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Arboricultural Implications Report

Proposed re-development at

Nos. 1-5 Portpool Lane,

Hatton Garden,

London EC1



August 2014

Ref. SJA air 13321-01

SUMMARY

Simon Jones Associates has undertaken a survey of three individual off-site black locust trees growing on a private communal garden area immediately to the north of this site, in accordance with British Standard BS 5837: 2012, *Trees in relation to design, demolition and construction – Recommendations*.

There are no incursions into the root protection areas (RPAs) of any of these trees, as the footprint of the proposed building is no closer than the existing.

The trees are to be pruned to the boundary line in order to enable the development, however the trees have previously been crown reduced, and therefore the proposed pruning is not likely to be to the long-term detriment of the health or the appearance of these specimens.

The spatial relationship between the proposed apartments and these off-site trees is such that there is no evidence to suggest that occupancy of these units will inevitably lead to future pressure to fell any of them.

As the proposed pruning will be completely screened in views by the surrounding buildings, it will have a negligible effect on the appearance of the trees when viewed from outside the site itself, and accordingly will not detract from the character or appearance of the Conservation Area.

Therefore the proposals will result in a negligible magnitude of impact on the character and appearance of the Conservation Area, and thus the proposal complies with national planning policy guidance.

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1. INTRODUCTION.

1.1. Instructions.

1.1.1. Simon Jones Associates Ltd. has been instructed by Spot Property Company Ltd. to visit Nos. 1-5 Portpool Lane, Hatton Garden, London, and to survey the trees growing immediately adjacent to this site.

1.1.2. We are instructed to record the trees' locations, species, dimensions, ages, condition, and visual importance; and to categorise them in accordance with British Standard BS 5837: 2012, *Trees in relation to design, demolition and construction* — *Recommendations*.

1.2. Scope of report.

1.2.1. This report and the appended tree protection plan (TPP) reflect the scope of our instructions, as set out above.

1.2.2. The proposed development comprises the demolition of the existing office building and the construction of a new building with a mixed use of commercial offices on the ground and basement floors and residential apartments on the upper floors.

1.2.3. The report is intended to accompany a planning application to be submitted to the London Borough of Camden, and complies with local validation requirements, and with the recommendations of BS 5837: 2012.

1.3. Site inspection.

1.3.1. A site visit and tree inspection was undertaken by Abi St.Aubyn of Simon Jones Associates Ltd., on Tuesday the 26th November 2013. Weather conditions at the time were clear, dry and bright. Deciduous trees were in partial leaf.

1.3.2. The tree locations plan at **Appendix 2** is based on an Ordnance Survey MasterMap onto which the locations of the trees have been plotted using our own measurements taken on site.

1.3.3. The tree protection plan at **Appendix 3** is based on the proposed Forth Floor layout plan by Stiff and Trevillion Architects Ltd., drawing no. 3622/106/P.

1.4. National policy context.

1.4.1. Paragraph 14 of the National Planning Policy Framework (NPPF), (March 2012), states that there is a presumption in favour of sustainable development:

"At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking."

1.4.2. The NPPF makes it clear that planning permission for development should be granted unless the proposal is inconsistent with policies within the development plan, any adverse effects significantly and demonstrably outweigh the benefits, or the NPPF itself indicates that the proposal should be restricted.

1.4.3. Under Section 197 of the Town and Country Planning Act 1990, local authorities have a statutory duty to consider the protection and planting of trees when granting planning permission for proposed development. The effects of proposed development on trees are therefore a material consideration in dealing with planning applications, and this is normally reflected in local development planning policies. However, as an overriding principle of national policy in the NPPF is that planning permission should be granted unless the adverse effects of a proposal significantly outweigh its benefits, it follows that development should only be refused on arboricultural grounds where loss of trees would have a significant and adverse impact on the character and appearance of the local landscape, on amenity or biodiversity. Against this background, the effects of the current proposal are evaluated in the following sections of this report.

1.5. Site description.

1.5.1. The site currently comprises a three storey office building with a basement which is situated on the north side of Portpool Lane.

