

# Arboricultural Impact Assessment

For proposed development at:  
23 Rudall Crescent, London, NW3 1RR



Prepared by:  
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Date:  
7<sup>th</sup> July 2015

Project Ref: 145

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# 1 INTRODUCTION

- 1.1 I am instructed by Stephen Brandes Architects to prepare an Arboricultural Impact Assessment to form part of a planning application for proposed development at 23 Rudall Crescent, London NW3 1RR. .
- 1.2 I have been provided with the following information in preparation of this report:
- Existing Site Plan of Stephen Brandes Architects (Drawing ref: 567-001)
  - Proposed Site Plan of Stephen Brandes Architects (Drawing ref: 567-011)
- 1.3 A copy of my professional profile outlining my qualifications and experience is contained at Appendix 1.
- 1.4 I visited the site on 3<sup>rd</sup> June 2015. Unless otherwise stated all observations were made from ground level and tree dimensions were measured.

## 2 IMPACT ASSESSMENT

### The Site and Proposal

- 2.1 The existing site is the ground floor flat of a three-storey, semi-detached property that appears to be late Victorian in age.
- 2.2 The rear garden contains a Blue Lawson Cypress, other small trees and shrubs. In the adjoining rear garden at 21 Rudall Crescent there is a large, mature Silver Birch tree. At the front of the property there is a nearby Lime tree situated on the party boundary between nos. 19 and 21.
- 2.3 The site is situated within Hampstead Conservation Area.
- 2.4 There are no known Tree Preservation Orders that apply to the site or adjacent trees.
- 2.5 The proposal is for alterations and extension of the ground floor flat.

### Analysis

- 2.6 Details of the trees surveyed in the preparation of this report are contained in the Tree Survey Table at Appendix 2.
- 2.7 The Tree Survey Plan at Appendix 3 shows the location of the trees in relation to the existing site layout and their quality, as categorised in accordance with *"Trees in relation to design, demolition and construction – Recommendations"* (BS:5837:2012).
- 2.8 The categorisation is intended to assist in determining which trees should be removed or retained in the event of development. BS5837 is a standard reference document used by local planning authorities and the Planning Inspectorate when considering trees in the development context. The categories are summarised as follows:
- Category U: trees not worthy of retention because of their condition
  - Category A: trees of high quality
  - Category B: trees of moderate quality
  - Category C: trees of low quality
- 2.9 The numbers of trees, groups, hedges and woodlands identified by category was as follows:

	Trees	Shrubs	TOTALS
Category U	0	0	<b>0</b>
Category A	1	0	<b>1</b>
Category B	1	0	<b>1</b>
Category C	4	3	<b>7</b>
<b>TOTALS</b>	<b>6</b>	<b>3</b>	<b>9</b>

- 2.10 The Tree Constraints Plan at Appendix 4 shows the trees in relation to the existing and proposed site layout, along with the following information:
- Root Protection Areas (RPAs) - a layout design tool indicating the minimum area around a 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; and,
  - annotations in relation to the development proposals and arboricultural constraints.
- 2.11 The RPA of Silver Birch T1 has been modified from a circle to reflect likely limitations on root growth due to surrounding buildings, as follows:
- The extent of root growth beneath existing buildings has been reduced in its radial extent by 50%.
  - The radial extent of the RPA elsewhere has been uniformly increased to maintain the same overall area.
  - The possible effect of the walls limiting the root growth of Birch T1 beneath the application site has been ignored.

#### Silver Birch T1

- 2.12 Silver Birch T1 (Figure 1 overleaf) Figure 1 is a fully mature tree growing in the rear garden of 21 Rudall Crescent, immediately beyond the brick boundary wall. The tree has a history of crown reduction, which has been undertaken to an exceptionally high standard such that the tree retains a naturalistic crown shape.
- 2.13 The proposed footprint of the extension extends marginally into the RPA of T1, affecting less than 4% of the overall root protection area. As can be seen from the Tree Constraints Plan at Appendix 4.
- 2.14 On this basis and subject to appropriate controls, as specified in METHOD STATEMENTS below, this represents a negligible impact on the tree's health or appearance.

#### Blue Lawson Cypress T2

- 2.15 Blue Lawson Cypress T2 (Figure 2 overleaf) is situated close to the proposed extension at the side of the property.
- 2.16 The tree's crown would obstruct construction works and access around the building, once built. The tree is of low visual significance and is situated between buildings and is not prominent in the street scene or to the rear of the property. The removal of the tree will be adequately compensated for by suitable replacement planting of the garden area.





Figure 1 – Silver Birch T1



Figure 2 - Blue Lawson Cypress T2

#### Wild Plum S3, Wild Plum S4 and Magnolia S5

- 2.17 S3 to S5 are classified as shrubs as they fall below the size limit set for inclusion within a BS5837 survey, i.e. they have stem diameters below 75mm at breast height.
- 2.18 These shrubs are proposed for removal to allow re-landscaping of the garden area.

#### Cherry Laurel T6, Pear T7 and Pear T8

- 2.19 These are small garden trees that are of visual significance at a site level only.
- 2.20 Cherry laurel T6 is proposed for removal to allow re-landscaping of the garden area.
- 2.21 Pear T7 is situated too close to the proposed building footprint to be retained and Pear T8 is within the proposed building footprint.
- 2.22 The trees are not visible from Rudall Crescent and can only be seen from a small number of adjacent properties. They are of small stature and low visual significance. The loss of these trees will have no significant impact in the character of the Conservation Area.



