



## Appendix F

### PRELIMINARY ARBORICULTURAL METHOD STATEMENT



## Sequence of events

### **Before construction work starts (including bringing of plant and materials on site):**

**A pre-commencement site meeting** shall be held prior to the commencement of any works associated with the proposed development. The meeting is required for the Local Planning Authority (LPA), the Arboricultural Consultant and construction personnel to agree all approved site processes. This meeting may be used to formally agree on site tree protection measures prior to the commencement of the development.

**Trunk protection** to be installed by wrapping several layers of hessian cloth to a height of approximately 3m, and place 2x4 timbers around the entire circumference of the stems and secured in place by heavy duty plastic cable ties. If the protection is to remain in place for longer than a year, it will need to be monitored and re-adjusted if required, to prevent any constriction of the stems, which could cause damage.

**Temporary ground protection** will be installed in accordance with the recommendations in section 6.2.3.3 of BS5837:2012. Where existing hard surfaces are retained, these may be suitable as ground protection for pedestrian and vehicular traffic over RPAs, however its suitability to withstand the applied load should be assessed. All ground protection should be capable of supporting any traffic entering or using the site without being distorted or causing compaction of underlying soil.

### **During construction:**

**Tree protection will not be moved or altered** without written consent from the Local Planning Authority's tree officer and the area within (Construction Exclusion Zone (CEZ) will be considered sacrosanct.

### **Post-construction works and following removal of all plant and materials from site:**

**Remove tree protection** This will only be permitted once all construction work is complete.

## Tree work inc. root pruning

Where works inc. root pruning are required to trees covered by a TPO or in a conservation area, written consent shall be obtained from the LPA prior to these works being undertaken.

All tree work must comply with British Standard 3998: 2010 'Recommendations for tree work'.

Should the requirement for additional tree works become apparent during the construction process; written consent shall be obtained from the LPA prior to these works being undertaken.



## **Interpretation**

A laminated copy of the method statement must be kept on-site in a prominent location for the duration of the development.

Dimensions and positions of the approved tree protection will be drawn onto all plans used by site operatives.

## **Site Monitoring & Arboricultural Supervision**

Results of any site monitoring or arboricultural supervision will be recorded and available for scrutiny by the LPA and developer. Any defects requiring remediation or rectification shall be notified to the site foreman/manager and the client.

Should any tree protection become damaged to impair its function, all works shall cease in the vicinity of the damage until it has been repaired.

Should damage occur to any of the retained trees for whatever reason, the damage should be reported to the site foreman/manager immediately. The site foreman/manager will then report to the arboricultural consultant to enable remediation to be implemented as necessary and agreed with the LPA.

## **Construction Method Statement**

### **Construction operations in the vicinity of retained trees must be carried out with caution to prevent negative impacts:**

Care must be taken when planning site operations involving wide or tall loads or plant with booms, jibs, and counterweights to ensure that they do not encounter retained trees.

Any transit or traverse of plant such as described above will be conducted under the supervision of a banksman, to ensure adequate clearance is maintained.

Many building materials are toxic to trees. Excess cement, cement washings, wastewater, diesel fuel and even clean water in excess can kill or seriously damage trees. Any spillage run off should be controlled so that they do not contaminate the RPAs.

Changes (increases or decreases) in ground levels within the RPA will kill roots and harm the tree. Any changes in soil levels around trees during demolition, construction or landscaping must be approved in advance by the LPA's tree officer.

Fire, either deliberate or accidental is harmful to trees. If fires are proposed, they must not be carried out within 10m of the outer crown (drip line).

Trenches for services (electricity, gas, water etc.) can damage tree roots. Service runs should be routed to avoid the RPA of any retained tree. If services are unavoidable within the RPA,



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then it will be necessary to prepare method statements for protecting tree roots if no-dig techniques e.g. a mole are not practical.

Where scaffolding is required, it should be erected outside of RPAs. However, where it is essential for scaffolding to be erected within RPAs, pruning should be kept to a minimum. This can be achieved by designing scaffolding to avoid branches or tying back branches where necessary. Where pruning is unavoidable it must be carried out by an arborist in accordance with British Standard 3998: 2010 'Recommendations for tree work' and may first require permission from the local planning authority. Temporary ground protection must also be installed beneath all scaffolding within RPAs, in accordance with the recommendations in section 6.2.3.3 of BS5837:2012 and remain in place until the scaffolding is removed. No ground excavation is to be carried out for the soleplates.

