

Arboricultural Report

**Assessment of trees in relation to development
for planning purposes**

37/39 Rudall Crescent
London
NW3 1RR

October 2012

221019-PD-11a

TIM M●YA ASSOCIATES



Project	37/39 Rudall Crescent, Hampstead, NW3 1RR
Report Type	Arboricultural Report for Planning
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1 SUMMARY REPORT

- 1.1 This arboricultural report has been commissioned by Mr B Howard to provide information to assist all parties involved in the planning process to make balanced judgements with regard to arboricultural features in relation to the proposed development at 37/39 Rudall Crescent, Hampstead, NW3 1RR.
- 1.2 The proposal is for the development of the two terraced properties at the above site including the construction of basements and ground floor extensions to the rear.
- 1.3 This report includes:
- an assessment of the trees, their quality and value and constraints to development posed by these;
 - the site context;
 - observations on the trees;
 - planning policies relevant to the consideration of the trees on the site;
 - the proposed new tree planting;
 - the impact of the proposed development upon the tree population in and around the site;
 - methods of reducing impacts on trees; and
 - measures to be taken to protect trees during the proposed works.
- 1.4 My conclusions are that the development proposal in respect of trees is acceptable in principle; and I have followed best practice guidance in the assessment of trees. The only significant tree relevant to the proposed development can be safeguarded through the development process by the erection of protective fencing and the use of ground protection.

2 INTRODUCTION

Instructions

- 2.1 My name is Tracy Clarke. I am an arboricultural consultant dealing with trees in relation to all forms of human activity including the built development. I am a Fellow of the Arboricultural Association, a Chartered Environmentalist, and I have a Higher National Diploma in arboriculture and a postgraduate qualification in arboriculture and community forest management from Middlesex University.
- 2.2 This report has been commissioned by Mr B Howard of 37 Rudall Crescent, Hampstead to support the application for the development, including extensions to the rear of 37 & 39 Rudall Crescent and the formation of basements.

Scope and limitations

- 2.3 The contents of this report are copyright of Tim Moya Associates and may not be distributed or copied without the author's permission. Tim Moya Associates standard Limitations of Service apply to this report and all associated work relating to this site. A copy has been supplied with our original quotation and further copies are available on request.

Background and documents provided

- 2.4 My report has been prepared with reference to the following supplied information:
- Architects layout, sections and elevations

Methodology and guidance

- 2.5 I have referred to British Standard 5837: Trees in relation to design, demolition and construction (2012) which provides a methodology for the assessment of trees and other significant vegetation on development sites.
- 2.6 BS 5837 (2012) is intended to assist decision making with regard to existing and proposed trees and sets out the principles and procedures to be applied to achieve a harmonious relationship between trees and structures that can be sustained for the long term.
- 2.7 The Building Research Establishment (BRE) has also produced several documents between 1998 and 2011 in relation to trees and site layout planning, sunlight,

daylight, shading and urban cooling. These documents consider trees and their relationship with buildings and garden usage, including the benefits they bring in terms of welcome shade or urban cooling, advising a balanced approach to these issues in design.

Supporting Information

- 2.8 All TMA documents relevant to this report are listed at section 9, and included within the Appendices.

3 OBSERVATIONS AND CONTEXT

Site visit

- 3.1 The site was visited by David Dearsly on 29th October 2012, to identify key trees and to inform the client team of the main tree constraints likely on the site.
- 3.2 The weather at the time of the visit was dry but overcast.

Present use of the site

- 3.3 The site contains two, two storey terraced residential properties with small rear gardens. The properties are both currently occupied.

Description of the local area

- 3.4 The site is located within a residential area of Hampstead within walking distance of the main high street which contains a number of shops and restaurants.

Trees in the local area

- 3.5 The wider area consists of built form with only a few significant trees present. The only significant tree relevant to this application is the sycamore in the neighbour's garden to the rear of 39 Rudall Crescent, marked as T3 on plan 221019-P-11b at Appendix A.

Soil conditions

- 3.6 Soil conditions will have a significant effect upon tree growth and will influence:
- The species that will grow successfully.
 - Rooting depths for different species.
 - The available soil volume that can be used by roots and therefore the likely tolerance of trees and other vegetation to soil disturbance
- 3.7 The British Geological Survey identifies the site as being within an area of a shrinkable clay soil, categorized by the British Geological Survey as being a Claygate Member.
- 3.8 Clay soils will support the growth of a wide range of tree species with some being capable of rooting to some depth. However, some tree species are not well adapted to growth in clay soils. Sycamore trees are reasonably successful on clay soils but do not grow so well in the south of England as they do further north.

