From: alison parry
Sent: 11 March 2025 15:55
To: Planning; Sofie Fieldsend

Cc: Simon Parry-Wingfield
Subject: Objection to planning application 2025/0664/P 13 Lambolle Road, NW3 4HS

Dear Sofie,

We would like to object to the above application.

We attach a letter explaining the reasons for our objection and also an Arboricultural Report that we commissioned to understand the impact of the proposed application on our trees.

With kind regards,

Alison and Simon Parry-Wingfield

51 Lancaster Grove, NW3 4HB

Dear Ms Fieldsend,

We would like to strongly object to application 2025/0664/P for a Certificate of Lawfulness to build a gym/spa/office at 13 Lambolle Road, NW3 4HS.

We ask you to take into account our points below and in the attached Arboriculture Impact Assessment (AIA) Report which highlight many deficiencies in the information provided with the application and also the severe impact the proposed building would have on numerous trees and the Belsize Conservation Area.

Background:

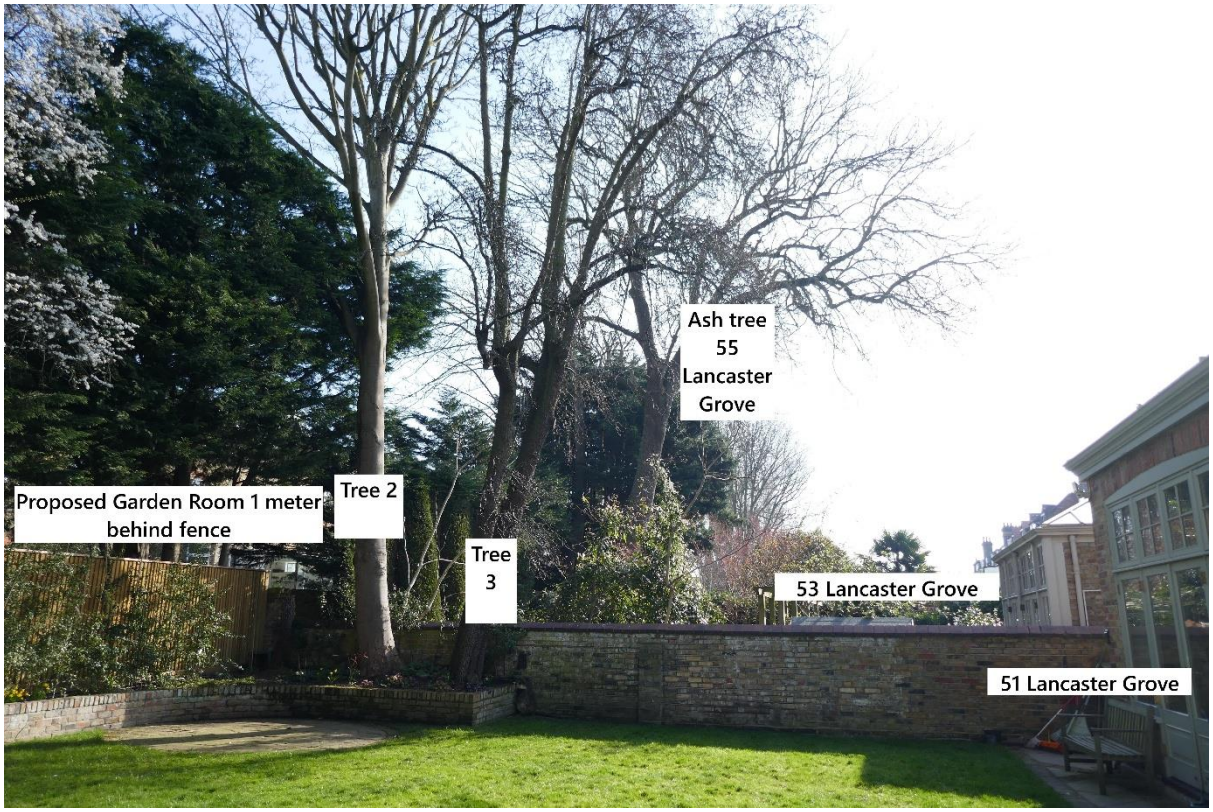
We have lived at 51 Lancaster Grove for 19 years. Our house backs immediately on to 13 Lambolle Road. We have 3 large, mature trees in our garden whose RPAs will be impacted by the proposed gym/spa/office.

