

# Arboricultural Report for Proposed Development

at

**Murray Street, London, NW1 9RF**

Prepared  
for

**Mr B Heiser**



Prepared by:

## ***Marishal Thompson Group*** ***Arboricultural & Ecological Consultants***

Address	Murray Street, London, NW1		
Client	Mr B Heiser	Client Ref	-
MT Ref	D/1203091642/PW	Consultant	Peter Wilkins
Report Date	25/03/2009	Quality Checked	Alan Gilbertson

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# Arboricultural Report for Proposed Extension at Murray Street, London, NW1

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# Arboricultural Report for Proposed Extension at Murray Street, London, NW1

## 1.0 Introduction

Marishal Thompson Group have been appointed by Mr B Heiser to provide information to discharge planning condition no. 5 associated with the renewal of planning permission for the addition of a 1<sup>st</sup> floor to the existing property.

We visited the site in 17<sup>th</sup> March 2009.

We have been provided with a copy of the full set of the approved drawings:

Drawing Nos Plan00 revA; 01 revC; 02 revC; 04 revC; 05 revC; 06 revB; 07 revB; 08 revB; 10 revC; 11 revC; 12 revC; 20 revC; 30 revB; 31 revB; 31 revB; 32 rev B; 33 revB.

All the vegetation is located with the gardens of the adjacent properties.

## 2.0 Scope of Report

The following report aims to discharge the planning condition No. 5 associated with the planning approval of the addition of a 1<sup>st</sup> storey to the existing property.

*Application 2006/2335/P*

*Renewal of Planning Permission dated on 28<sup>th</sup> June 2001 (PEX0100022) for the erection of an additional storey to an existing single storey dwelling house to provide additional living accommodation.*

*Planning Condition 5*

*Details of proposed works to trees and measures to protect trees on adjoining sites during the construction process shall be submitted to and approved by the council before works are commenced on site. The works shall not be carried out other than in accordance with the approved details.*

*Reason: To ensure that the Council may be satisfied that the development will not have an adverse effect on existing trees and in order to maintain the character and amenities of the area in accordance with policies N8 of the London Borough of Camden Replacement Unitary Development Plan 2006.*

The success of the document is dependent on the main contractor adhering to the principles set out within, which are to be approved and enforced by the local planning authority.



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### 3.0 Tree Pruning Works

Parts of the canopies of adjacent trees and shrubs overhang the subject property; the approved extension incorporates an asymmetric roof which allows some overhanging branches to be retained. It is proposed that the lower overhanging branches will be cut back to the site boundary with the higher branches cut back to give 1.5m clearance from the roofline.

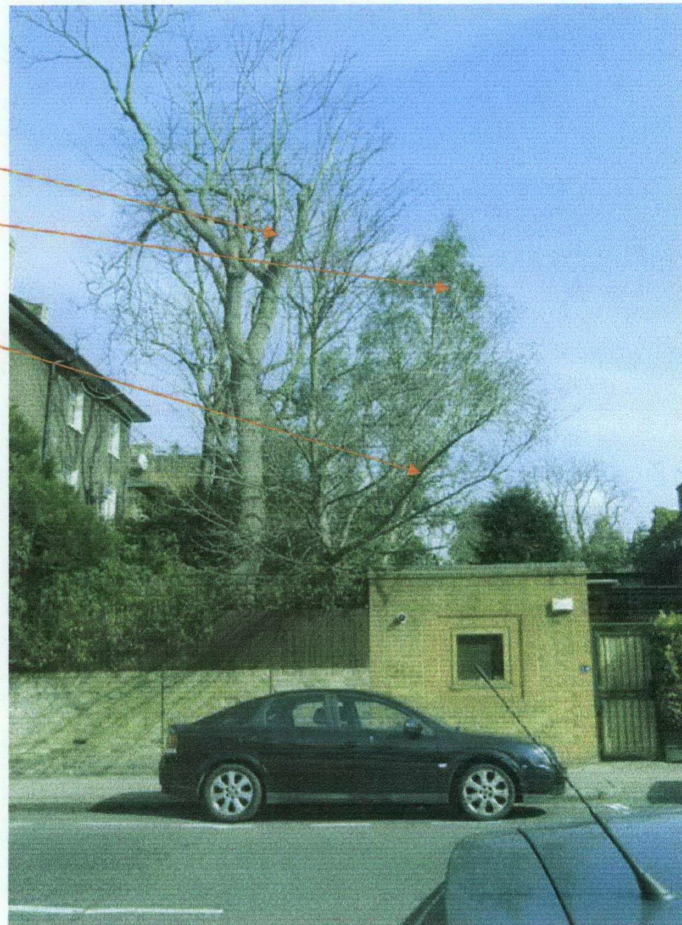
No pruning works will be undertaken to branches located beyond the site boundary.