Policy context

- 3.9 Planning policy at national level is set out in the government's National Planning Policy Framework (NPPF) which came into immediate effect on 27 March 2012. The NPPF replaces the previous national planning policy documents including Planning Policy Guidance (PPGs) and Planning Policy Statements (PPSs). The NPPF is a material consideration in determining planning applications.
- 3.10 The NPPF sets out overarching planning policy and at its core is a presumption in favour of sustainable development. Sustainable development is defined in the NPPF as having economic, social and environmental strands that are interdependent and in these areas planning should meet the needs of the present without compromising the ability of future generations to meet their own needs.
- 3.11 The NPPF states that planning should be “not only about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives.” And should “always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;” Also that planning should contribute to conserving and enhancing the natural environment and reducing pollution.”

-
- 3.12 The NPPF identifies thirteen aspects contributing to the delivery of sustainable development, including:
- establishing a strong sense of place;
 - responding to local character and history; and
 - providing developments that are visually attractive as a result of good architecture and appropriate landscaping
- 3.13 Paragraph 61 of the NPPF states “planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.”
- 3.14 The NPPF states that “planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland. Unless the need for, and benefits of, the development in that location clearly outweigh the loss”.

Regional Policy

- 3.15 Regional planning policy consists of the London Plan 2011 and associated policy documents including the recently published Climate Change Adaptation Strategy (Managing Risks and Increasing Resilience – October 2011).
- 3.16 Policy 7.21 of the London Plan 2011 calls for trees and woodlands to be maintained and enhanced. The policy requires that existing trees should be retained and that any loss as a result of development should be replaced in sustainable locations. The policy suggests that, where appropriate, large canopied species should be planted (rather than smaller ornamental species).
- 3.17 The Mayor’s climate change adaptation strategy recommends measures to be taken to reduce a building’s contribution to the urban heat island effect in London. These include:
- Incorporating green roofs, green walls and climbing plants.
 - Planting and managing deciduous trees to provide dense summer shade.
- 3.18 The London plan references the London Tree and Woodland Framework (LTWF) in Policy 7.21, which states: “The Mayor has published the Tree and Woodland Framework that promotes the guiding principle of ‘right place, right tree’, taking

account of the context within which a tree is to be planted and addressing the issue of planting species appropriate to expected future climates.”

- 3.19 The LTWF provides guidance on locations which are most suitable for the growth of trees. In particular it points out that trees are most needed where they can provide people with access to nature and that tree locations should be in positions where they can develop to maturity in harmony with the surroundings. In addition the strategy suggests that soil conditions should be suitable in terms of the resources that trees will require.

Unitary Development Plan

- 3.20 The Camden Unitary Development Plan adopted January 2007. Relevant policies to the consideration of trees, their setting and development include:
- 3.21 **Policy STRA 36 Metropolitan Open Land and Public Open Space** - Policy specifically to protect and encourage the enhancement of public access to, and enjoyment of, Metropolitan Open Land, as well as to protect and enhance the existing provision of open space and to promote its additional provision.
- 3.22 **Policy DES 12 Parks, gardens and Squares** - Does not permit development on or under parks, landscaped spaces, or gardens where the open space forms an important element in the townscape, part of a planned estate or street layout, are characteristic features of conservation areas, provide the setting for listed buildings, or are of significant ecological value. It also sets out protection given to London Squares (incl. civic spaces such as Trafalgar Square and Parliament Square), and English Heritage registered parks and gardens in Westminster. The policy protects open spaces by limiting development adjacent to them except where it would safeguard their appearance, setting and ecological value, and preserve their historic integrity and views.
- 3.23 **Policy ENV 14 Metropolitan Open Land** - Ensures the protection and enhancement of the Royal Parks, their settings, and the views from them.
- 3.24 **Policy ENV 15 Public and Private Open Space** - Assigns similar protection to public or private open space of amenity, recreational or nature conservation value, unless the [proposed] development is essential and ancillary to maintaining or enhancing that land as valuable open space.

-
- 3.25 **Policy ENV 16 Trees and Shrub Cover** - Protects trees in conservation areas and those subject to Tree Preservation Orders and protects trees which form part of a green corridor.

Statutory Tree Protection

- 3.26 According to Camden Borough Council's on line mapping facility the site is located within a conservation area and therefore subject to statutory protection.

4 TECHNICAL INFORMATION

Tree Data

- 4.1 The location of trees are shown on the tree survey drawing 221019-P-10 at Appendix A, this plan illustrates the location of trees and the extent of the spread of their crowns. Dimensions, comments and information for each tree are given in the tree schedule 221019-PD-10 at Appendix B.

Age profile

- 4.2 The only significant tree relevant to the development is the sycamore T3 which is of mature age class.