1.5.2. The western boundary abuts Nos. 80-86 Grays Inn Road, the eastern boundary abuts the residential apartments of Nos. 95-117 Portpool Lane and the

northern boundary abuts the private communal gardens of the adjacent residential apartments.

1.5.3. The site is on level ground.

2. THE TREES.

2.1. Survey findings.

2.1.1. There were no trees within the site, however we surveyed a total of three individual trees, with trunk diameters of 75mm and above, growing immediately adjacent to the site² within the private communal gardens associated with the adjacent residential apartments. The details of these three trees are found in the tree survey schedule at **Appendix 1**.

2.1.2. The numbers assigned to the trees in the tree survey schedule correspond with those shown on the appended tree locations and protection plans.

2.2. Statutory controls.

2.2.1. At the time of writing we understand that none of these trees are covered by a tree preservation order (TPO).

2.2.2. The site is within the boundaries of the Hatton Garden Conservation Area.

2.3. Assessment of suitability for retention.

2.3.1. There are no trees within the site, and the off-site trees will be retained irrespective of their condition. However the three off-site trees were surveyed and categorised in accordance with BS5837: 2012, and details of the criteria used for this process can be found in the notes that accompany the tree survey schedule. In line with the thrust of the NPPF and relevant local development policies, we have adjusted this methodology to give a greater weighting to trees that contribute to the character and appearance of the local landscape, to amenity, or to biodiversity.

2.3.2. One individual tree (Black locust no. 3) has been assessed as category 'U', on the basis of it being in such a condition that it cannot realistically be retained as a living tree in the context of the current land use for longer than 10 years.

² British Standard BS 5837: 2012, *Trees in relation to design, demolition and construction – Recommendations* recommends that all trees over 75mm stem diameter should be included in a pre-planning land and tree survey.

2.3.3. The remaining two Black locust trees (nos. 1 and 2) are assessed as category 'C'. These are semi-mature specimens growing within tarmac of the adjacent private communal garden associated with the residential apartment. Both trunks have developed pronounced buttressing in response to the tarmac, and the crowns of both trees have been lifted and reduced in the past. The crown of tree no. 2 is more sparsely foliated then that of no. 1

2.3.4. The crowns of both trees are barely visible in public views from either Portpool Lane or Grays Inn Road: there is a glimpsed view of the upper five metres of the crown of no. 1 in a single viewpoint from Portpool Lane looking in between the existing building and Nos. 80-86 Grays Inn Road and the upper three metres of its crown are also visible in a single glimpsed view from Grays Inn Road above the roof of 1-5 Portpool Lane.

2.3.5. The trees are a feature of the private communal garden, but because they are growing on a narrow spur of land which extends in a perpendicular direction to the central open space and has buildings on either side, there are only limited views of their crowns from the central open space.

2.3.6. Therefore these trees have been assessed to be of no more than moderate quality, and due to their limited public visibility, of low landscape value as they make only a minimal contribution to the character and appearance of the Conservation Area.

3. ARBORICULTURAL IMPACTS.

3.1. Trees to be removed.

3.1.1. No trees are to be removed.

3.2. Trees to be pruned.

3.2.1. Three trees are to be pruned to facilitate implementation of the proposals. These are shown at *Table 1* below.

Tree no.	Species	Proposed Works
1	Black locust	Prune canopy on S side back to previous crown reduction points along the boundary line.
2	Black locust	Prune canopy on S side back to previous crown reduction points along the boundary line.
3	Black locust	Prune canopy on S side back to previous crown reduction points along the boundary line.

Table 1: Proposed pruning works

3.2.2. Following the pruning specified above, none of the proposed apartments will lie within 1.9m of the extents of the canopies of trees to be retained. The proposed terrace to the apartments on the third floor will abut the crowns of the trees, however, the terrace on the second floor will be below the height of the crown of these trees, and the proposed terrace on the fourth floor is set back from their crowns.

