

Tree Survey and Impact Assessment

*for land at
Former Friends School Fields
Mount Pleasant Road
Saffron Walden
CB11 3EA*

Client
Chase New Homes

June 2024

2297-KC-XX-YTREE-TreeSurvey-and-ImpactAssessment-Rev0

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Document history

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1.0 Introduction

- 1.1 This tree survey sets out the information about trees to inform the planning process about the quality of trees on site. Following the tree survey the information is extended to consider the impact to them from the proposed development and how construction may proceed whilst ensuring trees are successfully retained.
- 1.2 In this report we consider the proposals for development of the site. We consider those proposals in relation to the survey of trees we conducted as part of the site analysis.
- 1.3 The area subject of this survey consists of a section of the former Friends School fields that lie south of Mount Pleasant Road, Saffron Walden. It is surrounded on all sides with residential properties, including those under construction on the former school complex.
- 1.4 The site is relatively flat and was formerly used as playing fields for the school.
- 1.5 Trees are located around the perimeter of the parcel with a small copse at the south east corner.
- 1.6 The core of the site is devoid of trees.
- 1.7 We have checked the online portals, including Uttlesford Borough Council for statutory protection of trees applicable to the site. Online portals are not always reliable so before works are undertaken to trees a direct enquiry with the Council should be made.
 - The online portal of Uttlesford Borough Council showed the site IS within a Conservation Area.
 - The online portal of Uttlesford Borough Council showed that specific trees on the site ARE protected by Tree Preservation Order. The tree preservation order reference is 7/07/38. Not all trees shown as protected by the tree preservation order are now present on the site. The plan of the tree preservation order does not accurately represent the full extent of the trees it lists as protected by the tree preservation order. The tree constraints plan has sought to marry the trees protected by the tree preservation order with what is actually present on site. A copy of the Tree Preservation Order is enclosed at Appendix 4.

- The MAGIC information portal revealed that Ancient and Semi-Natural Woodland, and Priority Habitat Inventory - Deciduous Woodland (England) IS NOT located within the site.
- The online portal of the Woodland Trust, Ancient Tree Inventory, revealed that there are NO veteran trees recorded on site.

1.8 Nationally adopted guidance has been followed in the preparation of this report. *BS5837:2012: Trees in relation to design, demolition and construction – Recommendations* sets out a structure approach to considering trees during the development process. Guidance is given on the surveying of trees, the protected space that should be allocated to trees, what elements may give rise to harm to trees and what techniques can be deployed to minimise harm.

1.9 Sustainable development requires the coordination between disciplines throughout the project, accordingly the package of arboricultural information supports the design process and follows through to construction ensuring effective tree protection. We recognise the need to integrate with other disciplines to achieve a balanced approach to development proposals.

1.10 We set out how our key elements interact with others at Appendix 1 of this report. The appendix provides comprehensive information about the stages of providing tree information within the planning process.

1.11 Further explanatory notes about tree survey information are given in Appendix 2.

2.0 Tree survey

2.1 The objective of this tree survey is to assess the significant trees and woody vegetation on the site to obtain dimensions, assess their quality and evaluate their condition to provide sufficient information to enable decisions to be made on planning aspects of the site and its potential development.

2.2 The tree survey:

2.2.1 was initially undertaken in June 2018, updated in April 2021 and updated most recently on the 25th June 2024, by Jago Keen, MSc, Dip.Arb., MArborA, MICFor. The survey was carried out from ground level, in accordance with the guidance in British Standard *BS5837:2012 Trees in relation to design, demolition and construction – Recommendations*;

- 2.2.2 is intended for planning purposes only;
 - 2.2.3 is not intended for the detailed design of foundations (further information upon vegetation can be provided upon request);
 - 2.2.4 is not a detailed health and safety condition survey of trees;
 - 2.2.5 recommends only preliminary works. Tree works required to achieve the scheme of development will be considered as part of the Impact Assessment and detailed on the Tree Protection Plan;
 - 2.2.6 places reliance on the topographical survey.
- 2.3 Details of each tree are recorded in the Schedule of Trees at Appendix 3.
- 2.4 Site soil investigations have not been conducted. The (online) 'Geology of Britain Viewer' that contains British Geological Survey materials © NERC [2018] reveals the following soil information:
- 2.4.1 Bedrock geology: Lewes Nodular Chalk Formation And Seaford Chalk Formation (undifferentiated) - Chalk.
 - 2.4.2 Superficial deposits: None recorded
- 2.5 Survey information is used to prepare the constraints posed by trees on development. These constraints are shown on the Tree Constraints Plan. The Plan shows root protection areas prescribed by the guidance within BS5837 paragraph 4.6.2 and adjusted where appropriate as recommended in subsequent paragraph 4.6.3. The root protection area (RPA) is the minimum extent of rooting required to sustain the tree.

3.0 Application of survey information

3.1 Trees place constraints on sites but they also provide opportunities.

In order to achieve optimum use of the site and location of built structures. This is set out below:

Avoid

The starting point of site layout design should be to avoid the RPA. Ideally, structures should be outside the root protection area to provide working space for construction however protection measures can be taken if such clearance, in isolated cases, is not achievable.

Mitigate

Where intrusion within the RPA is unavoidable then its impact on the tree can be mitigated by specialist measures:

- a) Foundations that avoid trenching e.g. screw piles, suspended floor slabs or casting at ground level for lightweight structures such as bin and cycle stores.
- b) Limited use may be made for parking, drives or hard surfaces within the root protection areas, subject to advice from a qualified arboriculturist. Cellular confinement systems that enable hard surfaces to be built above existing soil levels are acceptable methods.
- c) Service runs that cannot be routed outside the root protection area(s) can be installed by, for example, thrust boring, directional drilling, air excavation or hand digging. These operations often require supervision by the project arboriculturist.

Compensate

Replacement planting can ensure the continuity of tree cover where tree removal is unavoidable. Offsite provision may be considered in some circumstances but this will require negotiation with the local planning authority.

4.0 Assessment of impact upon trees

4.1 This assessment will consider the impact upon trees of implementing the proposals shown on the drawings listed below:

Table 1 - List of drawings referred to in the impact assessment

Originator	Drg No	Title
Coles Architects	23110 (D) 004 Rev B	Proposed Site Layout
Keen Consultants	1642-KC-XX-YTREE-TCP01RevB	Tree Constraints Plan
Keen Consultants	1642-KC-XX-YTREE-TPP01RevC	Tree Protection Plan

4.2 Site proposals considered in this application include:

4.2.1 Residential dwellings

4.2.2 Sports pitches

4.2.3 Access, parking and other hard surfaces

4.2.4 Utilities and services

4.2.5 New and replacement tree planting

4.3 The proposals are considered with reference to the following guidance documents referred to in this report:

Table 2 - List of documents used to inform the impact assessment

Originator	Title/Reference
British Standards Institute	<i>BS5837:2012 Trees in relation to design, demolition and construction – Recommendations</i>
Trees and Design Action Group	<i>Trees in the townscape: A guide for decision makers</i>
Department for Communities and Local Government	<i>National Planning Policy Framework (NPPF)</i>

- 4.4 In summary, the proposals seek to retain the majority of the significant trees on the site but the removal of trees is necessary to make efficient and effective use of the site. Proposals are generally located remote from root protection areas but where they do intrude specialist construction techniques can be used to avoid material harm to trees. New tree planting can be incorporated within the scheme of development.
- 4.5 National planning policy, paragraph 136 of the NPPF, makes clear the important contribution made by trees to the character and quality of built environments. Trees help to mitigate and adapt to climate change. The application proposals are respectful of the benefits trees provide and have been developed to ensure the retention of trees and the incorporation of new trees within the layout.

Impact of application proposals

- 4.6 The majority of the site is devoid of trees hence impact to trees is at a low level.
- 4.7 The residential element of the scheme requires only the loss of tree 3 and 19. Tree 3 is a small purple beech of little merit. Tree 19 is of more stature but, as is typical of beech, has a very tight union between the two main stems. These unions are highly susceptible to failure as the tree matures and are not suited to long term retention. Irrespective of these proposals. Its loss is justifiable on the basis that replacement trees, that offer better long term prospects, will be planted.
- 4.8 To provide separation from the belt of trees on the eastern boundary the scheme has sought to place roads and driveways between the dwellings and the trees. Proposed dwellings front the roads and there is adequate space for the trees to develop without materially compromising the living conditions of the occupants.
- 4.9 The proposed sports facilities need to be delivered at a regulation size. The layout of pitches has sought to embrace the surrounding tree cover and requires only minimal tree impact.
- 4.10 To achieve the easterly pitch it is necessary to remove a short line of trees (numbered 8 to 11) This short row of birch and walnut are not protected by the tree preservation order and contribute little to the local tree cover.