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Lime T9

- 2.23 This tree is situated to the front of the property. Whilst the RPA extends up to the site boundary, existing hard surfaces will provide adequate protection of the ground against compaction from, for instance, delivery vehicles. No development impacts are anticipated for T9.



Figure 3 –Plum S3



Figure 4 - Plum S4



Figure 5 –Magnolia S5



Figure 6 –Cherry Laurel T6 (red arrow), Pear T7 (black arrow) and Pear T8 (light blue arrow)





Figure 7 - Lime T9

## Summary of Impacts

2.24 The proposed development will result in the removal and retention of trees and shrubs as summarised below.

	Trees		Shrubs	
	Retained	Removed	Retained	Removed
Category U				
Category A	1			
Category B	1			
Category C		4		3

2.25 The impact of the proposed works is considered low and will have no significant impact on the character of the Conservation Area.

2.26 Re-landscaping of the garden will provide adequate compensation for the proposed tree and shrub removals.



### **3 METHOD STATEMENTS**

#### **Enabling Tree Works**

- 3.1 The Tree works detailed within the Tree Survey Tables at Appendix 2 shall be carried out prior to all other development activities.

#### **Physical Protection Methods**

- 3.2 Following Enabling Tree Works but prior to all other development of the site, Tree Protective Fencing and Ground Protection shall be installed in accordance with the layout shown on the Tree Protection Plan at Appendix 5.
- 3.3 Tree Protective Fencing should be fit for the purpose of excluding construction activity taking into account the type, intensity and proximity of work taking place around the retained trees. Fencing should be maintained to ensure that it remains rigid and complete. Extracts from BS5837:2012 for suitable tree protective fencing is included at Appendix 6. Notices stating “Tree Protection Area – No Access” should be affixed to the fencing. A Suitable notice is included at Appendix 6.
- 3.4 Ground protection shall be fit for the purpose of preventing compaction or contamination of the Root Protection Area taking into account the type, intensity and proximity of work taking place around the retained trees. A suitable specification for Ground Protection is included at Appendix 7. Alternatively, proprietary ground protection such as Euromat by Eve Trakway Limited may be used.

#### **Site Facilities**

- 3.5 All site huts, parking, delivery and storage areas, welfare facilities, cement/plaster mixing areas etc., should be sited outside of the RPAs of trees to be retained.

#### **Services**

- 3.6 All services should be located outside of the RPAs of trees to be retained.
- 3.7 If services are proposed to pass through the RPAs of trees to be retained, the guidance available in “Volume 4: NJUG Guidelines for the Planning, Installation and Maintenance of Utility Apparatus in Proximity to Trees (Issue 2)” (NJUG, 2007, [www.njug.org.uk/publication/51/](http://www.njug.org.uk/publication/51/)) should be followed.

## 4 CONCLUSIONS

- 4.1 The existing site is the ground floor flat or a three-storey, semi-detached property that appears to be late Victorian in age. The rear garden contains a Blue Lawson Cypress, other small trees and shrubs. In the adjoining rear garden at 21 Rudall Crescent there is a large, mature Silver Birch trees. At the front of the property there is a nearby Lime tree situated on the party boundary between nos. 19 and 21.
- 4.2 The site is situated within Hampstead Conservation Area. There are no known Tree Preservation Orders that apply to the site or adjacent trees.
- 4.3 The proposal is for alterations and extension of the ground floor flat.
- 4.4 A survey of the trees and shrubs on site was undertaken in accordance with BS5837:2012. The numbers of trees, groups, hedges and woodlands identified by category was as follows:

	Trees	Shrubs	TOTALS
Category U	0	0	<b>0</b>
Category A	1	0	<b>1</b>
Category B	1	0	<b>1</b>
Category C	4	3	<b>7</b>
<b>TOTALS</b>	<b>6</b>	<b>3</b>	<b>9</b>

- 4.5 The proposed development will result in the removal of the 4 Category C trees and 3 Category C shrubs. The trees and shrubs proposed for removal are in the rear garden and not visible from Rudall Crescent. There are a small number of windows overlooking the rear garden, but the overall impact of the works on local amenity is considered low. There will be no significant impact on the character of the Conservation Area.
- 4.6 Tree Protection methods are proposed to ensure the health and longevity of the trees to be retained.

# APPENDIX 1



# Mr Oisin Kelly, Arboricultural Consultant (Freelance)

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## PROFILE

I am an Arboricultural Consultant with 24 years' experience across planning, subsidence, tree-risk management, aviation and utility sectors. I have regularly acted as an Expert Witness in relation to tree-related subsidence, tree-related property damage and personal injury, and alleged contraventions of tree preservation orders and felling licenses. I have appeared in Magistrates Court, County Court and High Court (including the Technology and Construction Court). I have provided written representations on planning appeals and have appeared at Hearings and Public Inquiries.