3.3. Root Protection Area incursions.

3.3.1. The 'Root Protection Areas' (RPAs)³ of the trees to be retained have been calculated in accordance with Section 4.6 of BS 5837; and have been assessed taking account of factors such as the likely tolerance of a tree to root disturbance or damage, the morphology and disposition of roots as influenced by existing site conditions (including the presence of existing roads or structures), as well as soil type, topography and drainage. The shape of their RPAs (although not their areas)

³ The minimum area around a retained tree "deemed to contain sufficient roots and rooting volume to maintain the tree's viability, and where the protection of the roots and soil structure is treated as a priority." BS 5837, paragraph 3.7.

have been modified to show the existing buildings to be root barriers, so that they reflect more accurately their likely root distribution.

3.3.2. As can be seen on the TPP, no parts of any proposed buildings or associated hard surfacing are within the RPAs of any of the trees to be retained.

3.4. Future relationship between proposed apartments and existing trees.

3.4.1. In order to assess whether the trees to be retained will be in harmony with the proposed layout (without casting excessive shade or otherwise unreasonably interfering with incoming residents' prospects of enjoying their properties, and thereby leading inevitably to requests for consents to fell), we plotted onto the TCP a segment or "shading arc" from each trunk, with a radius equal to the current height of the tree concerned, from due north-west to due east. This gave an indication of potential direct obstruction of sunlight and the shadow pattern cast through the main part of the day⁴.

3.4.2. The shade arc of black locust no. 1 extends across the north-eastern corner of the north-west elevation of the proposed building.

⁴ BS 5837: 2012, paragraph 5.2.2 Note 1.

4. ASSESSMENT.

4.1. Tree removals.

4.1.1. No trees are to be removed to facilitate the development.

4.2. Pruning.

4.2.1. Three trees are to be pruned as specified in **Table 1** above. These trees have previously been crown reduced and the pruning will be carried out to the previous pruning points. Branches to be removed are small in size, with a maximum wound size no greater than 100mm in diameter; this is not likely to have a significant effect on the health and physiological condition of the trees concerned, and complies with the recommendations of British Standard BS 3998: 2010, *Tree work – Recommendations*.

4.2.2. In terms of impact upon the landscape, the crowns of these trees are largely screened by the existing buildings, and the proposed building is taller than the existing, and therefore the proposed pruning would not be visible, and therefore there would be no affect on the character or appearance of the site or the Conservation Area.

4.2.3. In views from within the private communal garden, there would be an impact in views from the east initially; however there would be no change in the view of the crowns of these trees from any other viewpoint within the communal garden, apart from a reduction in the density of their crowns.

4.2.4. Following the pruning specified, none of the proposed apartments will lie within 1.9m of the extents of the canopies of trees to be retained, thereby providing adequate working space for construction, and a reasonable margin of clearance for future growth.

4.2.5. The edge of the terrace to the apartments on the third floor will be close to the crowns of the trees; and to a lesser extent the terraces on the second and fourth floor.

4.2.6. However, the canopy of the trees has already been lifted, and therefore they have relatively high crowns. In the case of trees nos. 2 & 3, they are also sparsely foliated, thereby enabling penetration of daylight and sunlight beneath and through their canopies.

4.3. RPA incursions.

4.3.1. No parts of the proposed building is within the RPAs of any of the trees to be retained; and therefore, subject to the implementation of protective measures specified below and on the TPP, their construction will not cause unacceptable damage to roots or rooting environments as a result of root severance or damage, or compaction or pollution of the soil.

4.3.2. Accordingly, subject to implementation of the above measures, and taking into account the ages, current physiological condition and tolerance of disturbance of these specimens, we consider that no significant or long-term damage to their root systems or environments will occur as a result of these works.

4.3.3. The necessary precautions to prevent other incursions into the RPAs of retained trees and to protect them during demolition and construction can be assured by the erection of appropriate site hoarding to act as tree protective fencing, as shown on the TPP at **Appendix 3**.

4.4. Future relationship between proposed apartments and existing trees.

4.4.1. We have made an assessment of whether the trees to be retained will be in harmony with the proposed layout, as noted at section 3.4.

4.4.2. Although the north-west corner of the proposed apartment block is within the shade arc of black locust no. 1, none of the proposed apartments have their main habitable rooms situated on this north-western elevation.