BS5837 category breakdown

- 4.3 Of the trees surveyed in relation to the development proposals the sycamore was assessed as being of moderate quality according to the BS5837 categorisation system (B category) and one tree was dead (U category). The remaining entries were categorised as being of low quality (C category) due to their size, condition and remaining contribution.

5 ANALYSIS OF THE PROPOSAL IN RESPECT OF TREES

Proposed development

Proposed development

- 5.1 The layout for the proposed development is shown on plan 221019-P-11b at Appendix A and is for the formation of basements and rear extensions to 37 & 39 Rudall Crescent. The proposal requires the removal of the small holly tree T2 in the front garden of number 39; however the Cherry tree (T4) in the rear garden of number 39 is dead and should be removed as well.

6 DISCUSSION

General Change

- 6.1 There will be very limited impact upon visual amenity through the loss of trees as the only tree requiring removal is the small holly T2, which due to its size is hardly visible. The cherry tree T4 does require removal but this is due to arboricultural reasons and not because of construction activity.
- 6.2 There will be some minimal encroachment into the root protection area of the neighbouring sycamore. The extent of encroachment is shown on the tree protection plan at Appendix A and is approximately 1.7% of the total area. This negligible amount of encroachment is at the furthest extent and will not have a detrimental impact upon the health and stability of the tree. Root pruning of this nature could be carried out under common law right.

How do the changes relate to planning policy?

- 6.3 I have ensured that the proposal has been assessed carefully in terms of design in relation to retained trees. I have advised on the need for appropriate protective fencing to be erected and the laying of suitable ground protection to be used throughout the construction process. The significant trees can be safely retained subject to tree protection methods being implemented. Provided there are robust conditions to control works on the site, the proposal does not conflict with the Camden Borough Council's policies and the London Plan 2011.

7 CONCLUSIONS

Sustainable development

- 7.1 The design of the proposal has considered the potential constraints of the trees on site and that the impact from the development is minimal.
- 7.2 Subject to the implementation tree protection measures as described root damage to the significant trees will be kept to an absolute minimum and the potential development in the location shown is not likely to affect the long term health of the trees.
- 7.3 As the only tree lost due to the development is the small holly T2 in the front garden of 39 Rudall Crescent and there will be no significant impact on important trees as a result of the development, the proposal complies with the requirements of National, regional and local policies and guidance in relation to the trees and their important setting.

8 RECOMMENDATIONS

The use of planning conditions to safeguard trees

8.1 Section 197 of the Town and Country Planning Act 1990 places a duty on the Local Planning Authority to ensure that planning permissions are granted making adequate provision for the preservation and planting of trees by the imposition of conditions.

8.2 Planning conditions can include:

- The provision of tree protection to protect retained trees during development
- The provision of new tree planting

9 TMA SUPPORTING INFORMATION

Document	Reference	Revision
Tree Schedule	221019-PD-10	
Tree Survey	221019-P-10	
Proposed layout and tree removals	221019-P-11b	
Tree Protection Plan	221019-P-12b	
Tree Protection Specification	221019-P-13	

APPENDIX A

Tree Survey 221019-P-10

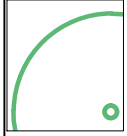
Proposed Layout and Tree removal 221019-P-11b

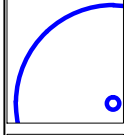
Tree Protection Plan 221019-P-12b

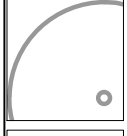
Tree Protection Specification 221019-P-13

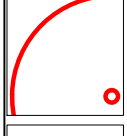
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BS 5837:2012 TREE RETENTION CATEGORIES