- 4.11 Careful and considerate design of the pitch layout has ensured only one tree from TPO group T9 is required. Tree 12, a moderate quality purple beech, needs to be removed. As is typical of this species, the tree has developed tight unions between stems. These tight unions are highly susceptible to failure as the tree matures and so its long term retention is questionable, irrespective of these proposals. Its loss to facilitate the pitches, followed by the planting of replacement trees can provide better long term tree cover in the locale.
- 4.12 The layout of pitches enables the retention of the tree belts on the eastern and southern boundaries so retaining the contribution they make to local landscape.
- 4.13 A proposed, informal, pedestrian-leisure, route is indicated toward the eastern boundary of the site, linking Mount Pleasant Road in the north with Greenways to the south. The route requires the loss of the easterly stem of tree group 35 and the two trees (a yew and a field maple) constituting tree group 34. Loss of these trees is necessary to marry levels of the site with the road. New tree planting will offset that loss and conserve tree cover around the perimeter of the site whilst delivery and important pedestrian connection.
- 4.14 Where the path progresses south so it coincides with the belt of trees along the eastern and southern boundaries. The route will enjoy an attractive tree-lined setting. The path will need to adopt no-dig construction to avoid harm to the adjoining trees. Localised pruning will be necessary to provide clearance above the path. The pruning does not materially detract from the amenity the trees provide, nor does it detract from tree health.

Impact of drainage and services

- 4.15 The proposed drainage and services are not shown on the proposed site layout but there is ample scope to locate them outside of root protection areas and require no specialist measures for their installation.
- 4.16 If services do need to be installed within root protection areas then specialist techniques for their installation will be needed. Such specialist techniques include moling, thrust-boring, broken trench or excavation by AirSpade.
- 4.17 No other installations, including mechanical and electrical equipment, are proposed in an area that would be of detriment to trees.

5.0 New and replacement tree planting

- 5.1 The development proposals bring forward opportunity to plant a selection of trees throughout the development. There is ample opportunity within the layout of dwellings, open spaces and hard surface to plant replacement and new trees to sustain and complement the tree population on site.
- 5.2 Retaining existing trees and introducing new trees ensures a resource of trees in places where residents and visitors alike will enjoy multiple benefits provided by the tree stock. In so doing the tree stock will be able to withstand climate change, protecting and enhancing the resources of soil, air, water, landscape, amenity value, culture and biodiversity, and increasing the contribution that trees make to the quality of life. In that respect the proposals are in line with the very latest guidance, in terms of integrating trees with built form, contained in *Trees in the townscape: A guide for decision makers* produced by the Trees and Design Action Group and the requirement of paragraph 136 of the National Planning Policy Framework.
- 5.3 Those multiple benefits of this new tree planting, as part of the site's green infrastructure, include contribution to open space, enhancement of sustainable drainage systems, and enhancement of biodiversity. In addition, as those new trees develop, so they will further contribute to local climatic regulation and, where they stand within the sun path of proposed buildings or surfaces within the re-development, they will minimise solar gain during summer months, and provide an accessible choice of shade and shelter.

6.0 Protection of trees during construction

- 6.1 To ensure the retained trees are safeguarded a tree protection plan has been prepared to show the location of protective measures. These measures need to be implemented in advance of construction and maintained until such time as soft landscape proposals require their removal.
- 6.2 In some instances specialist construction techniques or approaches are indicated on the protection plan. These shall be implemented in accordance with site progress.

7.0 Summary of impact assessment

- 7.1 The proposed development results in the loss of very few trees. Most of those few trees proposed for removal are associated with the delivery of the sports pitches. Some of these trees are protected by tree preservation order but the amenity that order seeks to protect can be secured through the provision of new and replacement tree planting across the site.
- 7.2 Services and utility installation can be sited remote from trees but if they do need to be located within root protection areas specialist measures can be deployed for their installation to minimise harm to retained trees.
- 7.3 New and replacement tree planting can be provided as part of these development proposals. This new cohort of trees can provide a diverse portfolio of tree cover to ensure sustainability of green infrastructure in the future.
- 7.4 The application proposals recognise the important contribution trees make to the character and quality of built environments, and the role they play to help mitigate and adapt to climate change. The proposals seek to retain existing trees and integrate new trees in accordance with the requirement of local and national planning policy.

Appendix 1

Introduction to key elements of tree information

Sustainable development requires the coordination between disciplines throughout the project, accordingly the package of arboricultural information supports the design process and follows through to construction ensuring effective tree protection.

Keen Consultants break the process down to coordinate with the key elements within both the RIBA Plan of Work (2013) and 'British Standard 5837:2012 Trees in relation to design, demolition and construction - Recommendations', this is set out in the table and explained below.

Figure 1 - Keen Consultants co-ordinated approach with cross references to key guidance.

Keen Consultants Tree Information	RIBA Stage	BS5837
Tree Survey	Concept	Feasibility
↓	↓	↓
Impact Assessment	Developed design	Proposals
↓	↓	↓
Method Statement	Technical design	Technical Design
↓	↓	↓
Site Monitoring	Construction	Demolition and construction

This cross referenced approach ensures trees are a material consideration and those to be retained will be safeguarded.

Tree Survey and Tree Constraints Plan

To inform the design and layout of the proposed development a tree survey has been undertaken to identify the size and quality of trees both within the site and immediately offsite. We have then used this information to prepare the Tree Constraints Plan drawing that shows the location of each tree, its size and the area around each tree that needs to be considered during the design process. Once prepared this information has been provided to the design team so that they know what constraints the trees pose.

Impact Assessment and Tree Protection Plan

During the design process the design team has consulted with the arboriculturist to ascertain if constraints may be breached, consider options emerging from the design and what spaces for new trees are needed.

Once the design was finalised an impact assessment has been prepared to accompany the planning application. The impact assessment demonstrates the proposals meet national and local planning policy and guidance. It demonstrates the benefits of the retained trees and incorporates new tree planting.

Another essential element of any application is the Tree Protection Plan.

Site Monitoring

Following the receipt of planning consent, it is a requirement that the installation of the protective barriers and ground protection are supervised, together with operations such as excavations or surfacing close to trees.

This varies according to the intensity of development near trees, the process is set out to ensure what is planned for in the Tree Protection Plan and method statement is delivered.

Appendix 2

Tree Survey Explanatory Notes

The survey of trees has been carried out in accordance with the criteria set out in Chapter 4 of *British Standard 5837:2012 Trees in relation to design, demolition and construction-Recommendations* (BS5837). The survey has been undertaken by the qualified and experienced arboriculturist detailed at Table 1 of this report and they recorded information relating to all those trees within the site and those immediately adjacent to the site which may be of influence to any proposals.

The results are recorded in the Schedule of Trees at Appendix 3.

Schedule of trees

Appendix 3 presents details of the individual trees, groups and hedgerows including heights, diameters at breast height, crown spread (given as a radial measurement of cardinal points from the stem), age class, comments as to the overall condition at the time of inspection, BS5837 category of quality and suitability for retention, and the root protection area information.

General observations particularly of structural and physiological condition for example the presence of any decay and physical defect and preliminary management recommendations have also been recorded where appropriate.

Details of the individual trees, groups and hedgerows

All trees were assessed for their quality and benefits within the context of proposed development in a transparent, understandable and systematic way.

Individuals

The default position is to record each tree as an individual for its unique contribution to the landscape

Groups and woodlands

Trees have been assessed as groups where it has been determined appropriate by the surveyor. The term group has been applied where trees form cohesive arboricultural features either aerodynamically, visually or culturally.

Hedges and shrub masses

We consider a hedgerow to typically comprise a line of trees or shrubs that currently is subject to, or has undergone, a pruning regime to contain its dimensions.

For the tree survey hedgerows and substantial internal or boundary hedges (including evergreen screens) have either been recorded in the Tree Schedule, including lateral spread, height and stem diameter(s), or indicated on the Tree Constraints Plan.

A tree survey in accordance with BS5837 does not assess hedgerows against *The Hedgerow Regulations 1997* or specifically from an ecological perspective, as such would be outside the scope of the British Standard assessment.

Shrub masses are collectives of woody plants, rather than trees, and are recorded where they are a significant feature of the site. They have either been recorded in the Tree Schedule or indicated on the Tree Constraints Plan.

Individual trees within groups, woodlands and hedges

An assessment of individual trees within the groups has been made where there has been a clear need to differentiate between them for example, in order to highlight significant variation between attributes including physiological or structural condition or where a potential conflict may arise.

BS5837 Categorisation

Trees have been divided into one of four categories based on Table 1 of BS5837, 'Cascade chart for tree quality assessment'. For a tree to qualify under any given category it should fall within the scope of that category's definition (see below).

Category U trees are those which would be lost in the short term for reasons connected with their physiology or structural condition. They are, for this reason not considered in the planning process on arboricultural grounds. Categories A, B & C are applied to trees that should be of material considerations in the development process. Each category also having one of three further sub-categories (i, ii, iii) which are intended to reflect arboricultural, landscape and cultural or conservation values accordingly.