Tree 1: Cherry plum, 9 meters high, mature, T15

Tree 2: Sycamore, 15.5 meters high, early mature, T9

Tree 3: Pear, 13.5 meters high, mature, T26 (not included in 13 Lambolle's tree survey but less than 5 meters from the proposed gym/spa/office as detailed in our AIA report)

Our pear and sycamore are less than 11 meters from our house and from 53 Lancaster Grove



We have 8 major concerns regarding the proposed office/gym/spa:

Concern 1: Misleading tree radar report

The conclusion of the tree radar report is misleading. The actual tree root density in the location where the building will sit is much higher than the report implies and hence the damage to trees will be far more severe.

The report says 'the low root count per meter across the site (scan lines 1-10) should provide facility for the installation of screw piles or similar while avoiding damage to the roots of retained trees.' Taking an average of the 10 scan lines is misleading because the proposed gym/spa is actually only in the area of scan lines 1-4.

The report states that scan line 3 has a medium/high root density. Looking at the top-down view root locations map it is clear to see that scan lines 1 to 4 also have a medium/high root density. As our AIA report points out, 13 Lambolle's emphasis on the drop off after scan line 4 'is either irrelevant or misleading.'

Furthermore, as our AIA report states the tree radar report contains 'no reference to the limitations of the spatial accuracy of the plotting' which is 'fundamental to the idea that the radar data can locate roots with sufficient precision to allow 30 plus screw piles to be located without hitting significant roots. On the information presented within the report (13 Lambolle's AIA) accuracy cannot be substantiated because there are no parameters for the assertions as to precision.'

Given the above, point 8 in the GDPO Compliance Statement for the application is factually incorrect.

Concern 2: Incomplete and inaccurate Arboricultural Impact Assessment (AIA) Report

Camden Council's Belsize Conservation Area Statement BE41 says: All trees within 10 metres of a development proposal should be clearly identified. 13 Lambolle's AIA report fails to mention the 4 large, mature trees that are within 10 meters of the proposed development, 3 of which are within 5 metres.

1. Our pear tree, over 100 years old, 13.5 meters high, Category B1/3 and expected to live for at least another 40 years, RPA 6.45 meters. 4.3 meters from boundary. An historically important tree to the Belsize Conservation areas because it was most probably planted when our house was built around the 1890s (in our AIA report called T26)

2. Beech tree, around 10 meters tall, 15 Lambolle Road, 2-3 meters from the proposed development
3. Elder tree, around 5 meters tall, 5-9 Lambolle Road, 2-3 meters from the propose development
4. Ash tree, around 20 meters tall, 55 Lancaster Grove (marked in photo above) 8-9 meters from the proposed development

Furthermore, 13 Lambolle's Arb Consultant has also underestimated the actual size of our trees RPAs. As detailed in our AIA report, our sycamore T9 has an actual RPA radius of 6.6 meters and our cherry plum T15 has an actual RPA radius of 5.1 meters.

As our AIA report points out the design of the building should be informed by the trees and their RPAs but this design takes no account of the trees. The TCP should come before the design of the building. That's why it's called a Tree Constraints Plan

Given the above, point 9 in the GDPO Compliance Statement for the application is factually incorrect

Concern 3: Concern the proposed building would actually be higher than 2.5 meters from ground level

The application is seriously lacking in detail to establish that the building would not exceed 2.5m in height above existing ground level. With everything considered we not sure how they could fit everything into a 2.5m high structure!

The proposed bifold doors are 2.3m, leaving little room for the floor or roof structure. The building is some 3.7m from front to back so the ceiling joists would have to be fairly significant, potentially around 200mm in thickness. There will then need to be 18mm OSB over which an EDPM roofing finish is likely to be applied. That is likely to necessitate a parapet upstand to manage roof water. The roof construction detail will also need to allow insulation and plasterboard. Putting all this together, the roof zone could easily be around 300mm in thickness, all of which would need to be above the height of the doors.

As regards the floor level, the plans show that the threshold of the building is flush with the existing ground level meaning that the floor joists would need to be dug into the ground. If so, what is the precise floor construction and what is that level of excavation and would there be a conflict with the roots? Also, what happens with any rainwater run-off? Floor levels are generally raised to prevent water ingress. Hence it could be the case that the building will be raised above ground level thus taking it over 2.5m in height.

Our point is that while the elevations show that the proposed building would be 2.5m high, it is hard to see how this could be the case.