- 

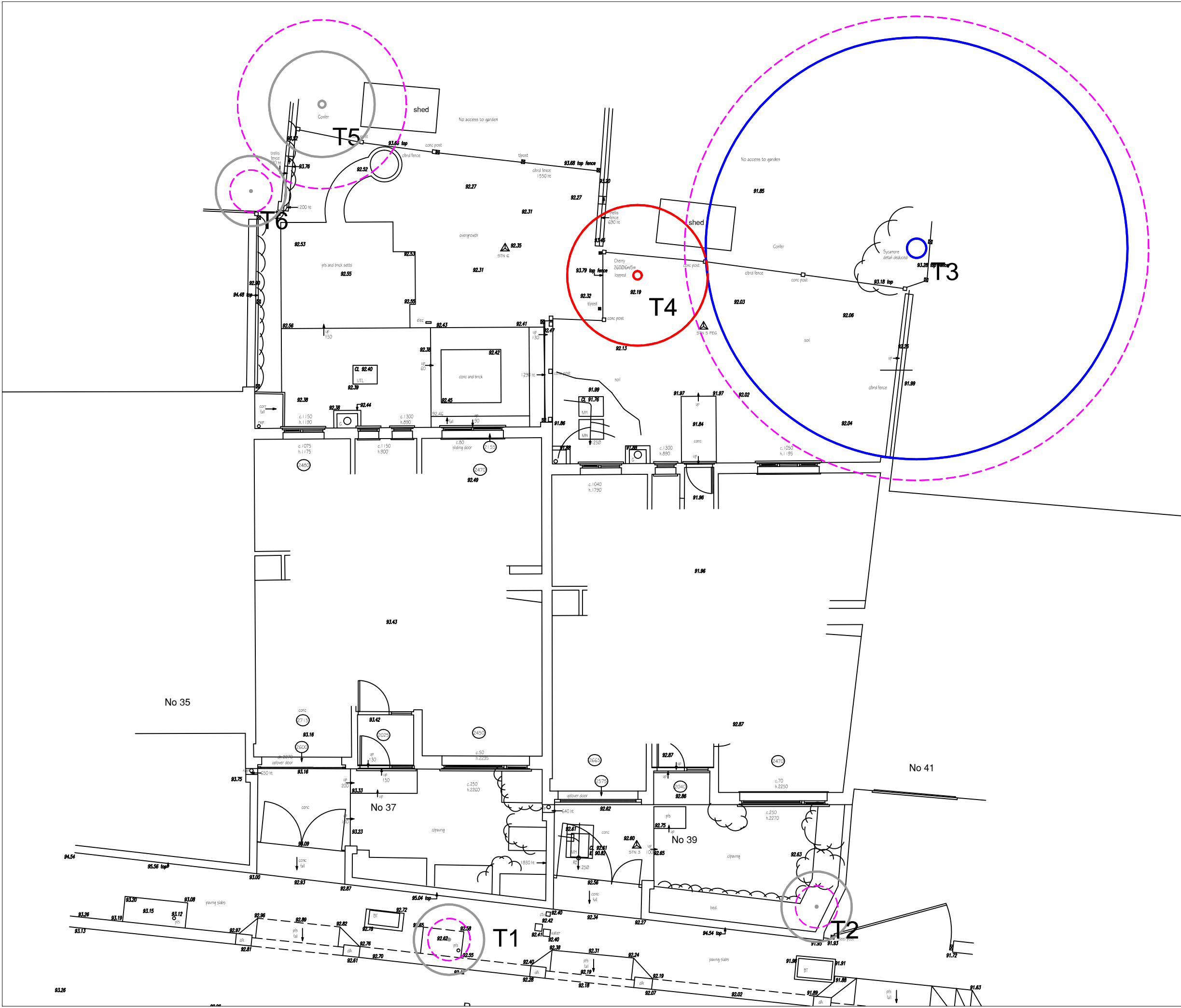
Category A
Trees of high quality and value: in such a condition as to be able to make substantial contribution (a minimum of 40 years is suggested)
- 

Category B
Trees of moderate quality and value: those in such a condition as to make a significant contribution (a minimum of 20 years is suggested)
- 

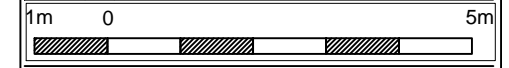
Category C
Trees of low quality and value: currently in adequate condition to remain until new planting could be established (a minimum of 10 years is suggested), or young trees with a stem diameter below 150mm.
- 

Category U
Those in such a condition that the tree cannot realistically be retained as living trees in the context of the current land use for longer than 10 years.
- 

BS5837 Root Protection Areas
Precautionary areas within which tree roots and soil structure must be protected. All works within these areas will require special methods of work.



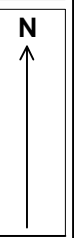
REVISIONS	
Base Drawing	



Title
Tree Survey

Client
Bernard Howard

Project
37 & 39 Rudall crescent



Date October 2012	Drawn by HR
Drawing No 221019-P-10	Rev -
Scale 1:100 @ A3	

DO NOT SCALE Use only figured dimensions

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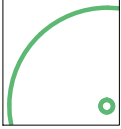
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Chalk Lane
Harlow
Essex CM17 0PF

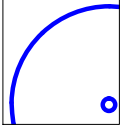
Tel: 0845 094 3268
Fax: 0845 094 3269

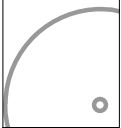
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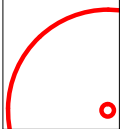
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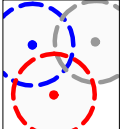
BS 5837:2012 TREE RETENTION CATEGORIES


- 

Category A
Trees of high quality and value: in such a condition as to be able to make substantial contribution (a minimum of 40 years is suggested)
- 

Category B
Trees of moderate quality and value: those in such a condition as to make a significant contribution (a minimum of 20 years is suggested)
- 