The trees that will be subject to the pruning works include the Norway maple growing very close to the front left-hand corner, reduce overhanging canopy of the Eucalyptus and Silver birch to the left-hand flank and cut back canopy of Pyracantha to the right-hand flank. See photographs below for details.

Tree of Heaven

Silver Birch and Eucalyptus

Norway Maple



Photograph 1  
17/03/2009



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### 3.0 Tree Pruning Works (Cont.)

Silver Birch and  
Eucalyptus

Pyracantha



Photograph 2  
17/03/2009

The owner of the property acknowledges that there will be a necessity to undertake regular tree pruning works to maintain a suitable clearance between the roofline and the regrowing tree canopies.

The pruning works required to allow for the proposed extension are minor works that involve the removal and pruning of overhanging branches, a right for abatement enshrined in common law and one that supersedes any statutory protection including Tree Preservation Order and Conservation Area status. We recommend the neighbours are notified of the proposed works and, as required in law, are offered the opportunity to retain any cut branches.



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## 3.0 Tree Pruning Works (Cont.)

A legal Duty of Care requires that all works specified in this report should be performed by qualified, arboricultural contractors who have been competency tested to determine their suitability for such works in line with Health & Safety Executive Guidelines. Additionally all works should be carried out according to British Standard 3998 (1989) *Recommendations for Tree Work*.

All tree work is to conform to BS 3998:1989 'Tree Work' (with amendments) and to current arboricultural best practice. Tree works are to be undertaken by a professional and specialist arboricultural contractor, who carries the appropriate experience and insurance cover and following formal approval from the LPA.

All tree works will need to be informed by the presence of statutory protection and unless considered urgent and unavoidable due to health and safety issues are subject to compliance with the relevant wildlife legislation.

Particular care needs to be addressed in dealing with legally protected species such as nesting birds, and roosting bats which are protected under the *Wildlife and Countryside Act 1981 (as amended)* from intentional harm and killing and applies to roosting and hibernating bats and active bird nests. The protection of bird nests applies from the moment birds start constructing nests and therefore no tree work should be programmed between mid February to August inclusive unless adequate mitigation has been introduced to discourage bird nesting in any one area before the start of February.

Marishal Thompson can provide further information on these ecological issues on request.

## 4.0 Tree Protection Measures

The existing property is being retained and all works will be undertaken within the footprint and on the roof of the subject property. Therefore there is no requirement for any tree protection fencing or temporary ground protection works.

All contractors and other relevant personnel are to be informed that the 3<sup>rd</sup> party trees are not be damaged and the adjoining gardens are out of bounds for construction activities.

If access is required into the 3<sup>rd</sup> party properties we can advise on this matter if required,

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### 5.0 Conclusion

The pruning works required to allow for the proposed extension are minor works that involve the removal and pruning of overhanging branches, a right for abatement enshrined in common law and one that supersedes any statutory protection including Tree Preservation Order and Conservation Area status. We recommend the neighbours are notified of the proposed works and as required in law are offered the opportunity to retain any cut branches.

Provided the site works are undertaken following our guidelines and advice, it is our opinion that with regard to the previously developed nature of the site the proposed development will not adversely affect the overall health and long-term future of the retained trees adjacent to the site.

Prepared by:

Marishal Thompson & Co.

25/03/2009