

Formal Advice – BS5837:2005

Date: 29.10.2007 | Employer & project ref. DARLING1070132 | Site: 6, Templewood Avenue, NW3 7XA | Planning authority: London Borough of Camden

ACL –

Co.05678552 VAT. 903660148

This document details our formal advice in respect of –

Planning application for an underground extension at the site of 6, Templewood Avenue, Hampstead, NW37XA

Contract appointment –

Arboricultural consultant

Employer –

Darling Associates

Person or organisation responsible for our fee –

Employer

Instruction from –

Employer

Planning authority –

London Borough of Camden

Arboricultural Officer –

Mr. Kevin Fisher

Prepared by –

Andrew Turnbull, Senior Consultant

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Formal Advice – BS5837:2005

Date. 29.10.2007 | Employer & project ref. DARLING1070132 | Site. 6, Templewood Avenue, NW3 7XA | Planning authority. London Borough of Camden

1. PARTICULARS OF INSTRUCTION

1.1. This document has been prepared to discharge the instruction of our employer, Darling Associates, in respect of detailed planning permissions at (*street address*) 6 Templewood Avenue, Hampstead, London, NW3 7XA.

2. CAVEAT

2.1. This advice and all appendices are subject to caveat as per ACL1.

3. INFORMAL GLOSSARY

3.1. ACL will be referred to in third person as the “Contractor”.

3.2. The London Borough of Camden will be referred to as the “Council”.

3.3. The area to be developed will be referred to as the “Site”.

3.4. The Arboricultural Officer liaised with will be referred to as the “TO”.

3.5. British Standard 5837:2005 ‘Trees in relation to construction – Recommendations’ will be referred to as the “Standard”.

4. ACL2

4.1. Details of other contractors and /or documents referred to in this advice can be found appended at ACL2.

5. ADVICE

5.1. This advice constitutes our arboricultural implications assessment (AIA) and arboricultural method statement (AMS). We anticipate that this advice will be read in conjunction with our tree survey (TS), tree constraints plan (TCP) and tree protection plan[s] (TPP). Other documents may be referred to and will be referenced where appropriate throughout the text.

6. SITE HISTORY & APPLICATION BACKGROUND

6.1. The Site is presently in residential use. Surrounding the building are gardens containing both hard and soft surface treatments, with mixed shrub borders and three trees. An adjacent property hosts two further trees (see, TCP) and the west of the Site is bounded by a 2.5metre high wall. An aerial view of the Site is shown in fig.1 (right).

6.2. The proposal pertains to the construction of a lower level extension beneath the current (larger) garden area to the rear of the property; this will be in close proximity to aspects of some trees on and adjacent to the Site: as outlined on the TCP.

6.3. The Contractor visited the Site undertaking as they did a tree survey pursuant to the requisites of the Standard and using this data. This shows clearly the five trees (as per s.6.1) within influencing distance of the Site.



Fig.1

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Formal Advice – BS5837:2005

Date: 29.10.2007 | Employer & project ref. DARLING1070132 | Site: 6, Templewood Avenue, NW3 7XA | Planning authority: London Borough of Camden

7. CONSIDERATIONS

7.1. There are a number of issues to be addressed in this arboricultural implications assessment, and broadly are as follows –

7.1.1. The effect and extent of the proposed development within RPAs of retained trees.

7.1.2. The potential conflicts of the proposed development with canopies of retained trees.

7.1.3. The likelihood and reasonableness of any future pressures arising in respect of remedial works to retained trees, above and beyond that which would in the course of sound arboricultural management, have been scheduled in any event.

7.1.4. The suitability and necessity for replacement planting.

8. FACTUAL INFORMATION RELATING TO THE SITE & APPLICATION

8.1. Two access points exist via the property driveway, east of the existing building (as per the Plan).

8.2. There is existing hard surfacing (concrete and tarmac), structures and buildings in close proximity to tree stems, certainly within RPAs and crown areas. Those trees specifically are T1, T2, T4, and T5.

