers, usually as groups or woodlands, such that they form distinct landscape features, thereby attracting a higher collective rating than they might as individuals but which are not, individually, essential components of formal or semi-formal arboricultural features (e.g. trees of moderate quality within an avenue that includes better, A category specimens), or trees situated mainly internally to the site, therefore individually having little visual impact on the wider locality	Trees with clearly identifiable conservation or other cultural benefits	MID BLUE
Category C Those of low quality and value: currently in adequate condition to remain until new planting could be established (a minimum of 10 years is suggested), or young trees with a stem diameter below 150 mm	Trees not qualifying in higher categories	Trees present in groups or woodlands, but without this conferring on them significantly greater landscape value, and/or trees offering low or only temporary screening benefit	Trees with very limited conservation or other cultural benefits	GREY
	NOTE Whilst C category trees will usually not be retained where they would impose a significant constraint on development, young trees with a stem diameter of less than 150 mm should be considered for relocation.			

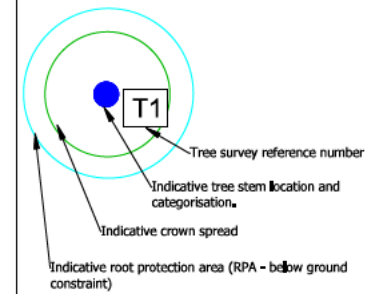
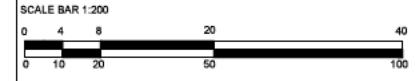
Appendix C

PLANS

Figure 1: Tree Constraints Plan (TCP)



NOTE:
 This drawing is to be read in conjunction with all other relevant technical information, statutory approvals, specifications and 3rd party information. Do not scale from this drawing. Use only dimensions provided. All dimensions and levels to be checked on site and all discrepancies must be reported to the drawings author immediately. This drawing was based upon drawings provided by the client. The original of this drawing was produced in colour and monochrome versions cannot be relied upon. This drawing is to be used only for the purposes indicated. It is the responsibility of the contractor to ensure any necessary consents are in place. This drawing is copyright and the property of Hallwood Associates Ltd (HWA) and must not be reproduced without prior written agreement.



- Tree stem location and value category according to BS 5837:
Red - No value
- Grey - Low value
- Blue - Moderate value
- Green - High value

Rev.	Description	Date
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Client: **Countryside Properties**

Site: **Henham Road, Elsenham**

Drawing Title: **Tree Constraints Plan
1 of 1**

Date: 02/03/2022	Drawn By: DAP
Scale: 1:500 @ A0	Checked By: CLP

Drawing Number: **HWA10767_TCP** Rev.

NOTES: All trees indicated with an asterisk (*) are indicatively plotted as they were not shown on the provided topographical survey.