### **New Hard Surfacing within RPAs**

New hard surfacing is potentially damaging to trees because it may require changes to existing ground levels, result in localised soil structure degrade and/or disrupt the efficient exchange of water and gases in and out of the soil. Mature and over-mature trees are much more prone to suffer as a result of these changes, than young and maturing trees. Adverse impact on trees can be reduced by minimising the extent of these changes in RPAs. Generally, the most suitable surfacing will be relatively permeable to allow water and gas movement, load spreading to avoid localised compaction and require little or no excavation to limit direct damage. The actual specification of the surfacing is an engineering issue that needs to be considered in the context of the bearing capacity of the soil, the intended loading and the frequency of loading. The detail of product and specification are beyond the scope of this guidance and must be provided separately by the appropriate specialist or manufacturer of the relevant product.

The precise location and depth of roots within the soil is unpredictable and will only be known when careful digging starts on site. Ideally, all new surfacing in RPAs should be no-dig, i.e. requiring no excavation whatsoever, but this is rarely possible on undulating surfaces. New surfacing normally requires an evenly graded sub-base layer, which can be made up to any high points with granular, permeable fills such as an angular stone of 20-40mm. This sub-base must not be compacted as would happen in conventional surface installation. Some limited excavation is usually necessary to achieve this and need not be damaging to trees if carried out carefully and large roots are not cut. Tree roots and grass roots rarely occupy the same soil volume at the top of the soil profile, so the removal of a turf layer up to 5cm is unlikely to be damaging to trees. It may be possible to dig to a greater depth depending on local conditions, but this would need to be assessed by an arboriculturist if excavation beyond 5cm is anticipated. On undulating surfaces, finished gradients/levels must be planned with sufficient flexibility to allow on-site adjustment if excavation of any high points reveals large, unexpected roots near the surface. If the roots are less than 2.5cm in diameter, it would normally be accepted to cut them, and the gradient formed with the preferred minimal excavation of up to 5cm. However, roots over 2.5cm in diameter are exposed, cutting them may be too damaging and further excavation may not be possible. If that is the case, the surrounding levels must be adjusted to take account of these high points by filling



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with suitable material. If this is not practical and large roots have to be cut, the situation should be discussed with the arboricultural consultant and LA tree officer before a final decision is made.

Once the sub-base has been formed, the load spreading construction is installed on top without compaction. In principle, the load spreading formation will normally be cellular and filled with crushed stone although the detail may vary with different products. Suitable surface finishes include washed gravel, permeable tarmac or block pavios set on a sand base. However, for lightly loaded surfacing of limited widths (<2m) such as pedestrian paths, pre-formed concrete slabs may be appropriate if the sub-base preparation is as set out above. In some situations, limited width floating concrete rafts constructed directly on to the soil surface may be acceptable, but the design must not include any strip-dug supports.

Conventional kerb edge retention set in concrete filled trenches is likely to result in damage to roots and should be avoided. Effective edge retention in RPA must be custom designed to avoid any significant excavation into existing soil levels. For most surfaces, the use of pre-formed edging secured by metal pins or wooden pegs is normally an effective way of minimising any adverse impact on trees from the retention structure.



## Appendix G

### EXAMPLE SITE MONITORING RECORDING TABLE



Date	Purpose	Attendees	Notes



## Appendix H

### GUIDANCE ON PLANNING AND LEGISLATION FOR TREES



*The following advice applies to England only and is for guidance purposes only. Some trees are protected by legislation, and it is essential that you establish the legal status of trees prior to carrying out works to them. Unauthorised work to protected trees could lead to prosecution, resulting in enforcement action such as fines or a criminal record. Tree Preservation Orders, Conservation Areas, Planning Conditions, Felling Licences or Restrictive Covenants legally protect many trees in the UK.*

### **Tree Preservation Orders (TPOs)**

TPOs are administered by Local Planning Authorities (LPA) (e.g. a borough, district or unitary council or a national park authority) and are made to protect trees that bring significant amenity benefit to the local area. This protection is particularly important where trees are under threat.

All types of tree, but not hedges, bushes or shrubs, can be protected, and a TPO can protect anything from a single tree to all trees within a defined area or woodland. Any species can be protected, but no species is automatically protected by a Tree Preservation Order.