Please note that the estimated remaining life expectancy figures are taken for BS5837 and relate to their categorisation. The life expectancy figures are therefore arbitrary and may vary in reality.

Category (U)

Trees that have a serious irremediable structural defect such that their early loss is expected due to collapse and includes trees that will become unviable after removal of other category U trees.

Trees that are dead or are showing signs of significant, immediate or irreversible overall decline.

Trees that are infected with pathogens of significance to the health and/ or safety of other nearby trees or are very low quality trees suppressing adjacent trees of better quality.

Certain category U trees can have existing or potential conservation value which may make it desirable to preserve.

Category (A)

Shown green on Tree Constraints Plan: Trees that are considered for retention and are of high quality with an estimated remaining life expectancy of at least 40 years and with potential to make a lasting contribution. Such trees may comprise:

Sub categories

- 1) trees that are particularly good examples of their species, especially if rare or unusual, or are essential components of groups such as formal or semi-formal arboricultural features for example the dominant and/or principal trees within an avenue.
- 2) trees, groups or woodlands of particular visual importance as arboricultural and/or landscape features.
- 3) trees, groups or woodlands of significant conservation, historical, commemorative or other value for example veteran or wood pasture.

Category (B)

Shown blue on Tree Constraints Plan: Trees that are considered for retention and are of moderate quality with an estimated remaining life expectancy of at least 20 years and with potential to make a significant contribution. Such trees may comprise:

Sub categories

- 1) trees that might be included in category A but are downgraded because of impaired condition for example the presence of significant though remediable defects, including unsympathetic past management and storm damage.
- 2) 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.
- 3) trees with material conservation or other cultural value.

Category (C)

Shown grey on Tree Constraints Plan: Trees that are considered for retention and are of low quality with an estimated remaining life expectancy of at least 10 years or young trees with a stem diameter below 150mm. Such trees may comprise:

Sub categories

- 1) unremarkable trees of very limited merit or such impaired condition that they do not qualify in higher categories.
- 2) trees present in groups or woodlands, but without this conferring on them significantly greater collective landscape value or trees offering low or only temporary/transient screening benefits.
- 3) trees with no material conservation or other cultural value.

Devising BS5837 root protection areas

Default situation

The root protection area is a function of the stem diameter, it is multiplied by 12 to give a radius. For multi-stemmed trees the stems are combined to provide an effective diameter figure which is then multiplied.

Initially the root protection area should be plotted as a circle, and in many situation it remains a circle.

Influenced situation

Adjustments to the root protection area are made where pre-existing site conditions that would influence root distribution are present. Typically this will be buildings and retaining walls, lighter structures such as hard surfacing, sheds and garages generally do not have the same influence.

Ponds, rivers and watercourses will also influence root distribution as waterlogged soils are not conducive to root growth. Rainwater attenuation and ditches are likely to have a lesser impact if they are dry for significant periods.

Veteran trees

Natural England have introduced Standing Guidance that requires the allocation of buffer zones to veteran (including ancient) trees. They have prescribed that a buffer zone of 15 times the stem diameter of the tree is allocated. This will result in a buffer zone of larger diameter than the root protection area. Where veteran trees are identified during the tree survey they are allocated a Natural England buffer zone on the Tree Constraints Plan.

The Guidance is silent on what can and cannot be done within the buffer zone but it is reasonable to assume that it is prescribed to avoid material harm to the tree. It is also silent on what can and cannot be done when the land within the buffer zone is previously developed.

With this added layer of protection it is important to establish if a tree is veteran or not. The Guidance was not intended to be applied to all mature trees but to the sub-set of trees that are of great age. This is analogous with the NPPF requirement to safeguard trees that have attained an age where they are worthy of veteran or ancient status.

It is therefore important to establish a basis for defining trees as veteran as opposed to those trees that may have veteran characteristics or those trees that are mature.

Stem size is a useful guide and, in combination with size, so are characteristics of the tree. If we consider the guidance on stem size being a suitable guide to classifying trees as veteran we see:

- a) The most up to date (2013) guidance is that in ¹*Ancient and other veteran trees: further guidance on management* edited by David Lonsdale and published by The Tree Council in conjunction with The Ancient Tree Forum. Lonsdale considers that many trees may have veteran characteristics at any age however proposes, at a species level, size thresholds when a tree may be considered a veteran. A chart (see Figure 1 below) lists, species by species, the size criteria for trees reaching veteran status and then moving on to the later, ancient stage of life. Of those species listed in the chart we only need consider oak. We see that until trees attain a stem girth of around 4.6m (equivalent stem diameter of 1.46m) then an oak is only considered to be 'Locally notable'
- b) A somewhat older (1999) publication, ²*Veteran Trees: A guide to good management* edited by Helen Read and published by English Nature et al, is very similar in its definition by setting out three distinct bands for oak trees:
 - i) those with a diameter of more than 1.0m are potentially interesting
 - ii) those with a diameter of more than 1.5m are valuable in terms of conservation
 - iii) those over 2.0m in diameter are truly ancient
- c) English Nature's own ³*Development of a veteran tree site assessment protocol (Report Number 628)* of 2005 sought to give more structure to grading sites where veteran trees were present. It considered that trees over 1.0m diameter could be classed as veteran.

¹ *Ancient and other veteran trees: further guidance on management* edited by David Lonsdale and published by The Tree Council in conjunction with The Ancient Tree Forum

² *Veteran Trees: A guide to good management* edited by Helen Read and published by English Nature et al

³ *Development of a veteran tree site assessment protocol (Report Number 628)* of 2005

In summary, a tree may enter its veteran stage at 1.0m diameter but a more reliable size threshold, as held out by the latest guidance on the matter, is 1.5m diameter.

The other factor, tree characteristics, is also worth considering as veteran tree characteristics can be found on even young trees. Of course, if we count every tree with veteran tree characteristics as veteran we do a disservice to those truly veteran trees that warrant protection.

Read (1999), as set out above, considers veteran tree characteristics as:

- large girth for species
- major trunk cavities or progressive hollowing
- naturally forming water pools
- decay hollows
- physical damage to trunk
- bark loss
- large quantities of deadwood within the crown
- sap runs
- crevices in the bark, under branches or on the root plate sheltered from direct rainfall
- fungal fruiting bodies
- high number of interdependent wildlife species
- epiphytic plants
- an 'old' look
- high aesthetic interest

Lonsdale (2013) adds to this list:

- progressive narrowing of successive annual increments in the stem
- changes in crown architecture
- progressive or episodic reduction in post-mature crown size, often known as retrenchment

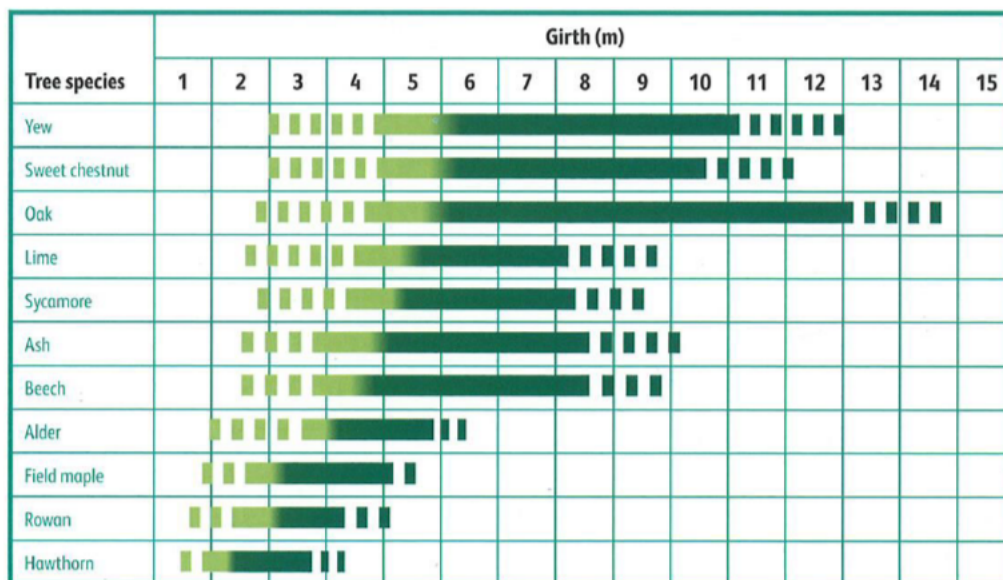
Lonsdale also states that "In order to qualify as a veteran, the tree should show signs of crown retrenchment and signs of decay in the trunk, branches or roots, such as exposed deadwood or fungal fruit bodies".