Concern 4: There is no evidence to suggest that the proposed construction work will be done in a manner that will protect our trees from injury

The application does not contain a method statement for the construction of the building, and critically for the protection of our trees, nor a method statement for the installation of the proposed ground screws foundations. The AIA report says it is only written to make 'in principle' recommendations. As a result, there are no details of what the construction will involve. (GDPO Compliance Statement just refers to "*screw piles or similar*"), how the construction would take place and what would actually technically be feasible on the ground

We are very concerned that the proposed gym/spa/office will require a lot more ground screws than an average garden room for the following reasons:

5. the building would contain heavy equipment (treadmill, rowing machine, gym weights machine, ice bath, spa)
6. the ground is london clay which expands and contracts more than other soil types causing ground heave
7. the high water demand trees very close to the building will necessitate very extensive foundations if the building is not to move as the trees grow

Russell Miller, the author of our AIA report, says in his experience 'that building so close to so many leylandii will necessitate in the region of at least 30 large 2meter long screw piles to future proof the building. This means at least 30 holes of around 100mm diameter within RPAs of numerous trees.'

Furthermore, 13 Lambolle's AIA report does not give us any confidence whatsoever that avoiding injury to our trees' roots will take precedence over the stability of the building when the construction team would be deciding where to put the ground screw piles.

> The construction team will not be able to prioritise not injuring the roots of the tall, mature high amenity trees that are important to the Belsize Conservation area over the roots of the less important leylandii.
>
> 13 Lambolle's AIA report repeatedly says only '**Where possible** the location of ground screw piles will seek to avoid major tree roots over 25mm in diameter as identified in the TRU tree root morphology mapping'
>
> In paragraph 7.3.1, 13 Lambolle's AIA report says only 'This will help inform the garden room construction team where they can place ground screw piles to avoid major tree roots, **as structurally possible**'.

The AIA report recommends only 3 site visits to check on the work by an Arboricultural consultant, only 1 of which is during the construction phase. As our AIA report says 'in a case where so many RPAs are impacted permanent supervision throughout the construction phase would be the only adequate safeguard'.

Furthermore, the protection measures referred to in the AIA may or may not be implemented in full and contractors may or may not follow these instructions.

If it was our house that was being impacted by the proposed building 13 Lambolle would legally have to have a Party Wall Agreement with us to protect our house. Our trees are our property and our responsibility but using ground screw piles is a relatively new industry and so there are no legal requirements/regulations yet in place to protect our trees and our house. Furthermore, it may be that the effects of any damage to our trees' roots only becomes evident several years later.

Regarding all the drainage and service pipes that would be needed for toilet/shower/ice bath/ and spa, 13 Lambolle's AIA report only says 'these should, **where possible**, not encroach within the RPAs of retained trees'. In early September 2024, 13 Lambolle dug a trench around 50cm deep and put in a straight 20/30cm diameter drainage pipe from their house through the RPAs of their trees T5 (18m high False Acacia) and T6 (12-meter-high Plum) and added a multi pipe connector at the end where the proposed gym/spa/office would lie. (If the council visit the site, they will see the trench and end of the pipe). The tree radar report was not done until October 7th so clearly the trench was dug with no regard to the RPAs of trees T5 and T6. This give us no reassurance that our trees' primary roots, needed for keeping them upright, would not be cut during construction of 13 Lambolle's gym/spa/office.

(In October 2024 we asked Camden Tree Department to put a TPO on our cherry plum T15 because we were very concerned that 13 Lambolle would dig into its RPA. We sent documentation to Rav Curry in the Camden Planning Department who passed it on but we have not heard back yet.)

Concern 5: The very high density of trees in the area of the proposed gym/spa/office makes it a very unsuitable site to build.

The site of the proposed gym/spa/office takes no account of the trees in 13 Lambolle's garden. 13 Lambolle's tree survey map clearly shows that the area of the proposed gym/spa/office is surrounded by a very high density of trees

Rather than build the gym/spa/office where there is a lower density of trees on the west boundary ,13 Lambolle have chosen to site the proposed gym/spa/office within 4 meters of 20 mature trees, 17 of which are over 6 meters tall and the other 3 of which are over 4 meters tall. As a result, the building would be surrounded on all sides by trees many of which will be within 1meter. A smaller building located in their garden away from the dense tree area would be far more suitable and less damaging to the environment.