I provide arboricultural services to solicitors, planners, developers, local authorities, architects and their agents including

- Expert Witness in Arboriculture
- Tree Surveys (BS5837, hazard, subsidence)
- Arboricultural Impact Assessments
- Arboricultural Method Statements
- Arboricultural Clerk of Works
- Public Consultation
- Local Authority Consultation

## EXAMPLE PROJECTS

### Notable Court Cases:

Loftus-Brigham v Ealing LBC [2003] EWCA Civ 1490,

Eiles v Southwark LBC [2006] EWHC 1411 (TCC)

Berent v Family Mosaic Housing [2011] EWHC 1353 (TCC)

Lovett, Newman and Barton v Epping Forest District Council in Harlow Magistrates Court

### Planning & Development Cases

Bolingbroke Park is the former Middlesex University Cat Hill Campus site that is to be redeveloped for 231 residential units. I supported the Arboricultural elements of this sensitive project through planning consultation and during its construction (ongoing) by the production of Arboricultural Impact Assessments, Arboricultural Method Statements, Veteran Tree Management Plans and as an Arboricultural Clerk of Works.

Bell School Development Site is a residential development of 270 dwellings, comprising houses and apartments, including affordable housing and 100-bed student living accommodation for the Bell Language School. The site is in the Southern Fringe Growth Area of Cambridge. I supported the scheme from design through to planning consent, including consultation meetings with the local planning authority.

West Park and St Ebbas are ex-NHS Hospital Sites in Epsom that that were redeveloped in phases for residential housing of several hundred units. I supported the project through planning to construction.

I have supported various Councils in the redevelopment and infill development of sites on the Housing Revenue Account for affordable housing. I have provided support on these sensitive projects by provision of preliminary advice to inform feasibility and design, public consultation and consultation with the local planning authority.

## ACADEMIC QUALIFICATIONS

BSc Forestry (hons)

Diploma in Management Studies

## **Mr Oisin Kelly, Arboricultural Consultant (Freelance)**

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### **ACCREDITATIONS**

Utility Arboriculture UA1, UA2.1, UA5.1, UA5.2 – expired 18/02/2014

BESC PERSON Lines – expires 15/09/2015

CSCS Construction Site Operative – expires April 2019

Street Works - Signing, Lighting and Guarding – expires 06/06/2016

QTRA Trained – License expired

### **MEMBERSHIPS**

Member of the Academy of Experts

Chartered Biologist, Member of the Institute of Biology

### **CAREER HISTORY**

#### **Landscape Planning Group Limited 1997 – February 2015**

##### Principal Consultant: 2013 – 2015

To line manage and lead the Planning Team of Arboriculturists, Ecologists and Landscape Architects to meet sales and revenue targets. To manage projects within agreed deadlines, making maximum use of potential revenue opportunities, whilst maintaining client satisfaction.

##### Principal Consultant: 2008 – 2013

As above for delivery of Tree Risk Management services.

##### Regional Manager: 2006 – 2008

Regional Manager of Colchester Officer providing Arboriculture, Ecology and Landscape Services across planning, local government and risk management sectors.

##### Director of Technical Services: 2004 – 2006

To provide a focus for commercial innovation in technical skills, system evolution, equipment, software, hardware and R&D.

##### Head of Insurance of Services: 2002 – 2004

Main client contact and technical authority for provision of tree-related subsidence services to loss adjusters, engineers and insurers across the UK. Line Management of Arboricultural Consulting Staff and administrative support.

##### Consulting Arboriculturalist: 1997 - 2002

Fee earner specialising in tree-related subsidence.