A TPO is a written order which, in general, makes it a criminal offence to cut down, top, lop, uproot, wilfully damage or wilfully destroy a tree protected by that order, or to cause or permit such actions, without the authority's permission. Anyone found guilty of such an offence is liable. In serious cases the case may be dealt with in the Crown Court where an unlimited fine can be imposed.

To make an application to carry out tree works you will need to complete an application form and submit it to the LPA. The form can either be submitted through the Planning Portal or directly to the LPA. You can find out more about TPOs in the Department for Communities and Local Government guide titled [Protected trees: A guide to tree preservation procedures](#) (withdrawn 7 March 2014) and its replacement [The National Planning Policy Framework and relevant planning practice guidance](#) document with particular reference to [Tree Preservation Orders and trees in conservation areas](#). You might also find it helpful to seek the advice of a tree surgeon prior to making an application. A directory of Arboricultural Association [Approved Contractors](#) can be found here.

### **Conservation Areas**

Normal TPO procedures apply if a tree in a conservation area is already protected by a TPO. But if a tree in a conservation area is not covered by a TPO, you have to give written notice to the LPA (by letter, email or on the LPA's form) of any proposed work, describing what you want to do, at least six weeks before the work starts. This is called a 'section 211 notice' and it gives the LPA an opportunity to consider protecting the tree with a TPO.



You do not need to give notice of work on a tree in a conservation area less than 7.5 centimetres in diameter, measured 1.5 metres above the ground (or 10 centimetres if thinning to help the growth of other trees).

You can find out more about trees in Conservation Areas in the Department for Communities and Local Government guide titled [Protected trees: A guide to tree preservation procedures](#) (withdrawn 7 March 2014) and its replacement [The National Planning Policy Framework and relevant planning practice guidance](#) document with particular reference to [Tree Preservation Orders and trees in conservation areas](#).

### Trees and the planning system

Under the UK planning system, LPAs have a statutory duty to consider the protection and planting of trees when granting planning permission for proposed development. The potential effect of development on trees, whether statutorily protected (e.g. by a tree preservation order or by their inclusion within a conservation area) or not, is a material consideration that is taken into account when dealing with planning applications. Where trees are statutorily protected, it is important to contact the LPA and follow the appropriate procedures before undertaking any works that might affect the protected trees.

Planning conditions are frequently used by LPAs as a means of securing the retention of trees, hedgerows and other soft landscaping on sites during development and for a period following completion of the development. If it is proposed to retain trees for the long term then a TPO is often used rather than a planning condition. If valid planning conditions are in place then anyone wishing to undertake work to trees shown as part of the planning condition must ensure they liaise with the LPA and obtain any necessary consent or variation.

The nature and level of detail of information required to enable an LPA to properly consider the implications and effects of development proposals varies between stages and in relation to what is proposed. Table B.1 of British Standard *BS 5837:2012 Trees in relation to design, demolition and construction – Recommendations* provides advice to both developers and LPAs on an appropriate amount of information that will need to be provided either at the planning application stage or via conditions.

### Felling Licences

Felling Licences are administered by the [Forestry Commission](#). You do not need a licence to fell trees in gardens. However, for trees outside gardens, you may need to apply to the Forestry Commission for a felling licence, whether or not they are covered by a TPO. You can find out more about felling licences at [Felling Licences](#) quick guide (England) or in the Forestry Commission's booklet [Tree Felling – getting permission](#).



## **Sites of Special Scientific Interest (SSSI)**

SSSIs (ASSIs in Northern Ireland) are designated by the Statutory Nature Conservation Organisation (SNCO) for each country of the United Kingdom. They include some of our most spectacular and beautiful habitats - large wetlands teeming with waders and waterfowl, winding chalk rivers, gorse and heather-clad heathlands, flower-rich meadows, windswept shingle beaches and remote uplands moorland and peat bog. Each SSSI will have a management plan and a list of operations requiring the SNCOs consent prior to carrying out works.

Any activity that recklessly or intentionally harms the SSSI (ASSIs in Northern Ireland) or its flora or fauna will be an offence liable on summary conviction to a fine not exceeding £20,000 or on conviction on indictment to an unlimited fine. If you know the name of the Site of Special Scientific Interest and want to know more about it, you can search for it by country at England, Wales, Scotland or Northern Ireland.