No consideration has been made of the risks presented by retained trees adjacent to the proposed new gym/spa/office. Our AIA report points out 'that physical contact between the proposed gym/spa/office and the stem and/or branches of tree T6 (12 meter, plum tree) seem inevitable, assuming it survives the construction phase.' T6 is an early mature tree that 13 Lambolle's AIA report says has a future life expectancy of 20-39 years and so it has much potential to contribute to Belsize Conservation Area in the future.

It is a worry to us that given the proposed gym/spa/office will be on clay soil and there will be a significant amount of shade and leaf fall around the proposed building that in the future 13 Lambolle would be requesting that we cut back or even remove our trees because they are negatively impacting the new gym/spa/office building.

Concern 6: A life-threatening percentage of our trees' RPAs will be covered by the proposed gym/spa/office

Our trees have grown their roots into areas where they can get sufficient water, nutrients and oxygen to sustain them and to keep them upright during storms. All three of our trees are healthy, mature specimens.

As mentioned in our AIA report, RPAs specified in BS5837 are the **MINIMUM** area considered necessary for a tree to remain healthy.

As explained in our AIA report the proposed gym/spa/office will result in the loss of:

22% of the RPA of our Sycamore T9

21% of the RPA of our Cherry Plum T15

11% of the RPA of our Pear T26

Our trees already have a hard time getting water and oxygen because they grow in london clay. In addition, our trees are mature and therefore more vulnerable and less able to cope with sudden changes in the soil conditions. Furthermore, our old trees would have to compete even more with the 13 Lambolle's younger and more vigorous leylandii trees for the water and oxygen in the remaining areas not covered by the proposed gym/spa/office.

In addition, if the proposed building was built and any of our trees showed signs of decline it would be much more difficult to stop the decline in their health because we could not get access to our trees' rooting area because it would be under a building.

The council would never agree to take away 20% of the water, air and nutrients from a person or animal.

Concern 7: Negative impact on the Belsize Conservation area

Trees:

The Belsize Conservation Area Design Guide says:

'Mature trees, green front and rear gardens and glimpses of gardens through the gaps between houses are important in providing a setting for the built form.'

The Belsize Conservation Area Statement says

BE39 **All trees which contribute to the character or appearance of the Conservation Area should be retained and protected**. Developers will be expected to incorporate any new trees sensitively into the design of any development **and demonstrate that no trees will be lost or damaged before, during or after development.**

BE41 Applications for development should take into account the possible impact on trees and other vegetation, and state clearly whether any damage/removal is likely and what protective measures are to be **taken to ensure against damage during and after work.**

Our trees T9 and T26 can easily be seen from the pavement of Lancaster Grove and our tree T9 can be seen from the pavement of Lambolle Road.

All three of our trees are a very important part of the continuous green corridor of trees between the houses of Lancaster Grove and Lambolle Road. This green corridor is an important characteristic of the Belsize Conservation Area.

This green corridor provides a habitat for a large community of wildlife. Almost every time we look out of our windows at the green corridor behind our house we see birds (robins, blue tits, black birds, thrushes, wood pigeons, magpies etc) we see squirrels daily, foxes every few days and hear woodpeckers and owls frequently.

13 Lambolle does not have a good track record with trees. Back in 2007 Camden Council objected to an application (200714252f) for a very old and large pine tree to be cut down in the front garden of 13 Lambolle. Camden council put a TPO on the tree but the owners of the property still proceeded to cut the tree to the ground. As far as we can see no action was taken to enforce this or to require a replacement tree to be planted. Yet now further trees could be allowed to be damaged and possibly removed.

Landscape/Architecture

Belsize Conservation Area Statement says:

BE40 All new development should have a high standard of external space (landscape) design, which **should respect the character and appearance of the Conservation Area.**

The proposed gym/spa/office will be by far the biggest building in the back gardens of Lancaster Grove and Lambolle Road. Nearly all the back gardens currently have no buildings or just small sheds. As a result, the proposed gym/office/spa will alter the balance and harmony of the back gardens.

Furthermore, given the application provides no details concerning materials and colours, there is no guarantee that its appearance would respect the character and appearance of the conservation area

Concern 8: Agreeing to the proposed gym/spa/office would set a precedent that would have a very negative effect on the character of the Belsize Conservation Area

Agreeing to the application would set a precedent for everyone in the Belsize Conservation Area to take up their permitted development rights and construct buildings in their back gardens

If 53 Lancaster Grove decided to exercise its permitted development rights and also constructed a building in their garden, our pear tree and our sycamore tree would be left with only around 25% of their statutory RPA not covered by buildings.