#### **London Borough of Hounslow 1994-1997**

##### Senior Arboricultural Officer

#### **London Borough of Redbridge 1991 - 1994**

##### Assistant Arboricultural Officer

### **REFERENCES** - Available on request.

View my LinkedIn Profile at LinkedIn: <http://uk.linkedin.com/in/oisinkelly>

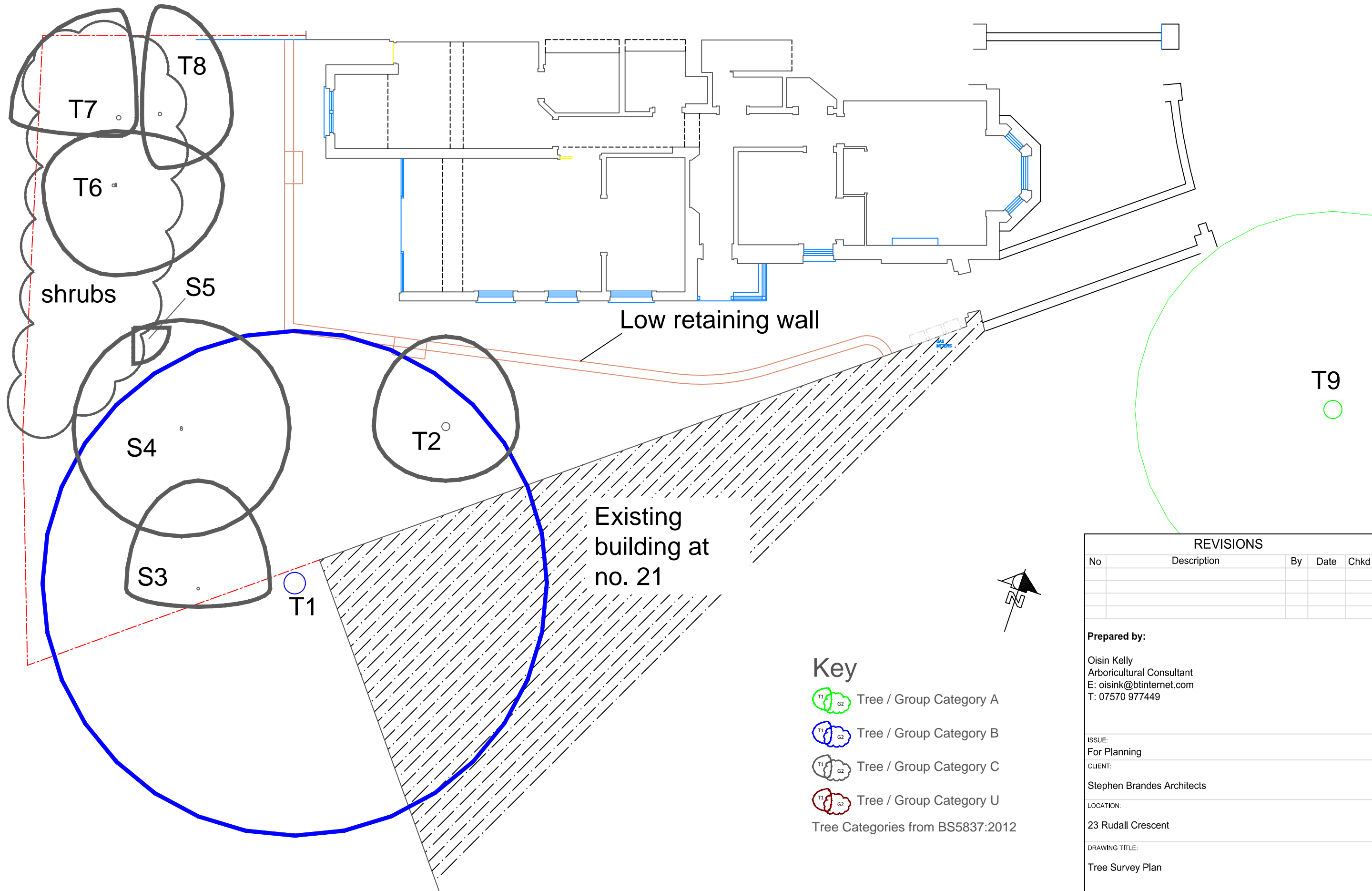
## APPENDIX 2



## Tree Survey at Rudall Crescent, London

Tree No.	Species	Age Range	Stem Diam @ 1.5m (mm)	Height (m)	Crown Spread				Crown Clearance	First Main Branch	Physiological Condition	Comments (incl. Structural condition)	Recommendations	Remaining contribution (Yrs)	Amenity	RPA Radius	RPA Area
					N	S	E	W									
T1	Silver Birch	FM	600 x1*	16	7	7	7	7	4	4S	G	Off site tree with no access for measurement. Leans slightly north. Past sensitive crown reduction.		20-40	B1	7.2	163
T2	Blue Lawson Cypress	MA	225 x1	11	2.5	1.5	2	2	0	-	G		Fell for development.	20-40	C1	2.7	23
S3	Wild Plum	SM	70 x1	4.2	3	0.5	2	2	1.5	2N	G		Fell to allow relandscaping of garden.	20-40	C1	0.8	2
S4	Wild Plum	SM	65 x1, 45 x1	5.5	3	3	3	3	1.6	-	G		Fell to allow relandscaping of garden.	20-40	C1	0.9	3
S5	Magnolia	YO	30 x1	2.5	0	1	1	0	0.5	0.5SE	G	Stem leans away from shrubs	Fell to allow relandscaping of garden.	20-40	C1	0.4	1
T6	Cherry Laurel	SM	80 x1, 40 x1, 50 x1	6.2	1.5	2.5	3	2	1.5	0E	G		Fell to allow relandscaping of garden.	20-40	C1	1.2	5
T7	Pear	EM	120 x1	4	3	0.5	0.5	3	2	2N	G	Leans east, topped @ 2m	Fell for development.	20-40	C1	1.4	6
T8	Pear	EM	100 x1	6.2	3	1.5	2	0.5	2	-	G		Fell for development.	20-40	C1	1.2	5
T9	Common Lime	MA	500 x1	14	5.5	5.5	5.5	5.5	6	5NW	G	Ivy covered stem, past sensitive reduction		40-	A1	6	113