8.3. Some trees will need to be removed to accommodate the proposed new extension's footprint (see; s.9, s10 and s.11).

8.4. Two trees (T1 and T5) should be removed for reasons of sound arboricultural management. (*Reason*): T1 – due to the limited useful life expectancy arising as a result of the structural and physiological condition of the organism, and T5 – due to the direct conflict which will arise between the boundary wall and the tree stem if the tree is retained.

8.5. Re grading and excavation within the Site will be required to facilitate the development.

9. RPA INCURSION & BELOW GROUND CONSTRAINTS

9.1. Those trees contained within the adjacent garden (T4 and T5) have RPAs which encroach beyond the proposed extension area; this incursion can be discounted with the RPAs being offset to take account of the adjacent garden area. (*Reason*): due to the presence of the boundary wall. The height, scale and therefore foundations will have acted as a root barrier restricting root development within the Site; rooting volume will have grown preferentially to occupy the adjacent garden.

9.2. Those trees contained within the Site – T1, T2 and T3 – have RPAs which are in direct conflict with the proposed extension footprint. Taking account of the hard surfaces and buildings within the RPAs of T1 and T2, the rooting volume will have grown preferentially within the confines of the Site; in all cases the level of incursion accounts for >20% of the RPAs. It is accepted trees T1, T2 and T3 should be removed. (*Reason*): objective appraisal concludes that their removal would be a natural process. Large, high quality re planting will be comfortably capable of mitigating the loss and providing an increased quality of amenity contribution, for an increased timescale.

9.2.1. It is the Contractor's view that T1 should be removed. (*Reason*): Owing to irredeemable structural defects which will inevitably worsen with time reducing the already limited contribution. The Standard categorisation of C3 deems this tree not worthy of constraining the development. A suitably selected replacement located in accordance with the ultimate size and scale of the specimen would provide a greater

Formal Advice – BS5837:2005

Date. 29.10.2007 | Employer & project ref. DARLING1070132 | Site. 6, Templewood Avenue, NW3 7XA | Planning authority. London Borough of Camden

amenity contribution for an extended period of time than that currently in place (as per s.9.2).

9.2.2. It is the Contractor's view that T2 should be removed to facilitate the developable space. (*Reason*): retention of the tree, due to the level of RPA incursion by the footprint and root loss as a consequence, would render the tree unstable and unsafe in the long term. T2 is categorized as B2 primarily due to the current amenity contribution. The ultimate scale of the tree, relative to the close proximity to the existing property, will result in requests for pruning over and above what could be reasonably expected of a suitably located tree (see fig.2; right). The removal is considered to be a necessity in the foreseeable future. Removal of this tree will require the replacement planting of a suitable species at an adequate distance from the property, serving the community by providing an increased level of amenity contribution above that which is currently offered. The Standard accepts this view (of only retaining appropriately sited, high quality trees) at para. 3.1.1, 6.3.1 and 6.3.3 (as per s.9.2).