## **Restrictive Covenants**

A restrictive covenant is a promise by one person to another, (such as a buyer of land and a seller) not to do certain things with the land or property. It binds the land and not an individual owner, it "runs with the land". This means that the restrictive covenant continues over the land or property even when the current owner(s) sells it to another person. Restrictive covenants continue to have effect even though they may have been made many years ago and appear to be obsolete.

Covenants or other restrictions in the title of a property or conditions in a lease may require the consent of a third party prior to carrying out some sorts of tree work, including removing trees and hedges. This may be the case even if TPO, CA and felling licence regulations do not apply. It may be advisable to consult a solicitor.

## **Further information**

Further information about TPO legislation can be found in the latest [National Planning Policy Framework](#) with particular reference to [Tree Preservation Orders and trees in conservation areas](#).

More detailed information on TPOs: [www.gov.uk/guidance/tree-preservation-orders-and-trees-in-conservation-areas#Flowchart-1-Making-and-confirming-TPO](http://www.gov.uk/guidance/tree-preservation-orders-and-trees-in-conservation-areas#Flowchart-1-Making-and-confirming-TPO)



## **High Hedges**

Part 8 of the Anti-social Behaviour Act 2003 Allows local councils to deal with complaints about high hedges. When councils are determining a complaint, they must first decide whether the height of the high hedge is having an adverse effect on a neighbour's enjoyment of their home and/or its garden or yard. If it is, then councils can order the owner of a high hedge to take action to put right the problem and stop it from happening again. The legislation also allows councils to set and charge fees for handling these complaints.

The government has produced an information leaflet on the subject called Over the garden hedge, which can be found at the following web address:

<https://www.gov.uk/government/publications/over-the-garden-hedge>

## **Occupiers Liability Act 1957 and 1984 The Occupiers Liability Act (1957 and 1984)**

Places a duty of care on tree owners to ensure that no reasonably foreseeable harm takes place to people or property due to their tree. 'Common sense risk management of tree (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 in Common Law to all people who might be injured by the tree. The duty of care requires that reasonable steps are taken to avoid acts or omissions that could cause a reasonably foreseeable risk of injury to persons or property'.

## **Common law**

Enables pruning back as far as the boundary line only, providing the work is reasonable and does not negatively impact tree health or safety. Other restrictions on tree works, such as tree preservation orders still apply.

## **Tree Work**

All tree work should be carried out in compliance with BS3998: 2010 "Tree work – Recommendations", plus all relevant health and safety legislation, regulations and codes of practice.

## **Biosecurity**

Where there is a risk of transferring pathogens to vegetation at other sites, felling and pruning equipment must be disinfected after use. Also consider brushing mud and debris from soles of boots, and spraying boots and vehicle tyres before leaving the site (suitable disinfectants include Propellar & Cleankill Sanitising Sprays). All disinfectants should be used



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in accordance with the recommended safety precautions (refer to the material data safety sheet for each product).

**Wildlife & Countryside Act 1981 (as amended) and Countryside and Rights of Way Act 2000**

It is an offence to intentionally or recklessly damage or destroy the nest of any wild bird while it is in use or being built. Please therefore check for the presence of nesting birds before commencing work. Where nesting birds are found to be present, the contractor must stop work immediately and postpone work until further notice.

**Conservation of Habitats and Species Regulations 2010 (as amended)**

This applies to European protected species which refers primarily to bats.

- (a) A person is guilty of an offence if he/she:
  - (i) deliberately captures, injures or kills a protected species,
  - (ii) deliberately disturbs a protected species,
  - (iii) damages or disturbs a breeding site or resting place.

When bats are found to be present, the contractor must stop work immediately and postpone work until further notice.



## Appendix I

### REFERENCES AND BIBLIOGRAPHY



- BSI. BS 5837:2012: Trees in Relation to design, demolition and construction - Recommendations.
- BSI. BS 3998: 2010: Tree work - Recommendations.
- BSI. BS 8545:2014 - Trees: from nursery to independence in the landscape – Recommendations.
- Department for Communities and Local Government (2014) Tree Preservation Orders and trees in conservation areas.
- Department for Communities and Local Government (2021). National Planning Policy Framework.
- John Roberts, Nick Jackson, Mark Smith, Centre for Ecology and Hydrology (Great Britain). Tree Roots in the Built Environment Issue 8 of Research for amenity trees. The Stationery Office, 2006.
- Handley, P., Walker, H., Ansine, J., Baden, R., Craig, I., Dewhurst-Richman, N., Doick, K.J., Fay, L., Mackie, E., Parratt, M., Perez-Sierra, A., Sparrow, K., Wheeler, P. (2022) Individual Tree Data Standard. Forest Research, Farnham. p:52. ISBN: 978-1-83915-015-9
- The Arboricultural Association (24/11/2015 - Last Modified: 01/07/2019) - A brief guide to legislation for trees.