The English Nature Report Number 628 refers to Read (1999) for a list of veteran features but does add that in addition a tree may also:

- have a pollard form or show indications of past management
- have a cultural/historic value
- be in a prominent position in the landscape

These three criteria, when examined, are not truly indicative of a veteran tree on their own as these criteria could be applied to street trees in peri-urban locations that date from the mid-20th century - many of those are of pollard form, have cultural and historic value and a prominent position in the landscape.

In summary, it is important to consider the size of the tree and its characteristics. Just because a tree is mature does not mean it is veteran neither does the presence of veteran characteristics alone.



KEY:     Locally notable Veteran/notable Ancient Late ancient

Figure 1- Chart of girth in relation to age and developmental classification of trees

Appendix 3

Schedule of Trees

*for land at
Former Friends School Fields
Mount Pleasant Road
Saffron Walden
CB11 3EA*

Key to Tree Schedule

Column Heading	Explanation
Tree No.	Unique number corresponding with number on plan
Species	English names
Ht (m)	Height in metres
Branch Spread	Crown radius in metres to cardinal points of the compass
Stem diameters (cm)	All measurements conform to Annex C of BS 5837:2012 Single stem - Stem diameter in centimetres measured at 1.5m above ground level. Multi-stemmed tree with 2 to 5 stems – Diameter of each stem Multi-stemmed tree with more than 5 stems – Average stem diameter and number of stems
Height of crown clearance	Height in metres between the ground and underside of canopy
Height of first major branch and direction of growth	Height from ground level to base of first major branch and the approximate direction of growth
Abbreviations as suffix to a dimension	<i>Suffix 'e' denotes an estimated dimension.</i> <i>Suffix 'av' denotes an average dimension</i>
Age class	Age Class definitions: Y = Young S = Semi-mature E = Early mature M = Mature O = Over mature
Category grading (see Appendix A2 for detailed explanation) and Estimated remaining contribution (yrs)	Summary of BS 5837: 2012 categorisation: 1. Trees that do not warrant consideration for retention: 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. 2. Trees to be considered for retention: A1, 2 or 3 = trees of high quality and value (substantial contribution >40 yrs) B1, 2 or 3 = trees of moderate quality and value (significant Contribution >20 yrs) C1, 2 or 3 = trees of low quality and value (but adequate, ie >10 yrs or young trees – until new planting can be established)
Estimated remaining contribution	Useful estimated remaining contribution of the tree or tree group
Condition	Brief description including physiological and structural defects
Preliminary management recommendations	Describes current arboricultural requirement for the tree in its current context and should be undertaken as soon as reasonably practicable.
Root protection radius	Radius of minimum root protection area in metres calculated from section 4.6 and Annex D of BS5837:2012
Root protection area	Total area of minimum root protection area extrapolated from root protection radius

Survey of trees at Friends School, Mount Pleasant Road, Saffron Walden

Tree No.	TPO 7/07	Species	Ht (m)	Branch Spread (m)				Stem diameters (cm)						Height of crown clearance (m)	Height of first branch (m) and direction (compass point)	Age class	Category grading	Estimated remaining contribution (yrs)	Condition Physiological / Structural	Tree Works to BS3998	Root protection radius (m)	Root protection area sq.m		
				N	E	S	W	Single Stem	2-5 stems														More than 5 stems	
									Stem 1	Stem 2	Stem 3	Stem 4	Stem 5											Mean dia
1		Norway maple	16	8	6	7	8	49							2	4W	E	C2	>10	Broad spreading crown. Growing as part of a smaller group.		5.88	109	
2		Beech	14	7	6	6	3	42							3	3E	S	C2	>10	Compromised by adjoining trees.		5.04	80	
3		Purple fastigiate beech	11	3	3	3	3	23							2	-	S	C2	>10	Contributing to smaller group.	Remove.	2.76	24	
3A		Callery pear	9	3	3	3	3	20e							2	2S	Y	C1	>10	Small tree growing in small development to west of site.		2.40	18	
4	G10	Avenue of lime	18av	8av				60av								0	-	M	B2	>20	Group of lime growing as an avenue with understory of sycamore, holly and hawthorn. Visually significant to south of site. Many trees heavily clad in ivy preventing thorough inspection. Some deadwood growing throughout.	Prune to provide 3m height clearance over path.	7.20	163
5	G10	Linear group of lime	16av	6av				60av								2	-	M	B2	>20	Visually significant, contribution to landscape. Continuation of avenue to south running along eastern boundary, growing to west of mixed species woodland. Ivy present on some specimens preventing through inspection. Some deadwood throughout.	Prune to provide 3m height clearance over path.	7.20	163
6		Lime	12	2	2	2	2	45e							4	-	E	U	<10	Tree dead	Fell.	5.40	92	

Survey of trees at Friends School, Mount Pleasant Road, Saffron Walden

Tree No.	TPO 7/07	Species	Ht (m)	Branch Spread (m)				Stem diameters (cm)						Height of crown clearance (m)	Height of first branch (m) and direction (compass point)	Age class	Category grading	Estimated remaining contribution (yrs)	Condition Physiological / Structural	Tree Works to BS3998	Root protection radius (m)	Root protection area sq.m												
				N	E	S	W	Single Stem	2-5 stems														More than 5 stems											
									Stem 1	Stem 2	Stem 3	Stem 4	Stem 5											Mean dia	No. stems									
7		Mixed species woodland	16av	7av				50av																	0	-	E	B2	>20	Mixed species woodland comprising of sycamore, field maple, hawthorn, dogwood, buddleia and hazel with occasional birch along the eastern edge. An emerging shrub layer of hawthorn, hazel, field maple, bramble, privet and buddleia. Some open space. Very little deadwood present throughout the woodland. In the south east corner an increase in tree species height is present associated with mature specimens. Along the eastern edge are some specimen trees notable of walnut species. Along the southern boundary, birch increases to circa 16m in height. Former forest school educational usage.	Prune to provide 3m height clearance over path.	6.00	113	
8		Birch	10	3	2	3	3	36																	2	2W	E	U	<10	Dead.	Remove.	4.32	59	
9		Silver birch	13	4	5	3	4	47																	2	3S	E	C1	>10	Crown slightly biased to the north due to presence of walnut to the southeast.	Remove.	5.64	100	
10		Walnut	14	3	5	6	6	39																	1	3E	E	C1	>10	Asymmetrical crown to the south due to the presence of birch. Twin-stemmed from circa 2m above ground level with tight unions therein susceptible to failure.	Remove.	4.68	69	
11		Pair of birch	16av	6av				50av																		2	2S	E	C2	>10	Contiguous crowns. Specimen to east heavily clad in ivy preventing thorough inspection. Small deadwood present. Specimen to west has some exudate emerging from wound to the south at circa 2m above ground level. Both crowns sparse.	Remove.	6.00	113

Survey of trees at Friends School, Mount Pleasant Road, Saffron Walden

Tree No.	TPO 7/07	Species	Ht (m)	Branch Spread (m)				Stem diameters (cm)						Height of crown clearance (m)	Height of first branch (m) and direction (compass point)	Age class	Category grading	Estimated remaining contribution (yrs)	Condition Physiological / Structural	Tree Works to BS3998	Root protection radius (m)	Root protection area sq.m	
				N	E	S	W	Single Stem	2-5 stems														More than 5 stems
									Stem 1	Stem 2	Stem 3	Stem 4	Stem 5										
12	G9	Purple beech	14	7	7	8	8	*102							2	2NE	M	B2	>20	Broad-spreading crown from circa 2m above ground level with tight unions therein susceptible to failure. Ivy present on main trunk preventing thorough inspection and accurate measurement. Some squirrel damage present throughout. Stem diameter measured at 1.2m above ground level.	Remove.	12.24	471
13	G9	Norway maple	15	6	3	4	2	40e							2	3N	E	U	<10	Growing between pair of purple beech. Northern stem failed due to tight union.	Crown lift to 3m above ground level.	4.80	72
14	G9	Pair of purple beech	16av	7av				<100							1	-	M	B2	>20	Visually significant contribution to tree belt. Growing as part of a linear group of 3 purple beech. Ivy present preventing thorough inspection. Small deadwood present.	Crown lift to 3m above ground level.	12.00	452
15	G8/ G10	Linear group of lime	18av	7av				<70							2	-	M	B2	>20	Visually significant contribution to landscape. Continuation of avenue to south running along eastern boundary, growing to west of mixed species woodland. Ivy present on some specimens preventing through inspection. Some deadwood throughout.		8.40	222
16	G8	Lime	15	6	6	6	6	60e							4	-	M	C1	>10	Appears to be growing within private residence. Crown has been reduced to circa 13m above ground level in the past and subsequently regrow.		7.20	163
17		Mixed species hedgerow	6av	2av				<15							0	-	S	C1	>10	Mixed species group of viburnum, cotinus, blackthorn, hazel and snowberry growing as understory to linear group. Large specimens providing off-site screening.		1.80	10