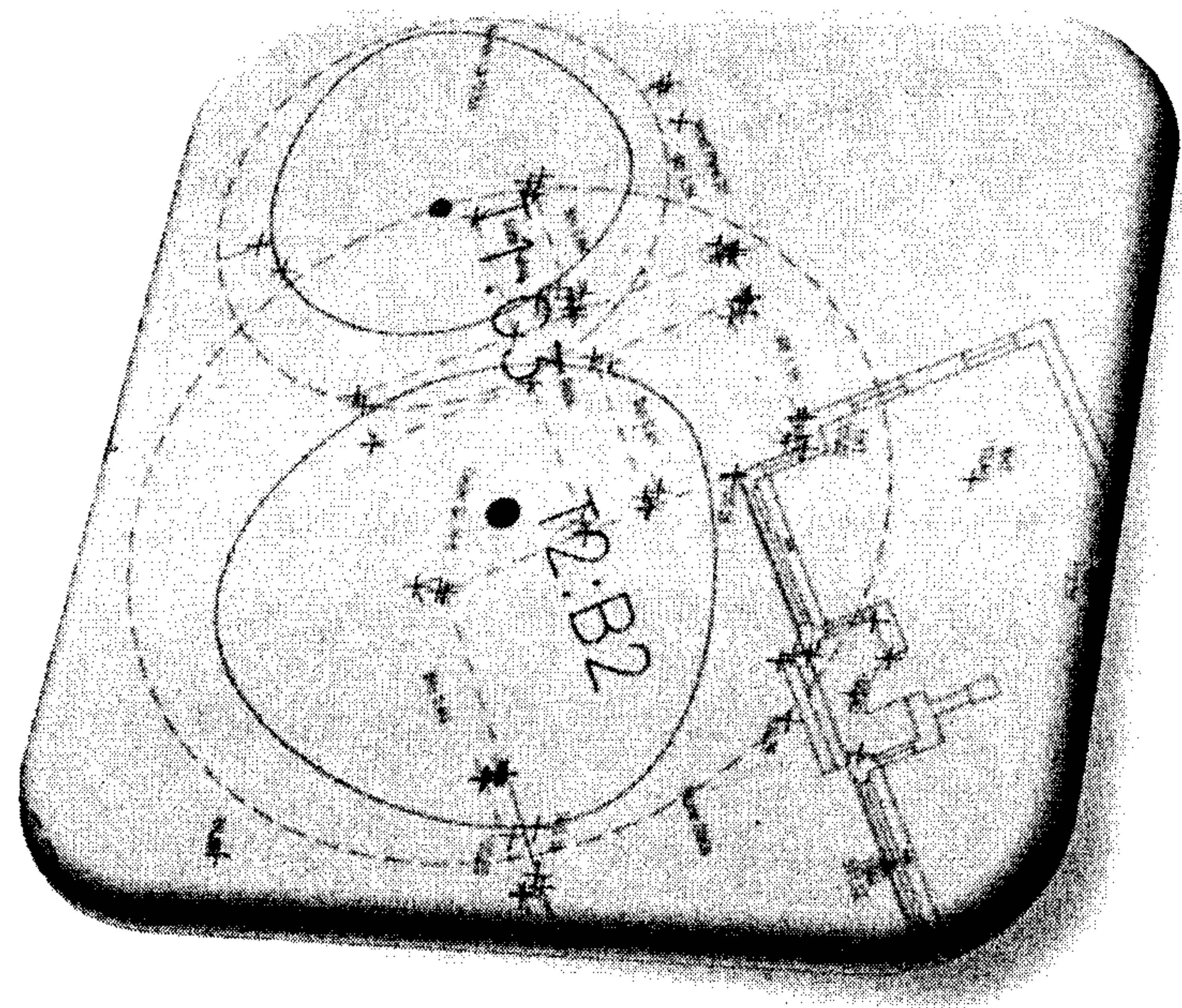


Fig.2

9.2.3. It is the Contractor's view that T3 should be removed (see fig.3; right). (*Reason*): irredeemable structural defects, principally concerning the inclusions of multiple stem attachments at the base, have curtailed the life expectancy of this tree. Ultimately the tree will require remedial works to facilitate its retention irrespective of the development. However, this will strip the tree of any visual or functional amenity it presently offers to the streetscape. Re planting will serve to mitigate the loss of T3 and provide an increased amenity contribution throughout the future (as per s.9.2).