4.4.3. As mentioned at 4.2.5. the three black locust trees have relatively diffuse crowns, thereby enabling penetration of daylight and sunlight beneath and through their canopies. Furthermore they are deciduous, and therefore will not cause significant shading during the winter months when out of leaf.

4.4.4. Therefore, we consider that none of the proposed apartments are likely to be shaded to the extent that this will interfere with the reasonable use or enjoyment of these properties, thereby leading inevitably to pressure to fell or severely prune these specimens, which could not reasonably be resisted by the LPA.

5. PROTECTION OF TREES TO BE RETAINED.

5.1. **Protective fencing**.

5.1.1. Construction exclusion zone (CEZ) will be formed by erecting site hoarding to act as protective fencing around the perimeter of the site, prior to the commencement of demolition.

5.1.2. Within the CEZ safeguarded by the site hoarding, there will be no changes in ground levels, **no soil stripping**, and no plant, equipment, or materials will be stored. Oil, bitumen, diesel, and cement will not be stored or discharged within 10m of any trees. Areas for the storage or mixing of such materials will be agreed in advance and be clearly marked. No notice boards, or power or telephone cables, will be attached to any of the trees.

5.2. Ground protection.

5.2.1. The existing hard surfacing surrounding the site and covering the RPAs of the off-site trees shall be retained and will provide protection for the RPAs of the trees to be retained.

5.3. Demolition.

5.3.1. Demolition of existing buildings and removal of existing areas of hard surfacing that abut or overlie RPAs will be undertaken with care, under the control and supervision of an appointed arboricultural consultant, to ensure that the adjacent soil is not unacceptably excavated, disturbed or compacted.

6. CONCLUSION.

6.1. Summary.

6.1.1. On the basis of the above considerations we consider the arboricultural impact of this scheme to be of negligible magnitude.

6.1.2. The TPP shows the general and specific provisions to be taken during construction of the proposed development, to ensure that no unacceptable damage is caused to the root systems, trunks or crowns of the trees identified for retention. These measures are indicated by coloured notations in areas where construction activities are to occur either within, or in close proximity to, retained trees, as described in the relevant panels on the drawing.

6.1.3. The LPA can readily secure the implementation of and adherence to the measures shown on the TPP by the use of appropriate planning conditions.

6.1.4. Accordingly we conclude that, subject to the above, the proposed development would not have a significant and adverse impact on the character and appearance of the local landscape or the conservation area, insofar as this is contributed to by trees; and accordingly it complies with national planning policy guidance.

August 2014

APPENDIX 1 Tree Survey Schedule

SIMON JONES ASSOCIATES Ltd.