Survey of trees at Friends School, Mount Pleasant Road, Saffron Walden

Tree No.	TPO 7/07	Species	Ht (m)	Branch Spread (m)				Stem diameters (cm)						Height of crown clearance (m)	Height of first branch (m) and direction (compass point)	Age class	Category grading	Estimated remaining contribution (yrs)	Condition Physiological / Structural	Tree Works to BS3998	Root protection radius (m)	Root protection area sq.m					
				N	E	S	W	Single Stem	2-5 stems														More than 5 stems				
									Stem 1	Stem 2	Stem 3	Stem 4	Stem 5										Mean dia	No. stems			
18	G8	Lime	17	5	5	6	6	70e											4	4W	M	B2	>20	Growing amidst dense vegetation preventing thorough inspection and accurate measurement. Ivy present on main trunk preventing further inspection. Reduced to circa 14m in the distant past and subsequently regrow. Small deadwood present.		8.40	222
19		Beech	16	8	7	6	7	54											2	2NW	E	C2	>10	Open grown tree of visual significance. Broad-spreading crown from circa 2m above ground level. Twin-stemmed with significantly tight union susceptible to failure at susceptible to failure at circa 6m above ground level. Future retention unsuitable.	Remove.	6.48	132
20		Horse chestnut	11	6	4	5	4	70e											4	4W	M	C1	>10	Growing amidst dense hedgerow with ivy present preventing thorough inspection and accurate measurement. Reduced significantly to circa 10m in the distant past, with emerging regrowth present.		8.40	222
21	G8	Lime	14	6	5	5	5	65e											0	-	E	B2	>20	Growing amidst dense vegetation preventing thorough inspection and accurate measurement. Reduced to circa 10m above ground level in the distant past.	Prune to provide 3m height clearance over path.	7.80	191
22	G8	Norway maple	15	7	6	6	7	70e											4	4W	M	B2	>20	Contributing to the eastern tree line. Growing amidst dense vegetation preventing thorough inspection and accurate measurement. crown sparse with some deadwood present throughout.		8.40	222
23	G8	Lime	18	6	5	6	7	70e											2	4W	M	B2	>20	Heavily clad in ivy preventing thorough inspection and accurate measurement. Contributing to linear group of trees. Some deadwood present.	Prune to provide 3m height clearance over path.	8.40	222

Survey of trees at Friends School, Mount Pleasant Road, Saffron Walden

Tree No.	TPO 7/07	Species	Ht (m)	Branch Spread (m)				Stem diameters (cm)						Height of crown clearance (m)	Height of first branch (m) and direction (compass point)	Age class	Category grading	Estimated remaining contribution (yrs)	Condition Physiological / Structural	Tree Works to BS3998	Root protection radius (m)	Root protection area sq.m						
				N	E	S	W	Single Stem	2-5 stems														More than 5 stems					
									Stem 1	Stem 2	Stem 3	Stem 4	Stem 5											Mean dia	No. stems			
24	G8	Lime	16	6	5	6	7	70e												2	4W	M	B2	>20	Heavily clad in ivy preventing thorough inspection and accurate measurement. Contributing to linear group of trees. Some deadwood present.	Prune to provide 3m height clearance over path.	8.40	222
25	G8	Lime	18	6	5	6	7	70e												2	4W	M	B2	>20	Heavily clad in ivy preventing thorough inspection and accurate measurement. Contributing to linear group of trees. Some deadwood present.	Prune to provide 3m height clearance over path.	8.40	222
26	G8	Lime	18	6	5	6	7	70e												2	4W	M	B2	>20	Heavily clad in ivy preventing thorough inspection and accurate measurement. Contributing to linear group of trees. Some deadwood present.	Prune to provide 3m height clearance over path.	8.40	222
27	G8	Lime	6	6	5	6	6	65e												0	-	M	C2	>10	Heavily clad in ivy preventing thorough inspection and accurate measurement. Some crown dieback and deadwood present. Possibly reduced in height and width in the distant past and subsequent regrow.	Prune to provide 3m height clearance over path.	7.80	191
28	G8	Lime	20	6	6	7	7	75e												2	3W	M	B2	>20	Contributing to linear group of trees. Heavily clad in ivy preventing thorough inspection and accurate measurement. Slight crown bias to the south due to presence of ash to the northeast.	Prune to provide 3m height clearance over path.	9.00	255
29		Ash	15	7	5	4	5		65e	50e										4	-	M	B2	>20	Boundary tree twin-stemmed from circa 1m above ground level with tight unions susceptible to failure. Recently crown reduced. Large wounds present. Cable brace at circa 5m above ground level. Advanced Ash Dieback.		9.84	304

Survey of trees at Friends School, Mount Pleasant Road, Saffron Walden

Tree No.	TPO 7/07	Species	Ht (m)	Branch Spread (m)				Stem diameters (cm)						Height of crown clearance (m)	Height of first branch (m) and direction (compass point)	Age class	Category grading	Estimated remaining contribution (yrs)	Condition Physiological / Structural	Tree Works to BS3998	Root protection radius (m)	Root protection area sq.m									
				N	E	S	W	Single Stem	2-5 stems														More than 5 stems								
									Stem 1	Stem 2	Stem 3	Stem 4	Stem 5										Mean dia	No. stems							
30	G8	Lime	17	6	6	6	7	75e															1	-	M	B2	>20	Contributing to linear group of trees. Dense vegetation and epicormic growth preventing thorough inspection and accurate measurement. Heavily clad in ivy preventing further inspection. Some deadwood throughout.	Prune to provide 3m height clearance over path.	9.00	255
31	G8	Lime	21	6	7	7	7	80e															4	4W	M	B2	>20	Contributing to linear group. Twin-stemmed from circa 3m above ground level with ivy preventing further inspection. Some deadwood.		9.60	290
32	G8	Lime	19	7	7	5	7	70e															6	6W	M	B2	>20	Well formed tree contributing to linear group. Large wound on south of trunk at circa 4m above ground level associated with the removal of a large limb. Some deadwood throughout.		8.40	222
33		Field maple	11	5	6	6	6								25	7	2	2W	S	C1	>10	Multi-stemmed from circa 2m above ground level. Contributing to hedgerow and understory to linear group.		7.94	198						
34	T3	Yew	8av	5av				<40										0	-	S	C2	>10	Contributing to linear group of trees. Growing amidst dense vegetation preventing thorough inspection and accurate measurement.	Remove.	4.80	72					
34A		Field maple	14	6	7	6	6	45e										3	3N	S	C2	>10	Suppressed by adjoining yew. Main stem covered in ivy.	Remove.	5.40	92					
35		Mixed species hedgerow	9av	4av				25av											0	-	S	C2	>10	Mixed species hedgerow comprising of hawthorn, dog rose, Norway maple and snowberry. Growing as understory to linear group along northern edge of site providing screening of road.	Remove section as shown.	3.00	28				

Survey of trees at Friends School, Mount Pleasant Road, Saffron Walden

Tree No.	TPO 7/07	Species	Ht (m)	Branch Spread (m)				Stem diameters (cm)						Height of crown clearance (m)	Height of first branch (m) and direction (compass point)	Age class	Category grading	Estimated remaining contribution (yrs)	Condition Physiological / Structural	Tree Works to BS3998	Root protection radius (m)	Root protection area sq.m	
				N	E	S	W	Single Stem	2-5 stems														More than 5 stems
									Stem 1	Stem 2	Stem 3	Stem 4	Stem 5										
36	G6	Group of lime	16av	7av				<70							2	-	E	B2	>20	Growing amidst dense understory of mixed species hedgerow. Contributing to screening of site from northern residential properties and road. Ivy present on many specimens preventing thorough inspection. Some deadwood present throughout.	Remove 1 stem as shown.	8.40	222
37		Sycamore	10	2	4	5	5	40e							2	4S	S	C2	>10	Contributing to understory of limes. Ivy present preventing thorough inspection and accurate measurement.		4.80	72
39	G7?	Beech	12	5	4	4	4	44						1	3W	E	B2	>20	Well formed crown, multi-stemmed from circa 4m above ground level.		5.28	88	
40		Lime	12	4	3	3	3	29						2	-	S	C1	>10	Asymmetrical form due to presence of surrounding vegetation. Of little contribution.		3.48	38	
41		Cherry	10	4	3	2	3	39						4	-	E	C2	>10	Growing at bottom of embankment. Large wound present on main trunk from ground level up to circa 2m above ground level. Significant pocket of decay present therein.		4.68	69	
42	G7?	Beech	17	6	6	5	7	56						2	4SW		B2	>20	Well formed tree contributing to linear group of 3 beech.		6.72	142	
43		Cherry	8	4	3	4	4	49						2	1.8SE		C2	>10	Multi-stemmed from 1.8m above ground level. Large wounds present on main trunk at circa 1.8m above ground level. Some crown dieback and deadwood throughout.		5.88	109	
44	G7?	Beech	15	7	7	6	7	53						4	4NW	E	B2	>20	Well formed tree, multi-stemmed from 7m above ground level with broad spreading crown.		6.36	127	
47		Lime	17	4	5	5	4	56						2	4S	M	B2	>20	Well formed tree from circa 4m above ground level. Large wound at circa 2m above ground level to east of main trunk. Some deadwood.		6.72	142	