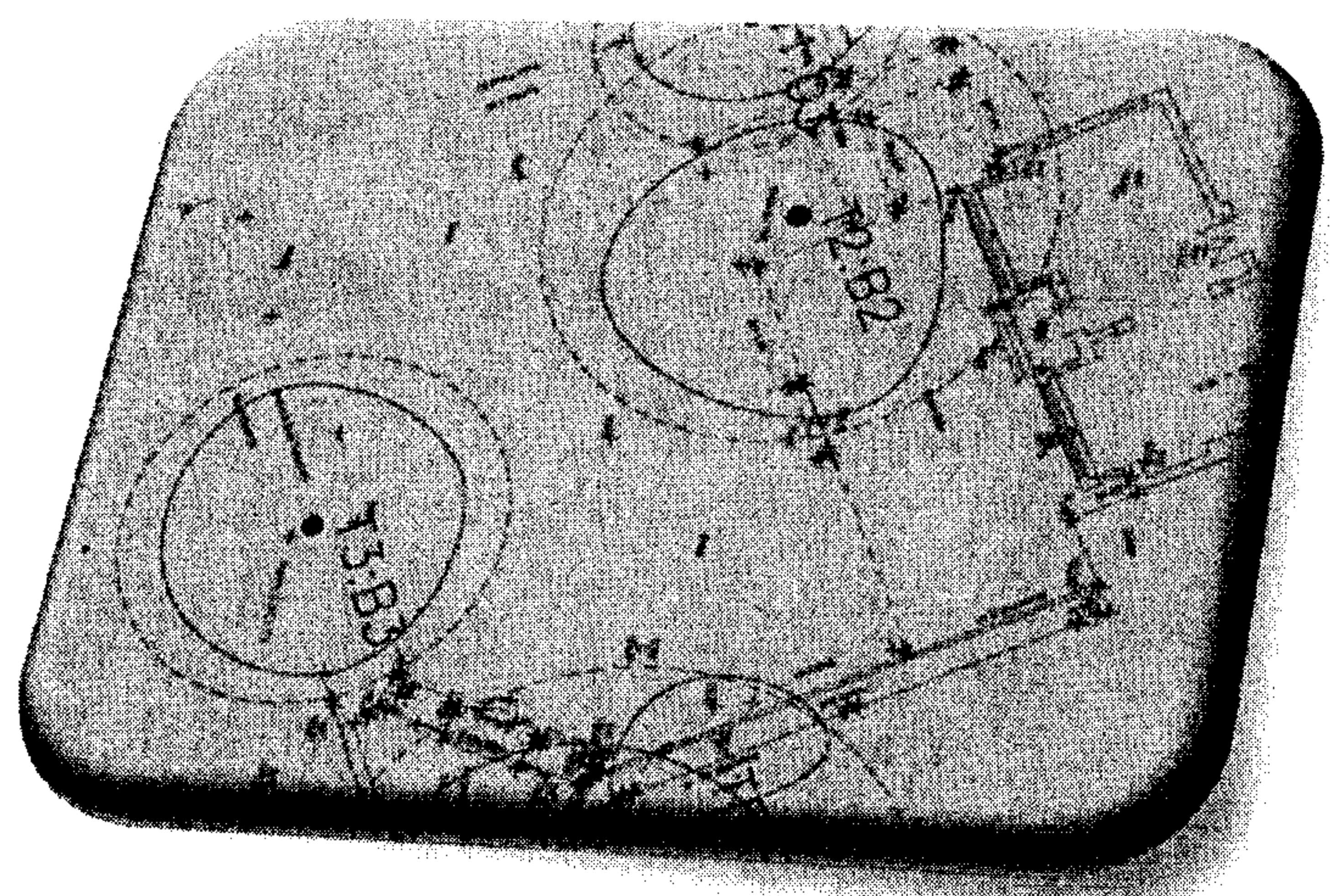


Fig.3

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Formal Advice – BS5837:2005

Date: 29.10.2007 | Employer & project ref. DARLING1070132 | Site: 6, Templewood Avenue, NW3 7XA | Planning authority: London Borough of Camden

9.3. The use of heavy plant or tracked machinery within an RPA will not in the Contractor's view be necessary. (*Reason*): RPAs of those trees being retained are protected through the presence of the boundary wall; a physical restriction acting as an access barrier.

9.4. It is not anticipated for any materials to be transported or stored within the RPAs of retained trees. (*Reason*): adequate storage areas are available on the existing hard surfacing and the boundary wall, as per s.9.3, serves as a sufficient physical restriction.

10. CANOPY ISSUES AND FOOTPRINT CONFLICTS

10.1. As per the TCP, and following s.9.2, no crown conflicts arise in relation to new superstructures. (*Reason*): no above ground alteration to the existing building is proposed, the construction pertains solely to an underground extension.