Category C
Trees of low quality and value: currently in adequate condition to remain until new planting could be established (a minimum of 10 years is suggested), or young trees with a stem diameter below 150mm.
- 

Category U
Those in such a condition that the tree cannot realistically be retained as living trees in the context of the current land use for longer than 10 years.
- 

Trees to be removed shown dashed
- 

Area of proposed basement

08/11/12	b	083.01.21(D) PR BGC Plan.dwg
08/11/12	a	083.01.21 PR LGF Plan
REVISIONS		
Base Drawing		
		1 083.01.21 (D) PR BGC Plan.dwg



Title
Proposed Layout & Tree Removals

Client
Bernard Howard

Project
37 & 39 Rudall Crescent

Date October 2012	Drawn by HR
Drawing No 221019-P-11	Rev b
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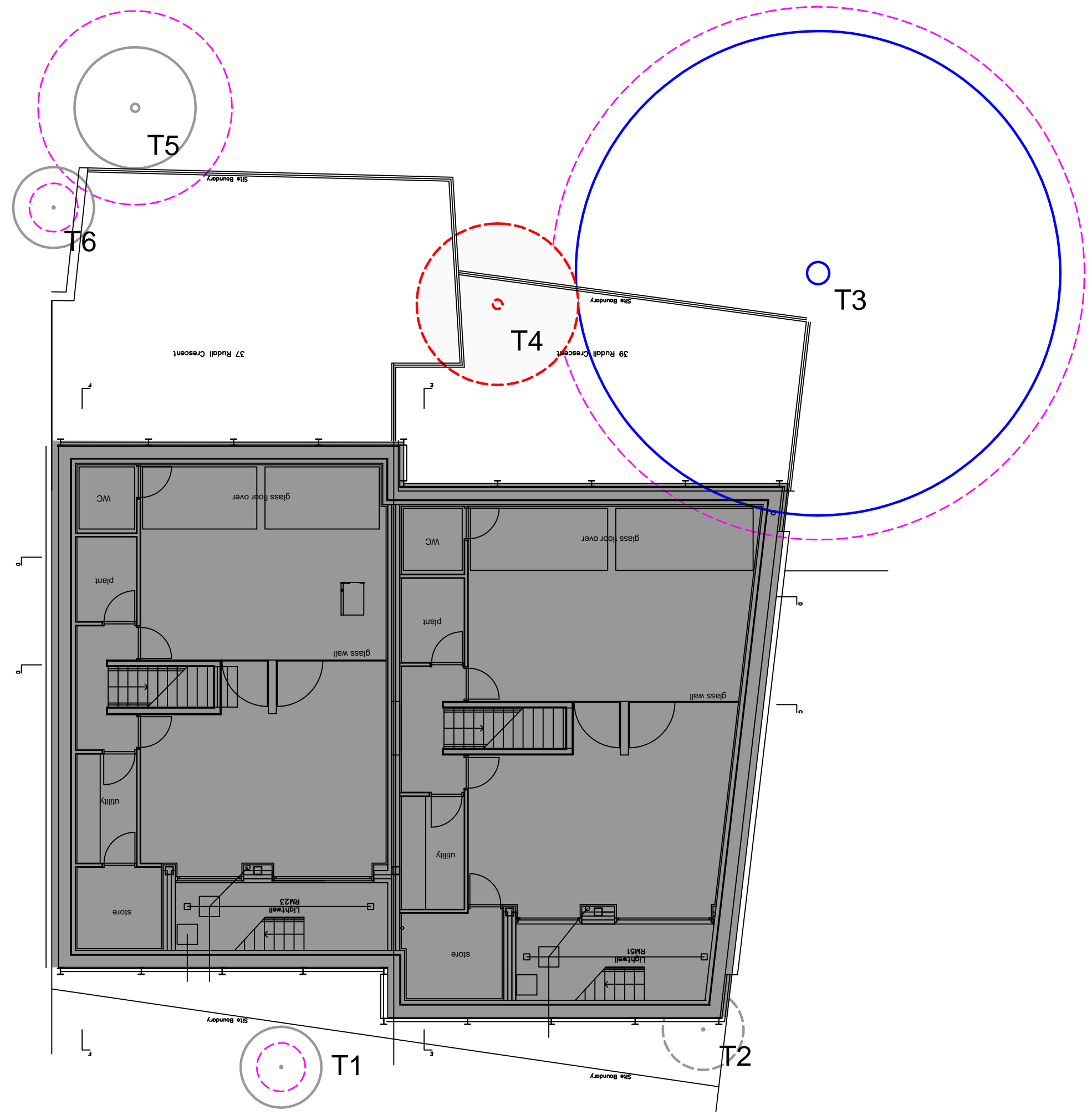
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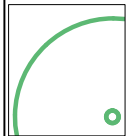
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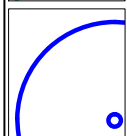
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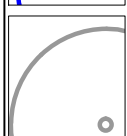