Survey of trees at Friends School, Mount Pleasant Road, Saffron Walden

Tree No.	TPO 7/07	Species	Ht (m)	Branch Spread (m)				Stem diameters (cm)						Height of crown clearance (m)	Height of first branch (m) and direction (compass point)	Age class	Category grading	Estimated remaining contribution (yrs)	Condition Physiological / Structural	Tree Works to BS3998	Root protection radius (m)	Root protection area sq.m									
				N	E	S	W	Single Stem	2-5 stems														More than 5 stems								
									Stem 1	Stem 2	Stem 3	Stem 4	Stem 5										Mean dia	No. stems							
48		Norway maple	12	5	5	4	4	37														4	3SE	S	C1	>10	Contributing little to group of trees. Wounds present at circa 2m above ground level associated with branch loss. Impact wound at circa 0.5m above ground level to south of main trunk.		4.44	62	
50		Group of 3 maple	12av	5av				<40															2	-	E	C2	>10	Of little contribution to landscape. Some crown dieback and deadwood present.		4.80	72
51		Horse chestnut	7	3	2	3	2		17	21													2	3N	S	U	<10	Bark delamination present on main trunk from ground level up to circa 2m above ground level. Crown sparse with some dieback present.		3.24	33
55		Norway maple	11	7	4	6	5	65e															4	4W	E	C2	>10	Broad spreading crown from circa 2m above ground level. Possibly reduced to circa 7m above ground level in the distant past with large pruning wounds and subsequent pockets of decay present. Some deadwood throughout.		7.80	191
111		Field maple	13	6	6	6	6	*36															2	-	E	C1	>10	Part of linear group of field maple. Small deadwood present. *Stem diameter measured at 1m above ground level.		4.32	59
112		Field maple	11	6	4	4	5	*36															2	-	E	C1	>10	Part of linear group of field maple. Small deadwood present. Dead top. *Stem diameter measured at 1m above ground level.		4.32	59
112A		Paperbark birch	4	2	2	2	2	11															2	2N	Y	C1	>10	Small tree growing just beyond palisade fence.		1.32	5

Note:

Where ? is indicated it is due to uncertainty which tree is protected.

Appendix 4

Tree Preservation Order

TPO 7/07/38

TOWN AND COUNTRY PLANNING ACT 1990
UTTLESFORD DISTRICT COUNCIL
TREE PRESERVATION ORDER
07/07 FRIENDS SCHOOL SAFFRON WALDEN

Uttlesford District Council, in exercise of the powers conferred on it by sections 198, 201 and 203 of the Town and Country Planning Act 1990 hereby makes the following Order -

Citation

1 This Order may be cited as the Uttlesford District Council Tree Preservation Order 07/07 Friends School Saffron Walden.

Interpretation

2 In this Order "the authority" means Uttlesford District Council and unless the context otherwise requires, any reference in this Order to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990.

Application of section 201

3 The authority hereby direct that section 201 (provisional tree preservation orders) shall apply to this Order and, accordingly, this Order shall take effect provisionally on 9th October 2007.

Prohibited acts in relation to trees

4 Without prejudice to subsections (6) and (7) of section 198 (power to make tree preservation orders) [or subsection (3) of section 200 (orders affecting land where Forestry Commissioners interested)], and subject to article 5, no person shall -

- (a) cut down, top, lop, uproot, wilfully damage or wilfully destroy; or
- (b) cause or permit the cutting down, topping, lopping, uprooting, wilful damage or wilful destruction of,

any tree specified in Schedule 1 to this Order or comprised in a group of trees or in a woodland so specified, except with the consent of the authority and, where such consent is given subject to conditions, in accordance with those conditions.

Exemptions

- 5 (1) Nothing in article 4 shall prevent -
- (a) the cutting down, topping, lopping or uprooting of a tree by or at the request of a statutory undertaker, where the land on which the tree is situated is operational land of the statutory undertaker and the work is necessary -
 - (i) in the interests of the safe operation of the undertaking;
 - (ii) in connection with the inspection, repair or renewal of any sewers, mains, pipes, cables or other apparatus of the statutory undertaker; or
 - (iii) to enable the statutory undertaker to carry out development permitted by or under the Town and Country Planning (General Permitted Development) Order 1995;
 - (b) the cutting down, topping, lopping or uprooting of a tree cultivated for the production of fruit in the course of a business or trade where such work is in the interests of that business or trade;
 - (c) the pruning, in accordance with good horticultural practice, of any tree cultivated for the production of fruit;
 - (d) the cutting down, topping, lopping or uprooting of a tree where that work is required to enable a person to implement a planning permission (other than an outline planning permission or, without prejudice to paragraph (a)(iii), a permission granted by or under the Town and Country Planning (General Permitted Development) Order 1995) granted on an application under Part III of the Act, or deemed to have been granted (whether for the purposes of that Part or otherwise);
 - (e) the cutting down, topping, lopping or uprooting of a tree by or at the request of the Environment Agency to enable the Agency to carry out development permitted by or under the Town and Country Planning (General Permitted Development) Order 1995;
 - (f) the cutting down, topping, lopping or uprooting of a tree by or at the request of a drainage body where that tree interferes, or is likely to interfere, with the exercise of any of the functions of that body in relation to the maintenance, improvement or construction of watercourses or of drainage works, and for

this purpose "drainage body" and "drainage" have the same meanings as in the Land Drainage Act 1991; or

- (g) without prejudice to section 198(6)(b), the felling or lopping of a tree or the cutting back of its roots by or at the request of, or in accordance with a notice served by, a licence holder under paragraph 9 of Schedule 4 to the Electricity Act 1989.

- (2) In paragraph (1), "statutory undertaker" means any of the following -

a person authorised by any enactment to carry on any railway, light railway, tramway, road transport, water transport, canal, inland navigation, dock, harbour, pier or lighthouse undertaking, or any undertaking for the supply of hydraulic power,

a relevant airport operator (within the meaning of Part V of the Airports Act 1986),

the holder of a licence under section 6 of the Electricity Act 1989,

a public gas transporter,

the holder of a licence under section 7 of the Telecommunications Act 1984 to whom the telecommunications code (within the meaning of that Act) is applied,

a water or sewerage undertaker,

the Civil Aviation Authority or a body acting on behalf of that Authority,

the Post Office.

Applications for consent under the Order

- 6 An application for consent to the cutting down, topping, lopping or uprooting of any tree in respect of which this Order is for the time being in force shall be made in writing to the authority and shall -

- (a) identify the tree or trees to which it relates (if necessary, by reference to a plan);
- (b) specify the work for which consent is sought; and
- (c) contain a statement of the applicant's reasons for making the application.

Application of provisions of the Town and Country Planning Act 1990

7 (1) The provisions of the Town and Country Planning Act 1990 relating to registers, applications, permissions and appeals mentioned in column (1) of Part I of Schedule 2 to this Order shall have effect, in relation to consents under this Order and applications for such consent, subject to the adaptations and modifications mentioned in column (2).

(2) The provisions referred to in paragraph (1), as so adapted and modified, are set out in Part II of that Schedule.

Directions as to replanting

8 (1) Where consent is granted under this Order for the felling in the course of forestry operations of any part of a woodland area, the authority may give to the owner of the land on which that part is situated ("the relevant land") a direction in writing specifying the manner in which and the time within which he shall replant the relevant land.

(2) Where a direction is given under paragraph (1) and trees on the relevant land are felled (pursuant to the consent), the owner of that land shall replant it in accordance with the direction.

- (3) A direction under paragraph (1) may include requirements as to -
- (a) species;
 - (b) number of trees per hectare;
 - (c) the preparation of the relevant land prior to the replanting; and
 - (d) the erection of fencing necessary for the protection of the newly planted trees.

Compensation

9 (1) If, on a claim under this article, a person establishes that loss or damage has been caused or incurred in consequence of -

- (a) the refusal of any consent required under this Order; or

- (b) the grant of any such consent subject to conditions, he shall, subject to paragraphs (3) and (4), be entitled to compensation from the authority.

(2) No claim, other than a claim made under paragraph (3), may be made under this article -

- (a) if more than 12 months have elapsed since the date of the authority's decision or, where such a decision is the subject of an appeal to the Secretary of State, the date of the final determination of the appeal; or
- (b) if the amount in respect of which the claim would otherwise have been made is less than £500.