Conclusion:

We ask that Camden Council refuse 13 Lambolle's application on the grounds that there are many concerns with the negative impact of the proposed building on the health of our trees, the trees of other neighbours and on the Belsize Conservation Area.

As explained above, statements 8 and 9 in the GPDO statement that supports the application are factually incorrect.

- 20 trees will have significant incursions into their RPAs and will be adversely impacted by the proposed gym/spa/office. Losing a significant amount of their RPAs will inevitably lead to a decline in the health of our trees and our neighbour's trees.
- 13 Lambolle's supporting documentation does not provide us with any assurances that our trees will not be damaged by the construction. The data in the root radar report shows that the root count under the under the proposed gym/spa/office is **medium to high.** The building is likely to necessitate in the region of at **least 30 large 2 meter long screw piles**. 13 Lambolle makes no commitment not to damage our tree's roots and just says repeatedly ground roots will be avoided only '**where possible'** or where '**structurally possible'.** Furthermore, the protection measures referred to in 13 Lambolle's AIA may or

may not be implemented in full and contractors may or may not follow these instructions

- The application makes no reference to having considered its application in the context of Camden Council's Belsize Conservation Area Statement or the Belsize Conservation Area Design Guide. Trees are a very important characteristic of the Belsize Conservation area but our AIA report say it is doubtful whether Tree T6 (12 m plum tree) would be able to survive.
- Why should our beautiful trees that have taken decades to reach maturity and contribute so much to the Belsize Conservation Area, risk injury and suffer a decline in their health for a gym/spa/office which the application says will only be 'used/visited relatively infrequently' and could easily be situated elsewhere in their large garden away from the trees.
- Agreeing to this application will set a precedent for the construction of buildings in all the back gardens in the Belsize Conservation Area.
- It is hard to see that the design would be limited to 2.5m in height

We ask that Camden Council stands by the statements in the Belsize Conservation Area Statement, the Belsize Conservation Area Design Guide and its Camden Planning Guidance Trees 2019:

2.10 **All trees that contribute to the character and appearance of a conservation area should be retained and protected.**

2.45 Developers should avoid development within a Root Protection Area, including the routing of underground services and drains. **The default position is that structures are located outside the RPAs of trees to be retained.**

2.25 Permitted development rights will only be considered 'if an acceptable level of information has been provided and **the trees and vegetation have been fully considered and accounted for** and **there are no remaining tree or landscape related concerns.'**

The only way that Camden can guarantee there will be no impact on the health of our trees and to preserve the beauty of the Belsize Conservation Area is to refuse this application.

Kind regards,

Alison and Simon Parry-Wingfield

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MSc, BA(Econ), VETcert, ABC Tech Cert, MArborA
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N17 7EG

Arboricultural Report

51 Lancaster Grove
London
NW3 4HB

March 2025

Introduction

1. This is an Arboricultural Report written by Russell Miller, an arboricultural consultant engaged by the owners of 51 Lancaster Grove, London NW3 4HB (referred to hereafter as the property). This report includes an Arboricultural Impact Assessment in respect of a proposed rear garden building at the neighbouring property to the rear 13 Lambolle Road, London NW3 4HS (hereafter, the development site).
2. The author was instructed to inspect trees at the back of the rear garden at the property that might be affected by the proposed development at the development site over the boundary to the north north east.
3. The author's qualifications and professional associations are listed at the top of this report.

Scope of Report

4. This is an Arboricultural Impact Assessment (AIA) regarding the above-mentioned trees and the proposed development. It does not consider trees out with this development or other issues. There are a number of large mature trees in the area and there may therefore be other trees on neighbouring land that may also be impacted by the proposed development. The author only surveyed trees at the property.

5. The author has had sight of documents submitted for the proposed development including the following:
   - AIA dated 24 September 2024 by Enviroarb Solutions;
   - Tree Constraints Plan (TCP) dated 21 September 2024 by Enviroarb Solutions;
   - Tree Protection Plan (TPP) dated 21 September 2024 by Enviroarb Solutions;
   - TreeRadarR GPR Tree Root Mapping Report dated October 2024 by TreeRadarR Investigations;
   - Preliminary Plans and Elevations Drawings dated October 2024 by exedra architects;
   - GPDO Compliance Statement dated 16 February 2025 by Planning & Development Associates Ltd.