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Tree Survey Schedule

Nos. 1-5 Portpool Lane, Hatton Garden, London EC1N

November 2013

Tree Survey Schedule: Explanatory Notes

Nos. 1-5 Portpool Lane, Hatton Garden, London EC1N

This schedule is based on a tree inspection undertaken by Abi St.Aubyn of Simon Jones Associates Ltd., on Tuesday the 26th November 2013. Weather conditions at the time were clear, dry and bright. Deciduous trees were in partial leaf.	6. Crown break. Height above ground and direction of growth of first significant live branch.	12. Category. Based on the British Standard "Trees in relation to design, demolition and construction - Recommendations", BS 5837: 2012, Table 1, adjusted to give a greater weighting to trees that
The information contained in this schedule covers only those trees that were examined, and reflects the condition of these specimens at the time of inspection. We did not have access to the trees from any adjacent properties; observations are thus configured to what were visible from within the site and from	 7. Crown clearance. Distance from adjacent ground level to lowest part of lowest branch, in metres. 8. Age class. 	contribute to the character and appearance of the local landscape, to amenity, or to biodiversity. Category U: Trees in such a condition that they cannot realistically be retained as living trees in the context of the current
surrounding public areas.	Semi-mature: 1/3 to 2/3 life expectancy Mature: Over 2/3 life expectancy	 Trees that have a serious, irremediable, structural defect, such that their early loss is expected due to collapse, including those that will become
The trees were inspected from the ground only and were not climbed, and no samples of wood, roots or fungi were taken. A full hazard or risk assessment of the trees was not undertaken, and therefore no guarantee, either expressed or implied, of their	Over-mature: Mature, and in a state of decline Veteran: Surviving beyond the typical age range for species 9. Physiology.	unviable after removal of other category 'U' trees (e.g. where, for whatever reason, the loss of companion shelter cannot be mitigated by pruning). • Trees that are dead or are showing signs of significant, immediate, and irreversible overall decline. • Trees infected with pathogens of significance to the health and/or safety
safety or stability can be given.	Health, condition and function of the tree, in comparison to a normal specimen of its species and age.	of other trees nearby, or very low quality trees suppressing adjacent trees of better quality.
Trees are dynamic organisms and are subject to continual growth and change; therefore the dimensions and assessments presented in this schedule should not be relied upon in relation to any development of the site for more than twelve months from the survey date. 1. Tree no. Given in sequential order, commencing at "1". 2. Species. 'Common names' are given, taken from MITCHELL, A. (1978) A Field Guide to the Trees of Britain and Northern Europe. 3. Height. Estimated with the aid of a hypsometer, given in metres. 4. Trunk diameter. Trunk diameter measured at approx. 1.5m above ground level; or where the trunk forks into separate stems between ground level and 1.5m, measured at the narrowest point beneath the fork. Given in millimetres.	 10. Structure. Structural condition of the tree – based on both the structure of its roots, trunk and major stems and branches, and on the presence of any structural defects or decay. Very good: No significant physiological or structural defects, an upright and reasonably symmetrical structure; a particularly good example of its species. Good: No significant physiological or structural defects, and upright and reasonably symmetrical structure. Moderate: No significant pathological defects, but a slightly impaired physiological structure; however, not to the extent that the tree is at immediate or early risk of collapse. Indifferent: Significant physiological or pathological defects; but these are either remediable or do not put the tree at immediate or early risk of collapse. Poor: Significant and irremediable physiological or pathological defects, such that there may be a risk of early or premature collapse. Hazardous: Significant and irremediable physiological or pathological or pathological defects, such that there is a risk of imminent collapse. 	 Category A: Trees of high quality with an estimated remaining life expectancy of at least 40 years. (1) Trees that are particularly good examples of their species, especially if rare or unusual. (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. Category B: Trees of moderate quality with an estimated remaining life expectancy of at least 20 years. (1) Trees that might be included in category 'A', but are downgraded because of impaired condition (e.g. presence of significant though remediable defects including unsympathetic past management and minor storm damage) such that they are unlikely to be suitable for retention for beyond 40 years; or trees lacking the special quality necessary to merit the category 'A' designation. (2) Trees present in numbers, usually growing as groups or woodlands, such that they form distinct landscape features, thereby attracting a higher collective rating than they might as individuals; or trees present in numbers but situated so as to make little visual contribution to the wider locality. (3) Trees with material conservation or other cultural value.
5. Radial crown spread. The linear extent of branches from the base of the trunk to the main cardinal points, to the closest quarter of a metre. In the cases of small trees with reasonably symmetrical crowns, a single averaged figure is quoted.	 11. Comments. Where appropriate comments have been made relating to: -Health and condition -Safety, particularly close to areas of public access -Structure and form -Estimated life expectancy or potential -Visibility and impact in the local landscape 	 Category C: Trees of low quality with an estimated remaining life expectancy of at least 10 years, or young trees with a stem diameter below 150mm. (1) Unremarkable trees of very limited merit or of 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, and/or trees offering low or only temporary landscape benefits.