10.2. The process of constructing the proposal however, as per the crown overhang apparent on the TCP, will encroach the crowns of T4 and T5 (see fig.4, below/right), therefore –

10.2.1. T5 should be removed (dependent upon neighbour's consent) or pruned to the boundary wall allowing the access requirements for excavation. (*Reason*) the minimal contribution currently offered by this 'C3' tree coupled with the limited remaining contribution should not constrain the construction. This is not necessary to facilitate construction, instead it is simply good arboricultural practice because its siting is restricting its potential, long term contribution and its removal would negate any crown conflicts with T4 as they both mature further, and not require any pruning from the Site-side of the boundary wall.

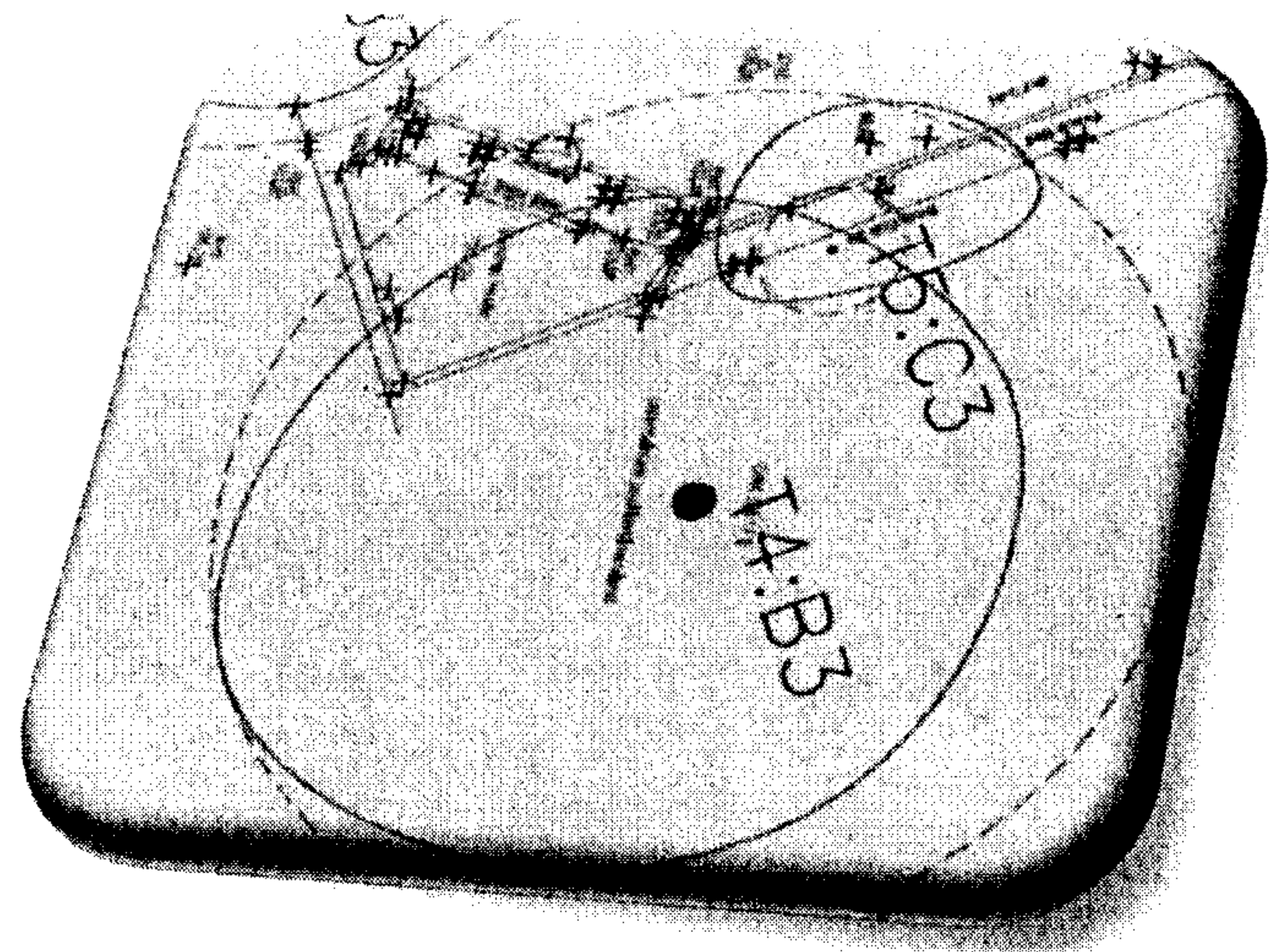


Fig. 4

10.2.2. No conflict with T4 exists. No damage could afflict the tree from as a result of construction/excavation process. (*Reason*): due to the more than adequate height of clearance from the Site ground level of the laterals encroaching onto the proposed footprint. Crown encroachment of T4 can be seen in fig.4 (above).

11. FUTURE PRESSURES FOR TREE WORKS

11.1. Following the implementation of s.9.2 and as per s.10, no pruning is anticipated either as part of planned maintenance or because of conflicts arising with between trees and buildings prior to, during or following construction.

11.2. It would probably be a pertinent use of Council authority to make the replanted trees the subject of a tree preservation order. (*Reason*): to ensure adequate protection is afforded to the future valuable amenity assets on the Site.

11.3. Once a preservation order is in situ, there is no argument for consenting any request for tree works not pursuant under s.198(6) of the Town and Country Planning Act. The leaf litter and minor twig debris is not oppressively expensive to cope with and does not render the building or its annexes unsafe.

Formal Advice – BS5837:2005

Date: 29.10.2007 | Employer & project ref. DARLING1070132 | Site: 6, Templewood Avenue, NW3 7XA | Planning authority: London Borough of Camden

- 11.4. There is no argument for excessive tree works being consented to on the grounds that light is limited to the windows or the extension skylight. (*Reason*): these issues are currently in situ; replacement planting creates no significant alteration.

12. REPLACEMENT PLANTING

- 12.1. It is accepted that three moderate to low quality trees are to be removed. However, taking account of the curtailed amenity offered by the trees, and the increased contribution replanting will afford the Site and wider community; it is deemed wholly necessary in all cases.