(3) Where the authority refuses consent under this Order for the felling in the course of forestry operations of any part of a woodland area, it shall not be required to pay compensation to any person other than the owner of the land; and such compensation shall be limited to an amount equal to any depreciation in the value of the trees which is attributable to deterioration in the quality of the timber in consequence of the refusal.

(4) In any other case, no compensation shall be payable to a person -

- (a) for loss of development value or other diminution in the value of the land;
- (b) for loss or damage which, having regard to the statement of reasons submitted in accordance with article 6(c) and any documents or other evidence submitted in support of any such statement, was not reasonably foreseeable when consent was refused or was granted subject to conditions;
- (c) for loss or damage reasonably foreseeable by that person and attributable to his failure to take reasonable steps to avert the loss or damage or to mitigate its extent; or
- (d) for costs incurred in appealing to the Secretary of State against the refusal of any consent required under this Order or the grant of any such consent subject to conditions.

(5) Subsections (3) to (5) of section 11 (terms of compensation on refusal of licence) of the Forestry Act 1967 shall apply to the assessment of compensation under paragraph (3) as it applies to the assessment of compensation where a felling licence is refused under section 10 (application for felling licence and decision of Commissioners

thereon) of that Act as if for any reference to a felling licence there were substituted a reference to a consent required under this Order and for the reference to the Commissioners there were substituted a reference to the authority.

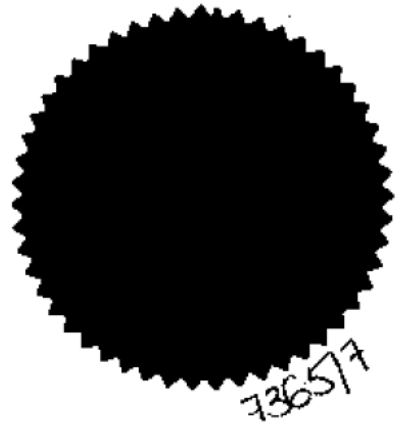
(6) In this article -

"development value" means an increase in value attributable to the prospect of development; and, in relation to any land, the development of it shall include the clearing of it; and

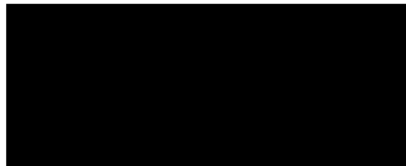
"owner" has the meaning given to it by section 34 of the Forestry Act 1967.

Dated this 9th day of October 2007

The Common Seal of
Uttlesford District Council
was hereunto affixed in
the presence of



Authorised signatory



Authorised signatory

SCHEDULE 1

SPECIFICATION OF TREES

Trees specified individually
(encircled in black on the map)

Reference on Map Description		Situation
T1. grounds of the Friends School	Yew	Within the
T2. "	Yew	
T3. Yew		"
T4. "	Yew	
T5. Beech		"

Groups of trees
(within a dotted black line on the map)

G1. grounds of the Friends School	8no. Lime 1no. Box 1no. Beech 4no. Pine 2no. Yew 1no. Maple	Within the
G2. Pine	1no. 1no. Lime 1no. Yew 1no. Maple	"
G3. Lime	2no.	"
G4. Maple	2no.	"
G5. Maple	2no.	"
G6. Lime	17no	"
G7. Hornbeam	3no.	"
G8. Lime	17no 1no Maple	"
G9. Beech	3no. 1no. Maple	"

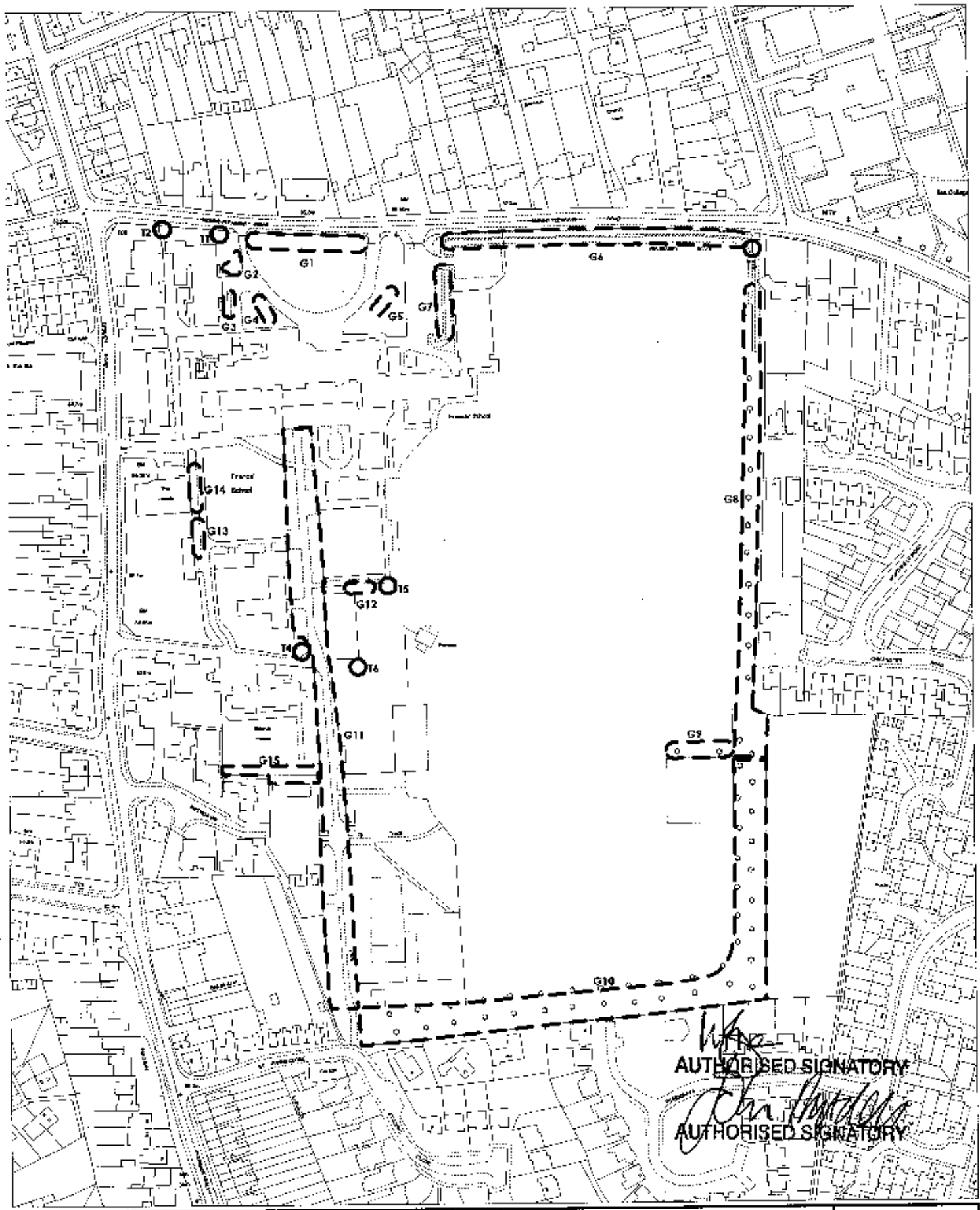
G10. Lime	66no.	"
G11. Lime	52no.	"
G12. Lime	2no.	"
G13. Lime	2no.	"
G14, Beech	1no. 1no. Lime	"
G15. Yews	8no. 1no. Horsechestnut	"

Trees specified by reference to an area.

NONE



Woodlands

NONE




 AUTHORIZED SIGNATORY

 AUTHORIZED SIGNATORY

	UTLESFORD DISTRICT COUNCIL TREE PRESERVATION ORDER	Nø3/07, Friends School, Saffron Walden	
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 DATE:08/10/2007 MAP REFERENCE: TL5437NW SCALE:1:2500

SCHEDULE 2

PART 1 PROVISIONS OF THE TOWN AND COUNTRY PLANNING ACT 1990 APPLIED WITH ADAPTATIONS OR MODIFICATIONS

Provision of the Town and Country Planning Act 1990	Adaptation or Modification
Section 69 (registers)	<p>(a) In subsection (1) –</p> <p style="padding-left: 2em;">(i) omit – “, in such manner as may be prescribed by a development order,”, “such” in the second place where it appears, and</p> <p style="padding-left: 2em;">(ii) substitute “matters relevant to tree preservation orders made by the authority” for “applications for planning permission”,</p> <p>(b) In subsection (2) –</p> <p style="padding-left: 2em;">(i) after “contain” insert “, as regards each such order”; and</p> <p style="padding-left: 2em;">(ii) for paragraphs (a) and (b) substitute –</p> <p style="padding-left: 4em;">(a) details of every application under the order and of the authority's decision (if any) in relation to each such application, and</p> <p style="padding-left: 4em;">(b) a statement as to the subject-matter of every appeal under the order and of the date and nature of the Secretary of State's determination of it.”.</p> <p>(c) Omit subsections (3) and (4) (as required by section 198(4)).</p>
Section 70 (determination of applications: general considerations)	<p>(a) in subsection (1) –</p> <p style="padding-left: 2em;">(i) substitute –</p> <p style="padding-left: 4em;">“Subject to subsections (1A) and (1B), where” for “Where”;</p> <p style="padding-left: 4em;">“the authority” for “a local planning authority”;</p> <p style="padding-left: 4em;">“consent under a tree preservation order” for “planning permission” where those words first appear: and</p>