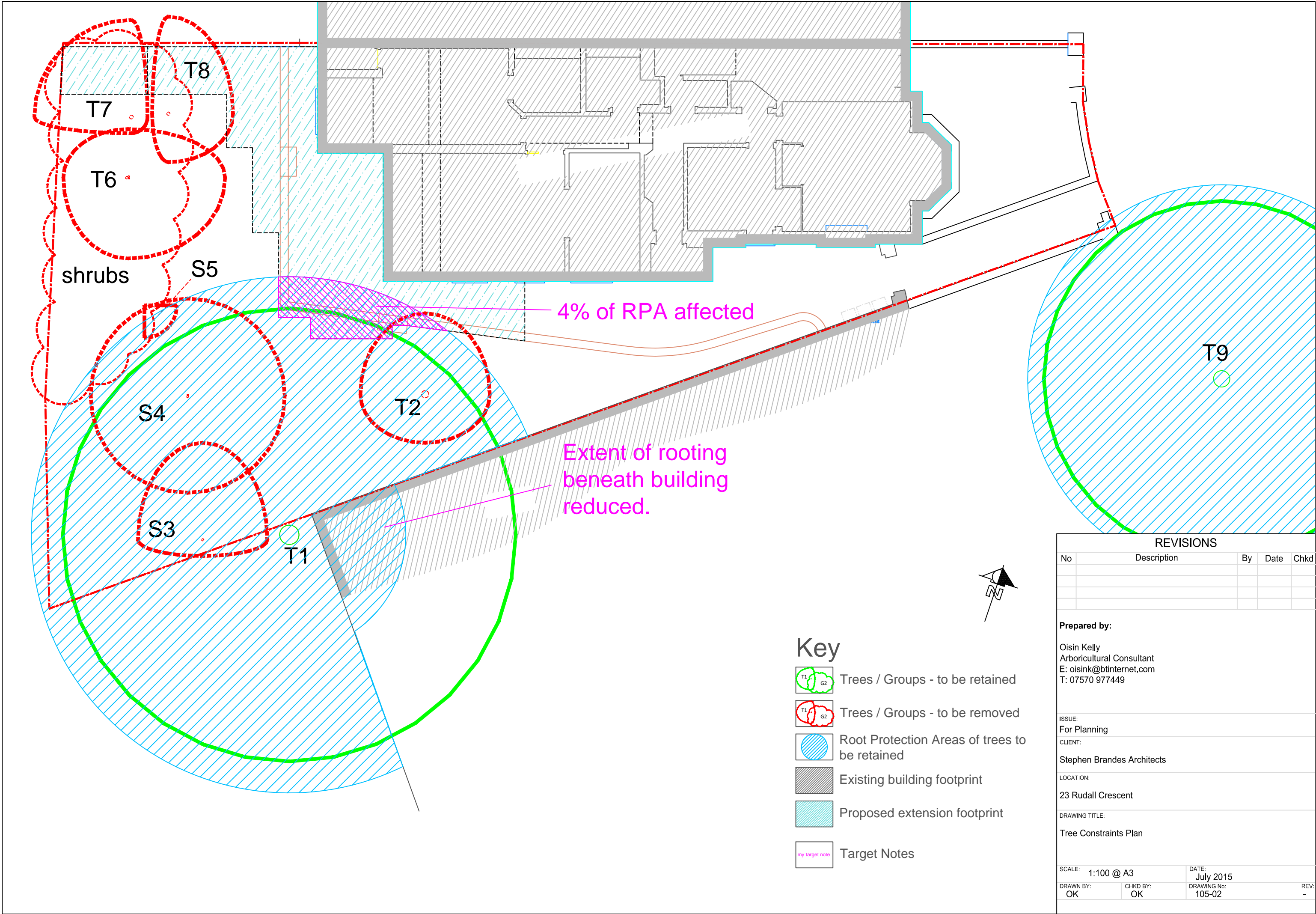
## APPENDIX 3



REVISIONS				
No	Description	By	Date	Chkd
<b>Prepared by:</b>				
Oisin Kelly Arboricultural Consultant E: oisink@btinternet.com T: 07570 977449				
<b>ISSUE:</b>				
For Planning				
<b>CLIENT:</b>				
Stephen Brandes Architects				
<b>LOCATION:</b>				
23 Rudall Crescent				
<b>DRAWING TITLE:</b>				
Tree Survey Plan				
<b>SCALE:</b> 1:100 @ A3			<b>DATE:</b> July 2015	
<b>DRAWN BY:</b> OK	<b>CHKD BY:</b> OK	<b>DRAWING No:</b> 105-01		<b>REV:</b> -