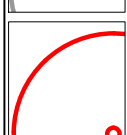
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BS 5837:2012 TREE RETENTION CATEGORIES


- 


Category A
Trees of high quality and value; in such a condition as to be able to make substantial contribution (a minimum of 40 years is suggested)
 - 

Category B
Trees of moderate quality and value; those in such a condition as to make a significant contribution (a minimum of 20 years is suggested)
 - 

Category C
Trees of low quality and value; currently in adequate condition to remain until new planting could be established (a minimum of 10 years is suggested), or young trees with a stem diameter below 150mm.
 - 

Category U
Those in such a condition that the tree cannot realistically be retained as living trees in the context of the current land use for longer than 10 years.
- 

Position of protective fencing and tree protection zones.
 - 

Area of ground protection
 - 

Area of proposed basement

05/11/12	b	083.01.21(D) Pr. BG Plan.dwg
05/11/12	a	083.01.20 Pr. LDF Plan

REVISIONS	
Base Drawing	
-	1083.01.21(D) Pr. BG Plan.dwg



Title
Tree Protection Plan

Client
Bernard Howard

Project
37 & 39 Rudall Crescent

Date
October 2012

Drawn by
KL

Drawing No
221019-P-12

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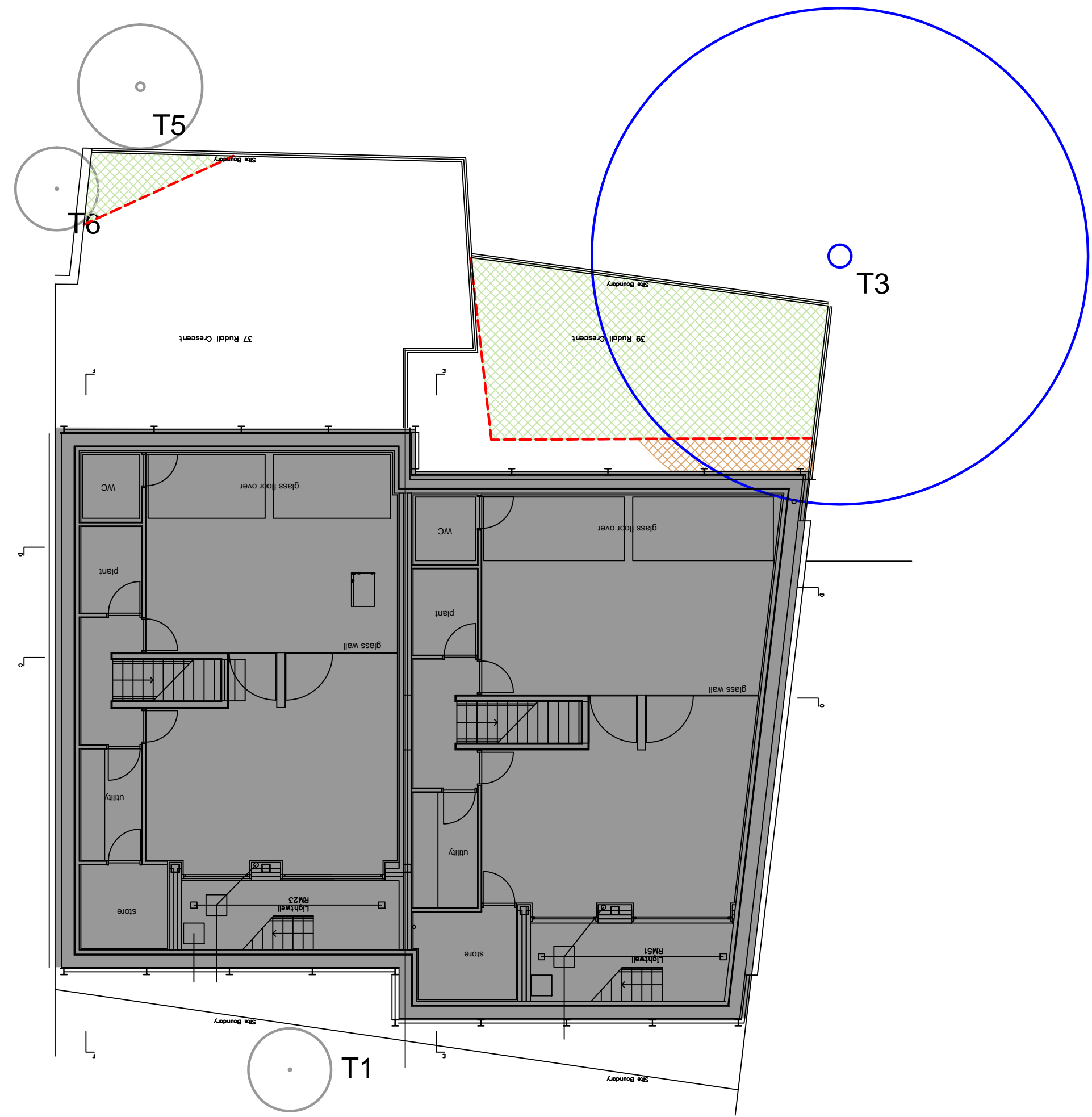
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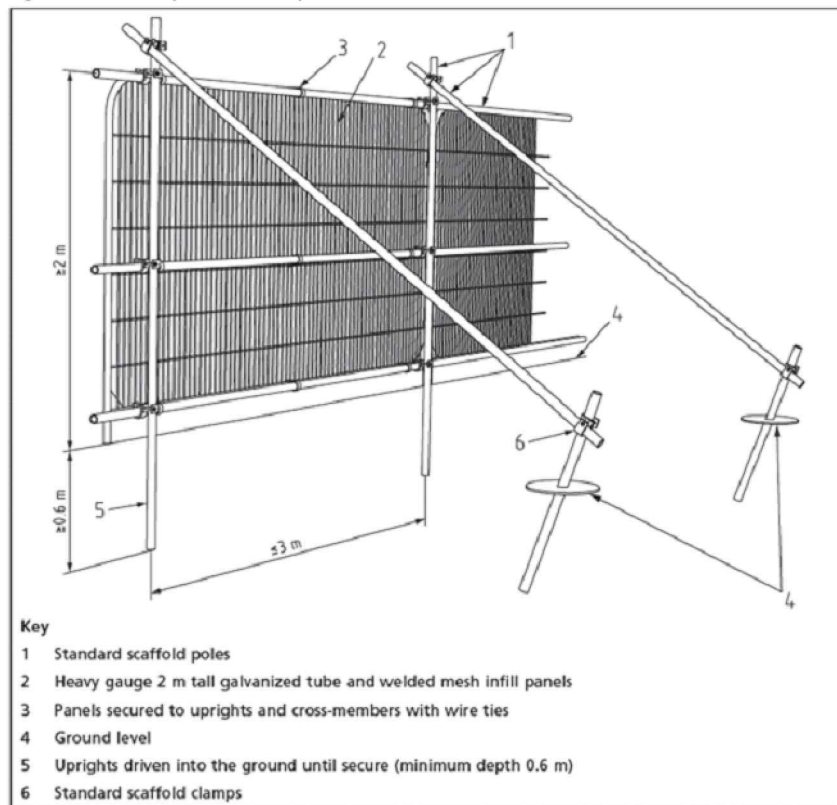
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Protective Fencing Specification