Limitations

6. Trees are constantly changing, living organisms. The observations in this report are valid for a limited period of 12 months. Further tree inspections are required if an accurate understanding is to be achieved at any future date.

Trees in Relation to Development

7. This report is written by an experienced, qualified arboricultural consultant and it relies on industry accepted standards. In particular it adopts guidance in *British Standard 5837: 2012 Trees in Relation to Design, Demolition and Construction – Recommendations*.

8. *BS587* specifies how retained trees should be protected during development, including how to calculate root areas requiring protection. It should be noted that dimensions for Root Protection Areas (RPAs) specified in BS5837 are minimum areas considered necessary for a tree to remain healthy.

9. *BS5837* **Root Protection Area (RPAs)** are circular and represent theoretical root areas. Tree roots are however very variable in morphology following natural rather than theoretical patterns. Roots will proliferate where soil conditions are favourable to their growth (i.e. water, air, nutrients). Roots cannot grow in very dry, compacted or anaerobic mediums. Therefore, the actual root area for any tree is likely to differ from BS5837 idealised circles.

10. Changes to ground level can adversely affect roots as can compaction or anything that changes sub surface conditions.

11. *BS5837* recommends that buildings and construction do not encroach on RPAs of trees that are to be retained. Where incursion into RPAs of retained trees is contemplated special measures are required to minimise adverse impacts on roots and tree health.

The Trees at the property impacted by the proposed development

12. For clarity we adopt the tree numbering from the developer's tree survey contained within the AIA by Enviroarb Solutions (where applicable):
    - T9 Early Mature Sycamore
    - T15 Mature Cherry Plum

- T26 (not recorded by developer's survey) Mature fruiting pear

13. Survey details of these trees appear in the Tree Schedule at Appendix 1 of this report.

Arboricultural Impact Assessment

14. The above-mentioned trees all belong to the owner of the property and therefore must be retained for the purpose of the development. All would suffer significant incursions into their RPAs because the building is designed to sit inside these protected areas.

15. The pear (T26) was not recorded by Enviroarb Solutions even though the proposed building would cover part of this tree's RPA.

16. We have not seen any calculations of RPA incursions by Enviroarb Solutions or any other of the developer's agents.

17. Based on the preliminary building plan and the TCP the approximate scale of incursions into the above trees' RPAs are calculated to be:
    - T9 Sycamore 30m^2 or 22% of the RPA
    - T15 Cherry Plum 17m^2 or 21% of the RPA
    - T26 Pear 14m^2 or 11% of the RPA.

18. The severity of the Arboricultural Impact of these RPA incursions will depend on the design and construction of the building but, for reasons stated below, this author does not accept the reassurances in the developer's various reports with regard to the trees on the property or those on the development site.

Failure to Identify or Manage Arboricultural Impacts

19. The developer's failure to clearly identify the likely impacts to the trees at the property has forced the owner to incur the expense and inconvenience of commissioning their own assessment to determine the threat to their trees presented by the proposed development. However, the arboricultural impacts are not limited to the trees at the property.

20. The proposed building has clearly been located and designed with no regard to the numerous trees that surround it. It is simply located at the rear of the development site and has a design footprint that encompasses almost the entire width of the garden.

21. This is an all-too-common error by the developer whereby, **in breach of BS5837 best practice, the design process ignores tree constraints**. The dates of the various documents and even the sequence of paragraphs in the AIA (para 3.4 refers to the TPP and Construction Exclusions Zones whereas the prerequisite TCP is not referred to until para 3.5) further evidence this 'tree blind' approach.

Threats to Trees from Direct Conflict with the Building

22. The proposed building sits very close (approximately 1m) to fourteen Early Mature and Semi Mature Leylandii cypress (T10-T14 and T16-T25) as well as a plum (T6) and false acacia (T5), all located on the development site. Whether it is actually feasible to retain T6 so close to the building does not appear to have been fully considered. It certainly is not discussed in any meaningful way in the AIA. Direct physical contact between the stem and or branches of this tree and the building seem inevitable, that is assuming it survives the construction phase. Direct damage from wind movement of other trees close to the building cannot be ruled out.

Threats to Trees from Loss of Water Access within RPAs

23. All these trees (i.e. T5, T6 and T9 to T26 inclusive) will be adversely impacted by the proposed development. Twenty trees will have significant incursions into their RPAs in clear disregard for *BS5837*. It is not accepted that the measures outlined in the AIA or subsequent Tree Root Monitoring Report can manage these impacts to an acceptable level.