- 12.2. Suitable species and specimen selection, sited in an appropriate location relative to the spatial constraints, will enable a more significant contribution to the Site surroundings and borough to be provided and for a longer term.
- 12.3. Ratio of removal: replanting should take into consideration the available space for tree growth and development. (*Reason*): in order to ensure the trees at ultimate size are physically suitable for the Site. I.e. they require no pruning in order to maintain the trees at a suitable size.

13. CONCLUDING STATEMENT

- 13.1. Having appraised the proposals and balanced the Standard's thinking against the will of our Employer's proposals, the Contractor can fully support this application as sound from the view of a competent, independent arboriculturist. (*Reason*): all reasonable concerns have been satisfied to the fullest standard.
- 13.2. This application will require an AMS. (*Reason*): if accepted by the Council the AMS will bind the developer to the thinking of the Standard, the retention and protection of good quality trees and/or the necessary replacement planting of trees.
- 13.3. The AMS will require a TPP (New Planting Plan). (*Reason*): if accepted by the Council the TPP will bind the developer to the thinking of the Standard and the stipulation of necessary replacement planting.

“the solution of choice”

Formal Advice – BS5837:2005

Date. 29.10.2007 | Employer & project ref. DARLING1070132 | Site. 6, Templewood Avenue, NW3 7XA | Planning authority. London Borough of Camden

14. AMS I – SPECIFICATION FOR TREE WORKS

- 14.1. All tree works recommended in the survey schedule are to be carried out prior to any site personnel being present or commencing works or any materials being delivered. This should be undertaken without prejudice to s.9.2 of this advice which states that T1, T2 and T3 will be removed, and s.10.2.1 of this advice which states that T5 is to be removed also (if consent to remove T5 is not granted pruning to the boundary wall should be undertaken). (*Reason*): to ensure the site is prepared and ready for the demolition and construction processes to commence.
- 14.2. All tree works must be undertaken in accordance with detailed planning permissions or otherwise with the consent of the Council if trees are subject of statutory protection (subject to the normal statutory exemptions).
- 14.3. All tree works must be undertaken to BS3998:1989 and by a tree service contractor who is preferably an Arboricultural Association Approved Contractor with a minimum of £5,000,000 public and products liability insurance policies.