	<p>"consent under the order" for "planning permission" in both of the other places where those words appear;</p> <p>(ii) after "think fit", insert –</p> <p>"(including conditions limiting the duration of the consent or requiring the replacements of trees)"; and</p> <p>(iii) omit "subject to sections 91 and 92,".</p> <p>(b) After subsection (1) insert –</p> <p>"(1A) Where an application relates to an area of woodland, the authority shall grant consent so far as accords with the practice of good forestry, unless they are satisfied that the granting of consent would fail to secure the maintenance of the special character of the woodland or the woodland character of the area.</p> <p>(1B) Where the authority grant consent for the felling of trees in a woodland area they shall not impose conditions requiring replacement where such felling is carried out in the course of forestry operations (but may give directions for securing replanting)."</p> <p>(c) Omit subsections (2) and (3)</p>
Section 75 (effect of planning permission)	<p>(a) In subsection (1) substitute –</p> <p>(i) "Any" for the words from "Without" to "any";</p> <p>(ii) "consent under a tree preservation order" for "planning permission to develop land";</p> <p>(iii) "the consent" for "the permission"; and</p> <p>(iv) "the land to which the order relates" for "the land".</p> <p>(b) Omit subsections (2) and (3)</p>
Section 78 (right to appeal against planning decisions and failure to take such decisions)	<p>(a) In subsection (1) substitute –</p> <p>(i) "the authority" for "a local planning authority";</p> <p>(ii) "consent under a tree preservation order" for "planning permission" in the first place where those words appear;</p> <p>(iii) "consent under such an order" for "planning permission" in the second place where those words appear;</p>

	<p>(b) Omit subsection (2).</p> <p>(c) In subsection (3) for "served within such time and in such manner as may be prescribed by a development order." Substitute – "in writing addressed to the Secretary of State, specifying the grounds on which the appeal is made; and such notice shall be served –</p> <p>(a) in respect of a matter mentioned in any of paragraphs (a) to (c) of subsection (1), within the period of 28 days from the receipt of notification of the authority's decision or direction or within such longer period as the Secretary of State may allow;</p> <p>(b) in respect of such a failure as is mentioned in paragraph (d) of that subsection, at any time after the expiration of the period mentioned in that paragraph, but if the authority have informed the applicant that the application has been refused, or granted subject to conditions, before an appeal has been made, an appeal may only be made against that refusal or grant."</p> <p>(d) For subsection (4), substitute – "(4) The appellant shall serve on the authority a copy of the notice mentioned in subsection (3)."</p> <p>(e) For subsection (5), substitute – "(5) For the purposes of the application of subsection 79(1), in relation to an appeal made under subsection (1)(d), it shall be assumed that the authority decided to refuse the application in question."</p>
<p>Section 79 (determination of appeals)</p>	<p>(a) In subsections (1) and (2), substitute "the authority" for "the local planning authority".</p> <p>(b) Omit subsection (3).</p> <p>(c) In subsection (4), substitute –</p> <p>(i) "section 70(1), (1A) and (1B)" for "sections 70, 72(1) and (5), 53 and 73A and Part 1 of Schedule 5";</p> <p>(ii) "consent under a tree preservation order" for "planning permission", and</p> <p>(iii) "the authority" for " the local planning authority and</p>

a development order may apply, with or without modifications, to such an appeal any requirements imposed by a development order by virtue of sections 65 or 71."

(d) Omit subsections (6) and (6A).

(e) In subsection (7), omit the words after "section 78".

PART II
PROVISIONS OF THE TOWN AND COUNTRY PLANNING ACT 1990,
AS ADAPTED AND MODIFIED BY PART I

The following provisions of the Town and Country Planning Act 1990, as adapted and modified by Part I of this Schedule, apply in relation to consents, and applications for consent, under this Order.

Section 69

(1) Every local planning authority shall keep a register containing information with respect to matters relevant to tree preservation orders made by the authority.

(2) The register shall contain, as regards each such order -

- (a) details of every application under the order and of the authority's decision (if any) in relation to each such application, and
 - (b) a statement as to the subject-matter of every appeal under the order and of the date and nature of the Secretary of State's determination of it.
-

(5) Every register kept under this section shall be available for inspection by the public at all reasonable hours.

Section 70

(1) Subject to subsections (1A) and (1B), where an application is made to the authority for consent under a tree preservation order -

- (a) they may grant consent under the order, either unconditionally or subject to such conditions as they think fit (including conditions limiting the duration of the consent or requiring the replacement of trees); or
- (b) they may refuse consent under the order.

(1A) Where an application relates to an area of woodland, the authority shall grant consent so far as accords with the practice of good forestry, unless they are satisfied that the granting of consent would fail to secure the maintenance of the special character of the woodland or the woodland character of the area.

(1B) Where the authority grant consent for the felling of trees in a woodland area they shall not impose conditions requiring replacement where such felling is carried out in the course of forestry operations (but may give directions for securing replanting).

.....

Section 75

Any grant of consent under a tree preservation order shall (except in so far as the consent otherwise provides, enure for the benefit of the land to which the order relates and of all persons for the time being interested in it.

Section 78

- (1) Where the authority -
- (a) refuse an application for consent under a tree preservation order or grant it subject to conditions;
 - (b) refuse an application for any consent, agreement or approval of that authority required by a condition imposed on a grant of consent under such an order or grant it subject to conditions;
 - (c) give a direction under a tree preservation order, or refuse an application for any consent, agreement or approval of that authority required by such a direction; or
 - (d) fail to determine any such application as is referred to in paragraphs (a) to (c) within the period of 8 weeks beginning with the date on which the application was received by the authority,

the applicant may by notice appeal to the Secretary of State.

.....

(3) Any appeal under this section shall be made by notice in writing addressed to the Secretary of State, specifying the grounds on which the appeal is made; and such notice shall be served -

- (a) in respect of a matter mentioned in any of paragraphs (a) to (c) of subsection (1), within the period of 28 days from the receipt of notification of the authority's decision or direction or within such longer period as the Secretary of State may allow;
- (b) in respect of such a failure as is mentioned in paragraph (d) of that subsection, at any time after the expiration of the period mentioned in that paragraph, but if the authority have informed the applicant that the application has been refused, or granted subject to conditions, before an appeal has been made, an appeal may only be made against that refusal or grant.

(4) The appellant shall serve on the authority a copy of the notice mentioned in subsection (3).

(5) For the purposes of the application of section 79(1), in relation to an appeal made under subsection (1)(d), it shall be assumed that the authority decided to refuse the application in question.

.....

Section 79

- (1) On an appeal under section 78 the Secretary of State may -
- (a) allow or dismiss the appeal, or
 - (b) reverse or vary any part of the decision of the authority (whether the appeal relates to that part of it or not),

and may deal with the application as if it had been made to him in the first instance.

(2) Before determining an appeal under section 78 the Secretary of State shall, if either the appellant or the authority so wish, give each of them an opportunity of appearing before and being heard by a person appointed by the Secretary of State for the purpose.

.....

(4) Subject to subsection (2), the provisions of section 70(1), (1A) and (1B) shall apply, with any necessary modifications, in relation to an appeal to the Secretary of State under section 78 as they apply to an application for consent under a tree preservation order which falls to be determined by the authority.

(5) The decision of the Secretary of State on such an appeal shall be final.

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(7) Schedule 6 applies to appeals under section 78.

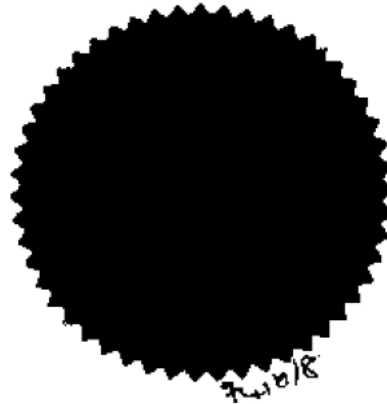
TOWN AND COUNTRY PLANNING ACT 1990

THE DISTRICT OF UTTLESFORD

**TREE PRESERVATION ORDER
07/07 FRIENDS SCHOOL SAFFRON WALDEN**

This Order was confirmed by Uttlesford District Council without modification on the 23rd day of January 2008.

THE COMMON SEAL of
UTTLESFORD DISTRICT COUNCIL
was hereunto affixed in
the presence of:-




Authorised Signatory


Authorised Signatory