24. There appears to be no consideration given to the rain shadow created by the new building. There is no reference to water management to avoid reduction in rainwater availability to the trees that will lose significant parts of their RPAs. Neither the architects' Preliminary Plans nor the arboriculturalists' reports contain any detail as to rainwater management despite the obvious water interception of a large building within multiple RPAs.

Threats to Trees from Root Damage within RPAs

25. Although mentioned regarding methodology of installation, there is no plan for the location of services to the new building. The property owner is aware that a trench has already been dug through the development site, presumably without following the protection

measures outlined in the AIA which came later.

26. The fact that the developer has commissioned a root radar survey demonstrates that they are aware of the likely impact of the building's foundations on roots. However, there is no outline design for the foundations.

27. The proximity of multiple High Water Demand trees very close to the building will necessitate very extensive foundations if the building is not to move as the trees grow.[1] Superficial reference to NHBC Guidance is insufficient in a case where it is already acknowledged that there is a significant foundation/tree conflict. There is no information provided as to many screw piles will be required, how large will they be and at what depth? In fact the GDPO Compliance Statement just refers to "*screw piles or similar*".

28. The author is not a structural engineer but, in the absence of any indications from the developer, his experience suggests that building so close to so many Leylandii will necessitate in the region of at least 30 large 2m screw piles to future proof the building. This means at least 30 holes of around 100mm diameter within RPAs of 20 trees.

29. The accuracy of the root radar data is not specified in the Tree Root Mapping Report beyond superficial assertions. Specifically, there is no reference to the limitations of the spatial accuracy of the plotting. This accuracy is fundamental to the idea that the radar data can locate roots with sufficient precision to allow 30 plus screw piles to be located without hitting significant roots. On the information presented within the report this cannot be substantiated because there are no parameters for the assertions as to precision.

30. Not only is there no data to assess the validity of the claims as to accuracy, there are also specific assertions within the conclusions of the report that contradict earlier factual statements, and the paragraphs within the conclusions even contradict each other.

31. At paragraph 6.2 the report states that **root densities were found to be medium to high at scan line 3** but low at scan line 10. It is not stated but it is clear from the images that the footprint of the building sits approximately across scan lines 1-4, i.e. where root

[1] See https://nhbc-standards.co.uk/4-foundations/4-2-building-near-trees/4-2-4-the-effects-of-trees-on-shrinkable-soils/

densities are medium to high.

32. In the conclusion the report states:

> *There was a significant drop off in root densities from around scan-line 5 to scan-line 10. The **higher root densities are typical of cypress trees as is apparent along the southern boundary**.*

In other words, the highest root densities are under the footprint of the building and closest to not only the Leylandii but also the trees at the property (i.e. T9, T15 and T26). To place emphasis on the drop off after line 4 is either irrelevant or misleading.

The conclusion goes on to say:

> *The **low root count per metre across the site** should provide facility for the installation of screw piles or similar whilst avoiding damage to the roots of retained trees.*

But the root count under the building is not low, it is medium to high. The above statement is highly misleading.

33. No reliance can be placed on such a contradictory, partial and imprecise report. Furthermore, since the conclusions of this report are the sole basis for the claim in the GDPO Compliance Statement that the proposed foundations will do minimal harm, that part of the Compliance Statement is invalid.

34. Specifically, GDPO Compliance Statement paragraphs 8 & 9 are not substantiated as claimed.

> *The Tree Mapping Report confirms that "The low root count per metre across the site should provide facility for the installation of screw piles or similar whilst avoiding damage to the roots of retained trees".*

This is factually incorrect. The root radar data shows that the root count under the building is not low, but medium to high.

> *The report confirms that the outbuilding can be constructed without detriment to the retained trees.*

If anything, the report suggests the opposite.

35. Even if all the above could be addressed in detailed method statements and other measures there remains the inevitable risk of damage to soil structure, and therefore fine roots, from compaction during and after the build. The protection measures referred to in the AIA may or may not be implemented in full and contractors

may or may not follow these instructions. Arboricultural supervision on site is only specified at intervals whereas in a case where so many RPAs are impacted permanent supervision throughout the construction phase would be the only adequate safeguard.

Threats to Retained Trees from Faulty Tree Risk Analysis

36. All the surveyed trees are described in the AIA as being within a "High Risk Zone". This is not defined but appears to represent a misunderstanding of tree risk management zoning. Zones are used to denote varying degrees of occupancy by potential targets and therefore prioritisation of survey effort. Risk only arises should there be a hazard likely to negatively affect a target. The risk is the combination of the likelihood of an event occurring leading to impact on a target, and the severity of the consequences of that impact.