15. AMS II – SPECIFICATION FOR PROTECTIVE MEASURES

- 15.1. Barrier fencing is unnecessary in this instance. (*Reason*): as per s.9.1, the boundary wall will ensure the retained trees are protected at the outset.
- 15.2. All site personnel are to be provided with a copy of this AMS and the TPP.

16. AMS III – SPECIFICATION FOR REPLANTING

- 16.1. A removal: replacement ratio of 1:1 is required; three trees therefore should be planted.
- 16.2. Trees of adequate size (to be extra heavy standard nursery stock classification) should be used to for immediate impact and compensation in the place of existing amenity contribution.
- 16.3. Successful establishment of the new planting of trees depends upon –
 - 16.3.1. Suitable selection of well grown, healthy specimens which are lifted, stored and transported properly. (*Reason*): the trees are still relatively fragile living organisms.
 - 16.3.2. The planting site being properly prepared and with adequate drainage, therefore –
 - 16.3.2.1. The planting pits are to be excavated to a sufficient size to accommodate the root-ball, allowing a minimum of 0.5m clearance. Prior to planting the sides to be broken up and the base dug over to a depth of 150mm, and aeration (via airspade) of an area to a minimum of 2m radius (from the stem) to a depth of 0.5m. (*Reason*): to assist with drainage for the trees.
 - 16.3.2.2. The trees should be planted to the same depth as they were in the nursery i.e. not above the root collar. Each pit should have installed an irrigation system comprising a 60mm diameter perforated pipe around the root ball 100mm below the surface, this is very important for moisture retention/control. The planting pit should then be back filled with high grade soil and firmed in. (*Reason*): to promote good quality conditions in the rhizosphere.
 - 16.3.3. A supportive system for the trees will be necessary and can easily be achieved via the use of either staking or underground guying. Staking requires an attachment of a stake 1/3 the height of the tree.

“the solution of choice”

Formal Advice – BS5837:2005

Date. 29.10.2007 | Employer & project ref. DARLING1070132 | Site. 6, Templewood Avenue, NW3 7XA | Planning authority. London Borough of Camden

16.4. A mulch of decomposed woodchip/bark mulch is to be applied around the base to avoid strimmer damage and control moisture levels and weed growth, to a maximum depth of 40mm extending at least to the extent of the drip line.

16.5. A planned, proper, aftercare and maintenance program is essential to ensure the trees are established successfully. This includes watering when necessary, weed control and further mulching as and when appropriate.

17. AMS IV - SPECIFICATION FOR PROHIBITION

17.1. All tree works are to be carried out prior to construction commencement.

17.2. RPAs of retained trees may not be breached for any reason without the prior advice of the Contractor and or consent of the Council.

17.3. No fires are to be lit within 10m of a tree's canopy.

17.4. No machinery, plant or vehicles are to be washed down within 5m of an RPA.

17.5. No tree works not specified in s.16 (or leaning against or attaching of things to a tree) is permitted.

17.6. No chemicals or materials are to be transported or stored or used or mixed within an RPA.

17.7. Replacement planting is only to take place following construction completion.

18. AMS V – COMMUNICATION

18.1. It is the recommendation of the Contractor that this report is released to the lead consultant (architect) for them to distribute at their discretion. All site personnel are to have access at all times to a copy of this advice and the TPP. The contractor can be contacted at any time for clarification of information contained herein, or further advice (which will form part of a separate contract) via the methods on pg.1.

This concludes our advice.

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