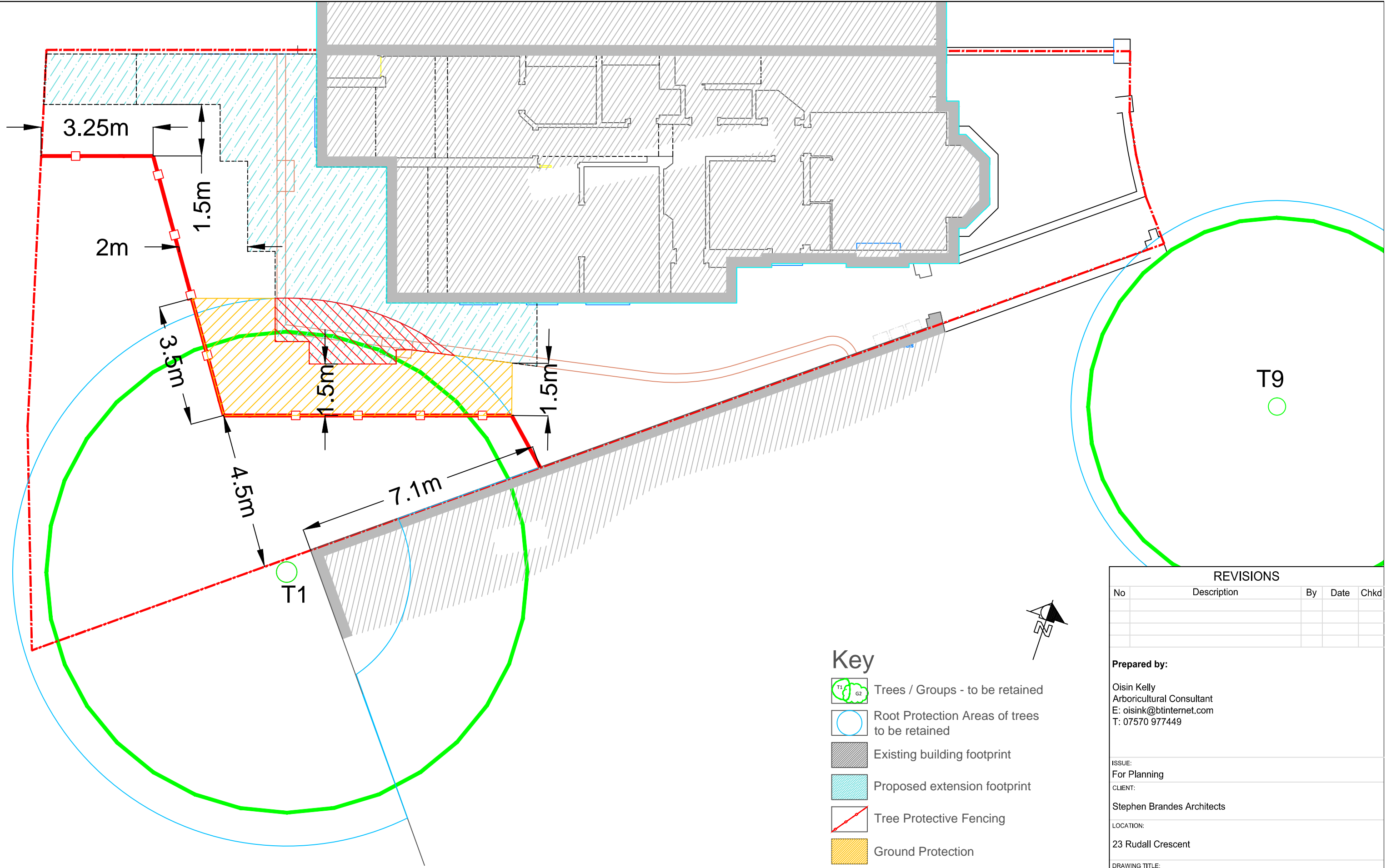


## APPENDIX 4



REVISIONS				
No	Description	By	Date	Chkd
Prepared by:				
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ISSUE:				
For Planning				
CLIENT:				
Stephen Brandes Architects				
LOCATION:				
23 Rudall Crescent				
DRAWING TITLE:				
Tree Constraints Plan				
SCALE: 1:100 @ A3		DATE: July 2015		
DRAWN BY: OK	CHKD BY: OK	DRAWING No: 105-02	REV: -	

## APPENDIX 5



**Key**

- Trees / Groups - to be retained
- Root Protection Areas of trees to be retained
- Existing building footprint
- Proposed extension footprint
- Tree Protective Fencing
- Ground Protection
- Controlled excavation
- Setting out dimensions for Tree Protection