37. This author has not surveyed the trees within the development site but an informed understanding of tree risk in general (e.g. National Tree Safety Board Guidance and data) suggest the actual risks here are probably negligible, i.e. well within acceptable limits.[2] This contrasts with the misrepresentation of all the trees as being within a "High Risk Zone". This kind of misunderstanding, especially once shared with a non-professional tree owner, increases the probability that the trees may now, or in the future, become subjected to unnecessary and ill-informed risk averse management.[3]

38. The only potential 'high' occupancy target here would be the proposed building since it would be a permanent feature. However, the building does not yet exist so this cannot explain the "High Risk Zone". Routine use of the garden by residents or visitors would not merit a high occupancy designation, let alone high risk. In so far as there might be any risk posed by the trees being considered then placing a building under them increases the likelihood of any tree failure impacting a target (i.e. the building) and therefore may lead to an even more risk averse approach to future tree management. In the context of this misrepresentation of risk the proposed development poses a risk to some or all of the 20 trees that are said

[2] See: https://ntsgroup.org.uk/publications/

[3] For guidance on Tree Risk Management see https://www.validtreerisk.com/tree-risk-management-strategy-policy-&-plan.

to be intended to be retained.

Threat to Retained Trees from Shading to the Proposed Building

39. If built this building will be surrounded on all sides by trees, many of which will be within 1m. The building will be in dense shade for most of the year and leaf litter will be substantial. That situation will get worse as the trees grow.

40. This shade may cause the building to be cold and or damp if not designed and constructed for these specific conditions leading to subsequent demand for tree removals.

Conclusions

41. For the reasons outline above the reassurances contained in the AIA, Tree Root Mapping Report and GDPO Compliance Statement are not substantiated as claimed.

42. If this building is built it is very likely that 'retained' trees will suffer and or be removed due to:
    - direct physical conflict between the trees and the building;
    - decline associated with the development related root damage;
    - misperceived risk, exacerbated by the errors in the AIA;
    - concerns regarding excess shade or leaf fall on or around the building.

43. The developer should start again by utilising the TCP for the purpose it is intended and design a building that creates less conflicts with trees whose retention is said to be desired but whose future retention has not been adequately addressed so far.

Russell Miller

March 2025

GLOSSARY

AMS Arboricultural Method Statement – a specification for works written by a qualified professional who understands the requirements of trees.

CEZ Construction Exclusion Zone – area of no construction access, even on foot, without prior consultation with a qualified arboricultural consultant.

GPZ Ground Protection Zone – an area requiring temporary ground surfacing designed to avoid compacting the soil beneath.

RPA Root Protection Area – the **minimum** area that must be protected if a retained tree is to survive; i.e. to avoid unacceptable root damage the entire RPA must be protected from trenching, digging, compaction, spillage and other construction activity unless as specified in an Arboricultural Method Statement.

Generic RPA – area around a tree defined by a circle of radius equivalent to 12 times the diameter of the tree (measured at 1.5m from the ground).

Surveyor	**Russell Miller Arboriculture**
Survey date	**28/02/25**

Tree No.	SPECIES Scientific/ Common Name	Height m	Stem Diameter @ 1.5m mm	Branch Spread m	Height of Crown Clearance m	Age Class	Physological Condition	Structural Condition	Comments	Category Grading	Years remaining	RPA radius m	Distance to Boundary
	51 Lancaster Grove			N E S W									
9	*Acer pseudoplatanus* Sycamore	15.5	542	#7, 5, 4, 5	7	EM	Fair	Fair	Semi occluded basal damage N side 0 to 1m. Lesions & dark staining @ 1.5 & 3m NNW. Bark necrosis 1-1.5m E side, occluding.	B2/3	20-40	6.6	2.7
15	*Prunus cerasifera* Cherry Plum	9	420	#5, 4, 3, 3	#3	M	Good	Fair	Leaning to N, minor basal decay & 0.2m SE.	B2/3	>20	5.1	0.5
T26	*Pyrus communis* Cultivated Pear	13.5	537	2, 3, 4, 4	2	M	Good	Fair	Old fruiting pear, bifurcated at 1.7m, asymmetric to S due to Sycamore	B1/3	>40	6.45	4.3