TREE SURVEY SCHEDULE

Nos. 1-5 Portpool Lane, Hatton Garden, London EC1N

No.	Species	Height	Trunk diameter	Radial crown spread	Crown break	Crown clear- ance	Age class	Physio - logy	Structure	Comments	Cate gory
1	Black locust	19m	400mm	4.5m	7m E	7m	Semi- mature	Average	Indifferent	Single trunked specimen growing in area covered in tarmac; prominent buttressing at base indicative of reaction wood adj. to tarmac; increment strip evident from a height of approximately 1m to 5m on north- west side of trunk; high crown; foliage density appears normal for species; in partial leaf as would be expected for this time of year (autumn) and compared to adj. specimens has retained more leaf; evidence of previous crown reduction points, with approx. 4m growth from these points in all directions; of moderate quality and of medium-term potential; but of low landscape value due to limited visibility; the top 3m of its crown is visible in a single glimpsed view from Grays Inn Road over the roof of Nos. 1-5 Portpool Lane before the building of Nos. 80-86 Grays Inn Road obscures any view of the crown; also, the upper 5m of the crown visible in a single glimpsed view from Portpool Lane between the two buildings; the tree is visible in views from the private communal gardens.	C (12)
2	Black locust	19m	400mm	4m N 5m E 5m S 3m W	5.5m S	7.5m	Semi- mature	Below average	Indifferent	Single trunked specimen growing in area covered in tarmac; prominent buttressing at base indicative of reaction wood adj. to tarmac and there also appears to be some concrete adjacent to this tree; trunk tapped with a nylon hammer from base to a height of 1.5m, no discernible sounds which would indicate decay and dysfunction within were noticeable; on NW side of trunk at height of 0.5m there is a cavity which was probed with a 300mm screwdriver; cavity measures 150mm long approx. 5mm wide; appears sound within and well occluded all around; crown has previously been lifted to a height of 5.5m where the single trunk bifurcates into co-dominant stems, it appears there may be included bark within this union; canopy density is less than the adjacent tree and the number of leaves retained (autumn inspection) is less than tree no. 1; it also does not appear to have as much of a fine branch tracery compared to tree no. 1; of low quality, of low landscape value as although it is visible from the private communal gardens it is not visible from either Grays Inn Road or Portpool Lane; of medium-term potential.	C (12)
3	Black locust	19m	470mm	6m N 4m E 2.5m S 7m W 7m NW	4.5m W	3m N 7m E 7m S 3m W	Mature	Below average	Hazardous	Single trunked specimen; on south side of trunk there is no bark from its base to a height of 300mm and approx. 150mm width, when tapped with a nylon hammer this sounded hollow indicating decay or dysfunction within; bark lifted on buttresses adjacent to this which may indicate adaptive growth where bark has popped off; at 1m above ground level on the west side a canker appears to have been established for some time - there is an absence of bark and when this area was tapped with a nylon hammer there was a hollow sound all around indicating decay or dysfunction within, and furthermore the trunk was flattened in this area indicating no growth; at a height of approx. 2m on north side there is a tear out wound of approx. 150mm diameter, there appears to be evidence of decayed heartwood within which when tapped with a hammer on east and west sides sounded hollow, there also appeared to be evidence of a potential crack from centre of tear out wound extending upwards; at approx. 3m on SW side there appears to be a canker which has caused a horizontal fissure in bark which appears to indicate a point of weakness within the trunk, which from this point leans away to the E indicating that failure could occur from this point; crown sparser than adjacent two trees; it has retained some leaves but these predominantly seem to be on W side and the rest of crown is particularly sparse; falling distance of private amenity area for adjacent flats and also the office buildings around; of imminent risk of collapse; of low guality, of low landscape value, and of little potential.	U

Root Protection Areas (RPAs)

Root Protection Areas have been calculated in accordance with paragraph 4.6.1 of the British Standard 'Trees in relation to design, demolition and construction – Recommendations', BS 5837: 2012. This is the minimum area which should be left undisturbed around each retained tree. RPAs are portrayed initially as a circle of a fixed radius from the centre of the trunk; but where there appear to be restrictions to root growth the circle is modified to reflect more accurately the likely distribution of roots.

Tree No.	Species	RPA	RPA Radius
1	Black locust	72.4m ²	4.8m
2	Black locust	72.4m ²	4.8m
3	Black locust	99.9m ²	5.64m

APPENDIX 2 Tree Locations Plan



APPENDIX 3 Tree Protection Plan