REVISIONS				
No	Description	By	Date	Chkd
Prepared by:				
Oisin Kelly Arboricultural Consultant E: oisink@btinternet.com T: 07570 977449				
ISSUE:				
For Planning				
CLIENT:				
Stephen Brandes Architects				
LOCATION:				
23 Rudall Crescent				
DRAWING TITLE:				
Tree Protection Plan				
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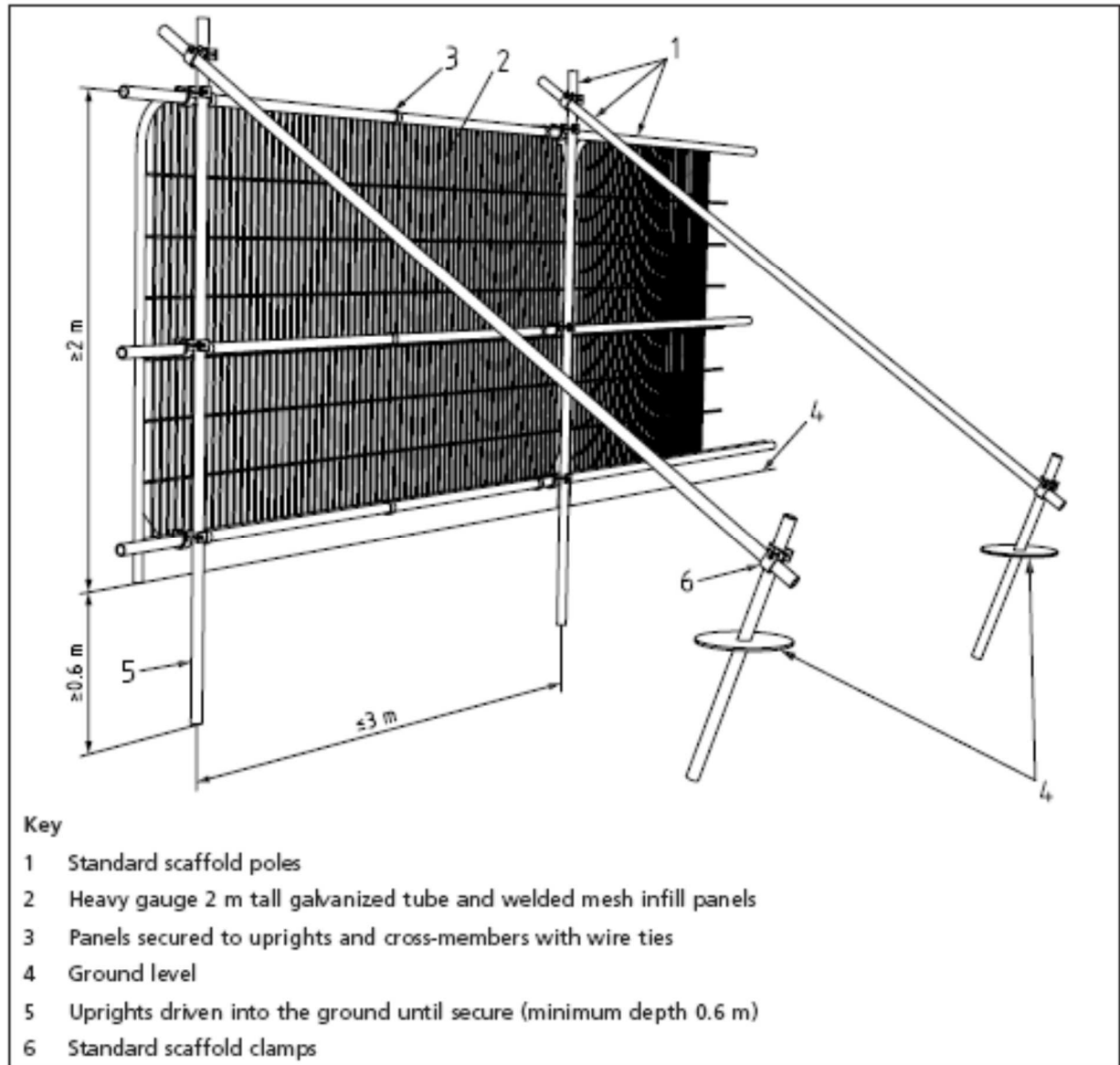


## APPENDIX 6

## Tree Protective Fencing

### Default Specification

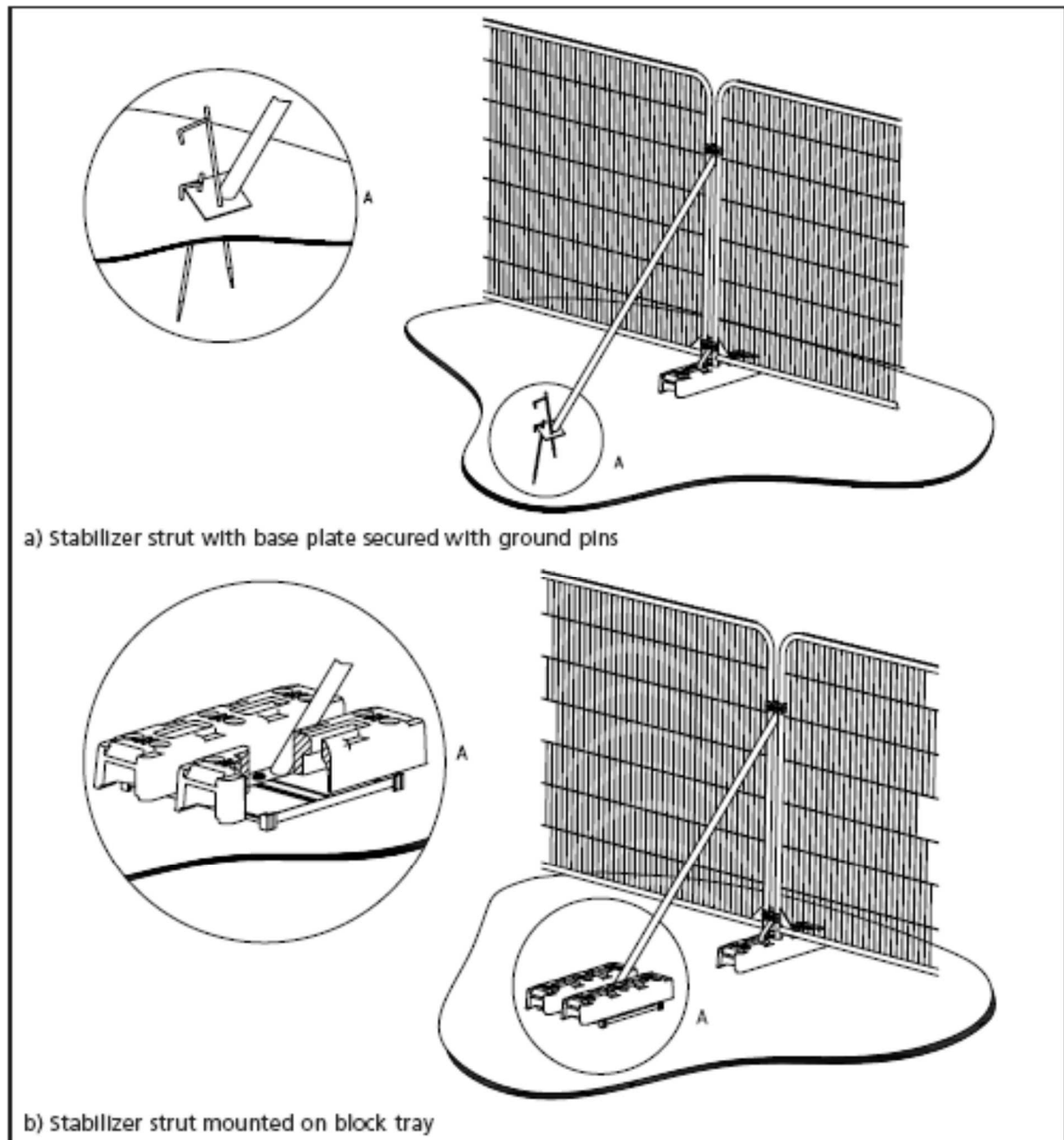
Taken from Figure 2 of BS5837:2012 "Trees in relation to design, demolition and construction – Recommendations"