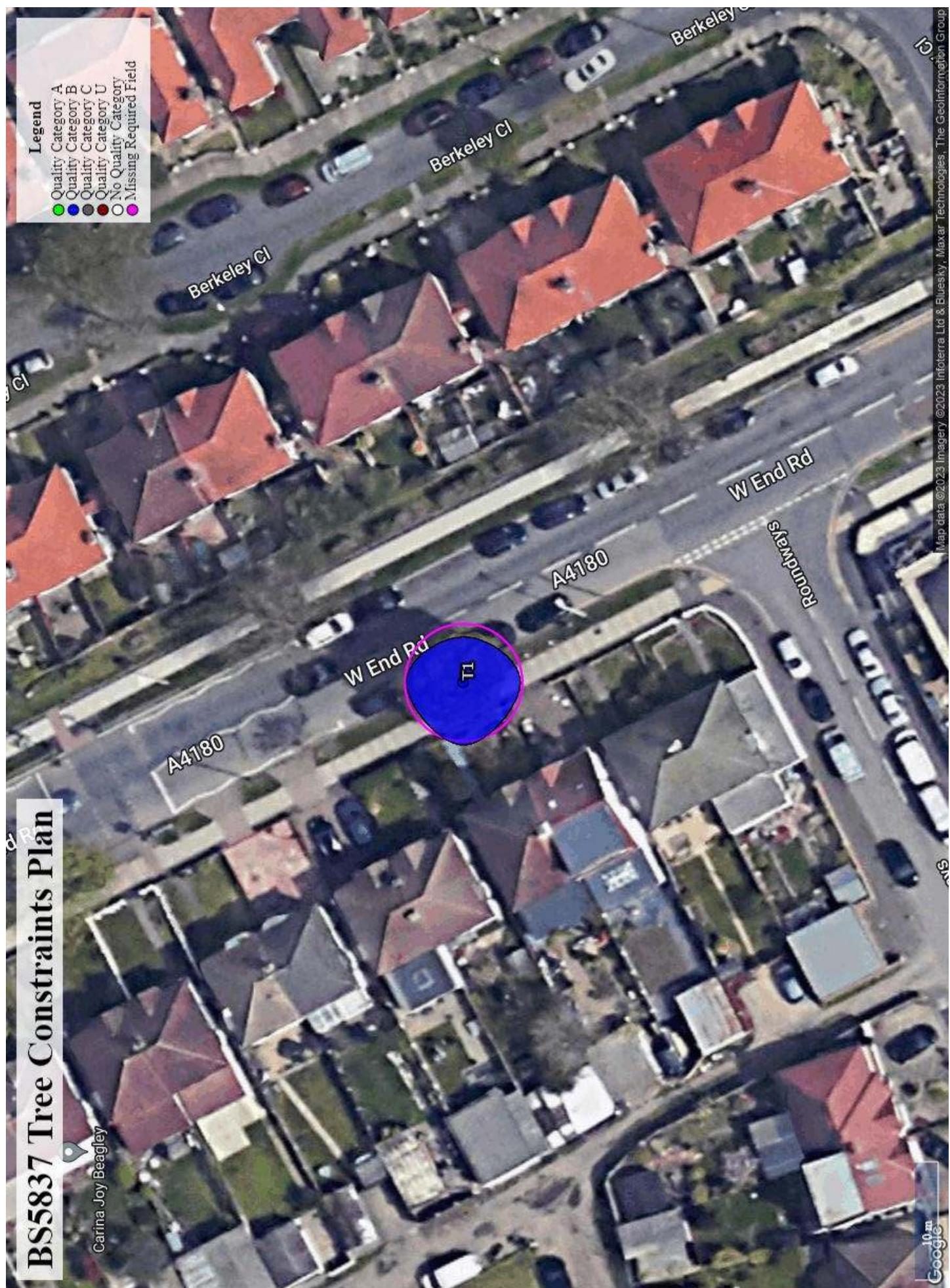


## Annex 1

### **BS 5837:2012 TREE CONSTRAINTS PLAN**

# BS5837 Tree Constraints Plan

Carina Joy Beagley

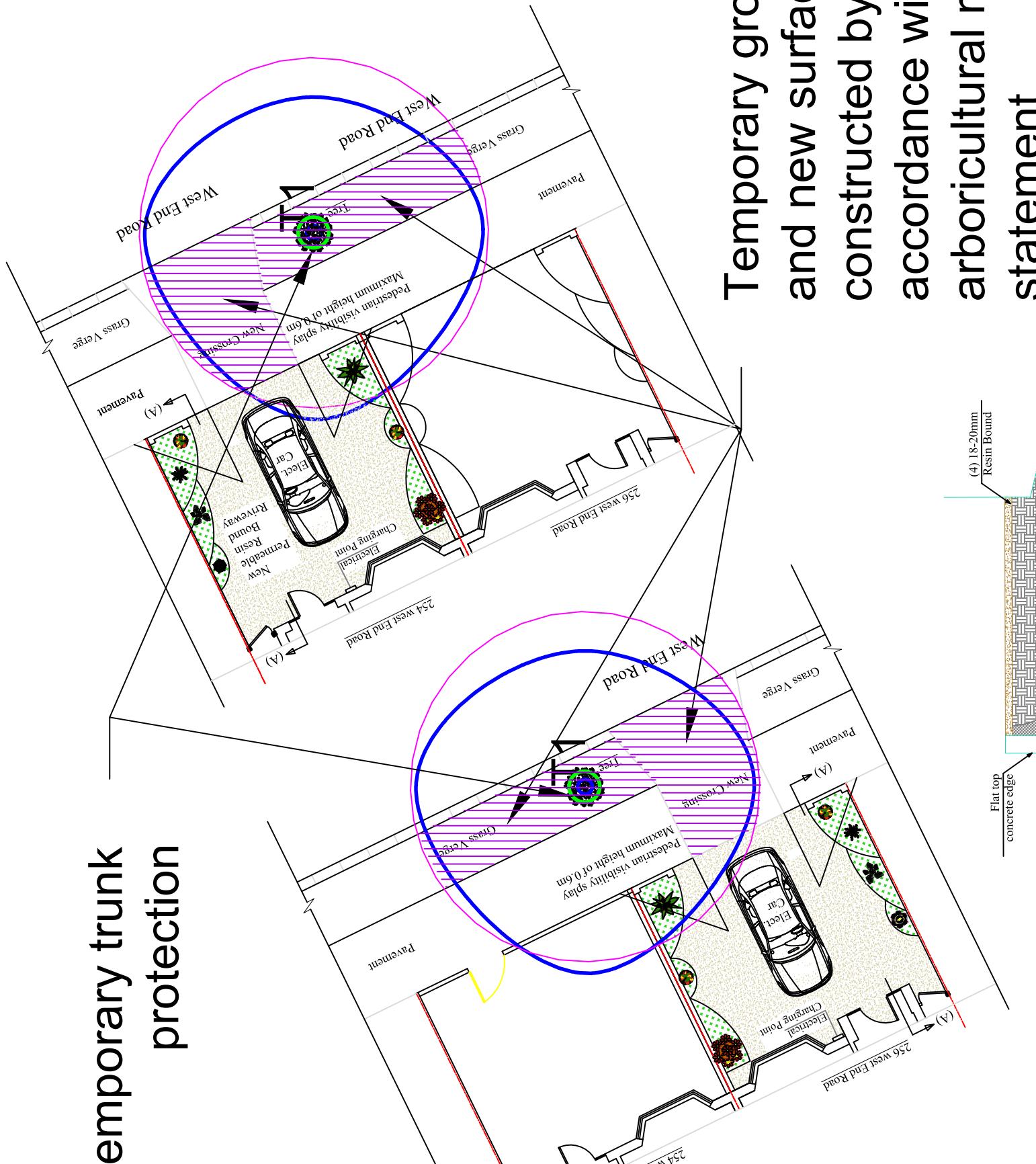




## Annex 2

### DRAFT TREE PROTECTION PLAN

# Temporary trunk protection



Temporary ground protection  
and new surfacing to be  
constructed by hand in  
accordance with  
arboricultural method  
statement



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