## Tree Protective Fencing

### Alternative Specification

Taken from Figure 3 of BS5837:2012 "Trees in relation to design, demolition and construction – Recommendations"





# Tree Protection Area

## No Access

Contact: Oisin Kelly, Arboricultural Consultant

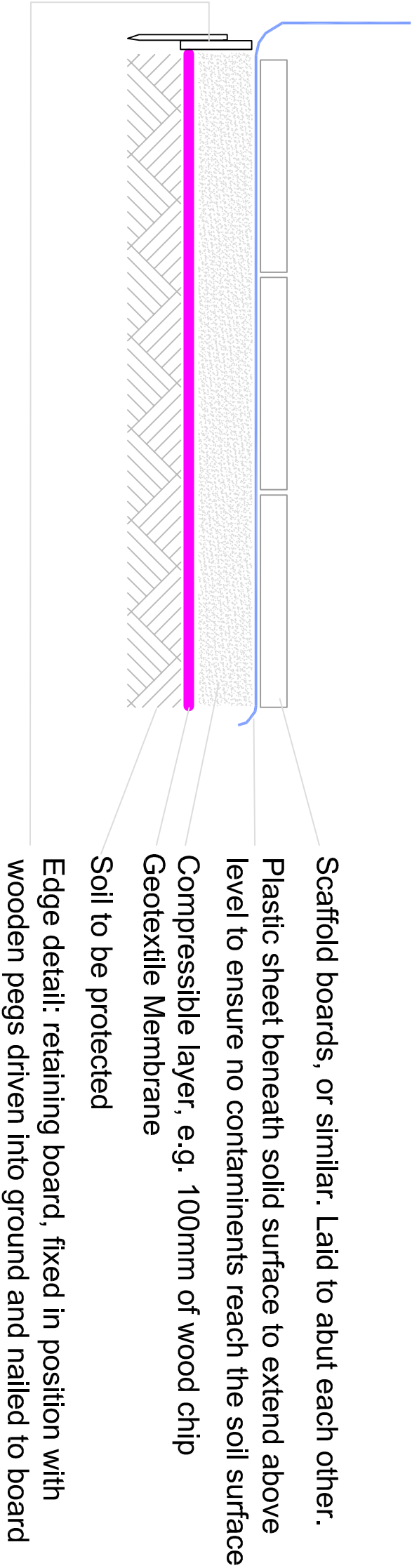
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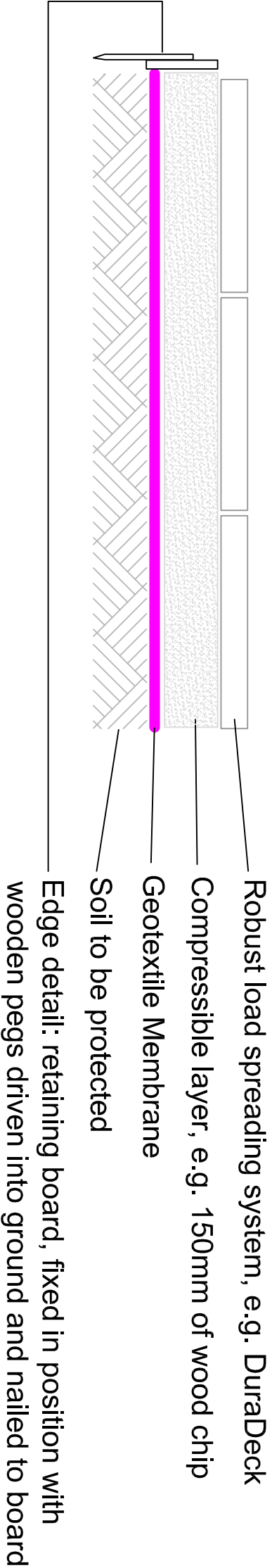
## APPENDIX 7



Ground protection for pedestrian traffic and beneath scaffolding within Root Protection Areas of Trees to be retained,



Ground protection for vehicular traffic within Root Protection Areas of Trees to be retained



**Drawing Title:**  
Ground Protection  
Based on BS5837:2012

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