Scaffold within Root Protection Area Specification

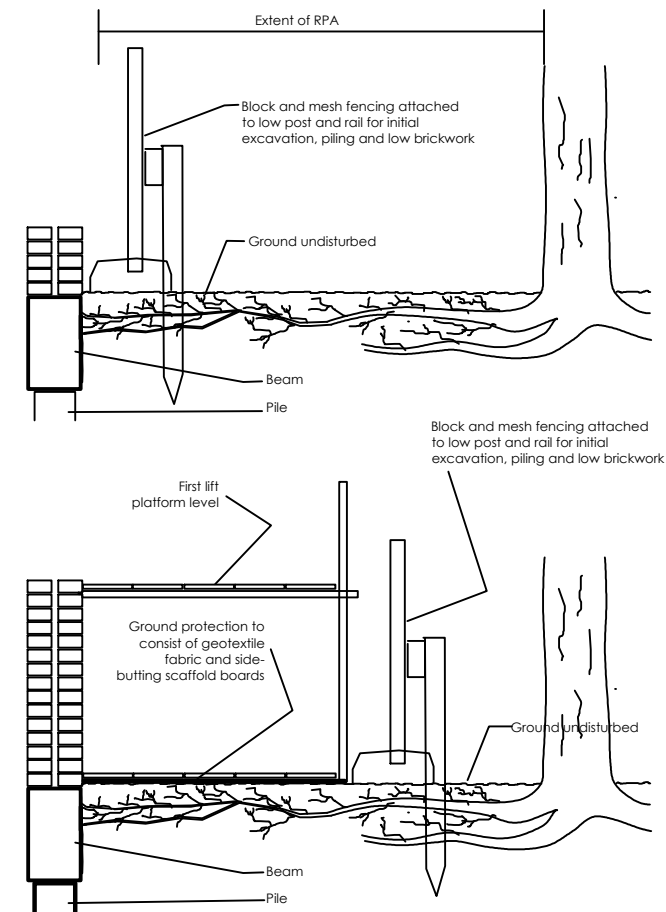
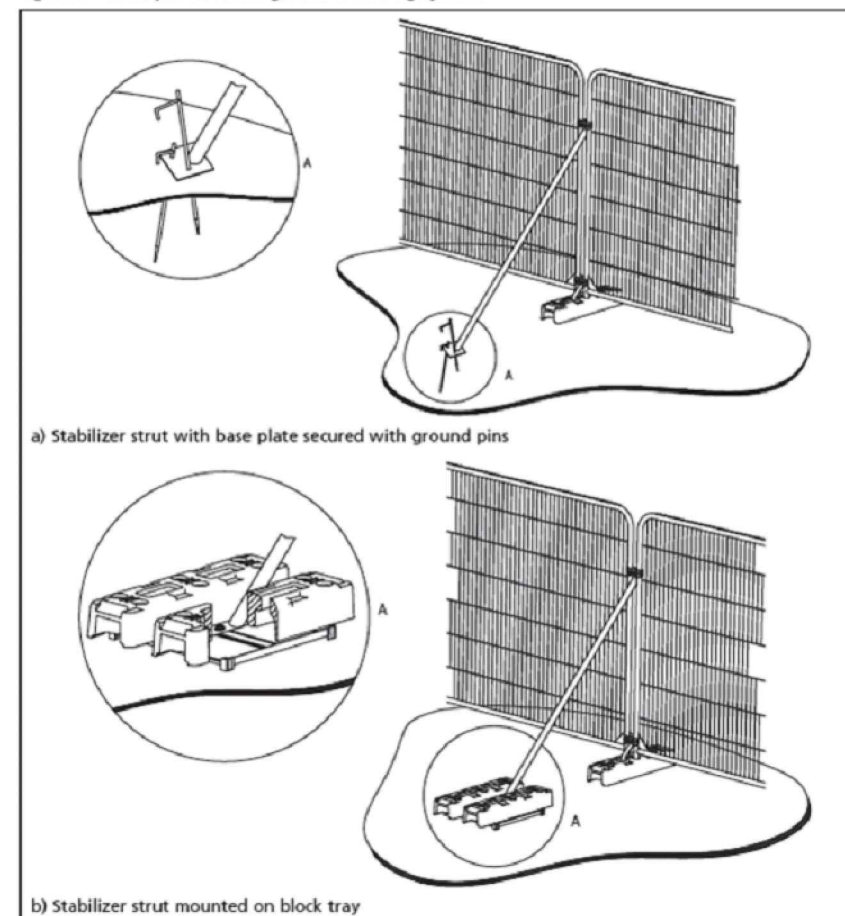


Figure 3 Examples of above-ground stabilizing systems



REVISIONS		
Title		N ↑
Tree Protection Specification		
Client		
Bernard Howard		
Project		
37 & 39 Rudall crescent		
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		KL
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		NTS @A3
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APPENDIX B

Tree schedule

37 & 39 Rudall Crescent Hampstead London NW3 1RR

Tree/Group Number	No. of Trees	Species	Height (m)	Average stem diameter (cm)	DIMENSIONS					Crown Clearance (m)	Life stage	Condition Notes Recommendations	RPA (m ²)	RPR (m)	Life expectancy (yrs)	BS Category
					No. of Stems	Spread N (m)	Spread E (m)	Spread S (m)	Spread W (m)							
Tree 1	1	<i>Crataegus monogyna</i> Common hawthorn	4.0	3	1	1.0	1.0	1.0	1.0	2.0	Young	Structural condition Fair. Physiological condition Fair. No significant faults observed. LA owned tree.	0.4	0.4	20-40	C1
Tree 2	1	<i>Ilex aquifolium</i> Holly	3.0	5	1	1.0	1.0	1.0	1.0	1.0	Young	Structural condition Fair. Physiological condition Fair. No significant faults observed.	1.1	0.6	20-40	C1
Tree 3	1	<i>Acer pseudoplatanus</i> Sycamore	15.0	55	1	6.0	6.0	6.0	6.0	4.0	Mature	Structural condition Fair. Physiological condition Fair. Access to inspect base - Not possible. Ivy or climbing plant. DBH is approximate as could not get access to the tree. Could not fully inspect stem due to dense ivy cover. Crown height 7m. 3rd party tree.	136.8	6.6	20-40	B1
Tree 4	1	<i>Prunus sp.</i> Prunus sp.	5.0	24	1	2.0	2.0	2.0	2.0	1.5	Semi Mature	Structural condition Poor. Physiological condition Dead. Fell - Ground level	26.1	2.9	0-10	U
Tree 5	1	<i>Chamaecyparis lawsoniana</i> Lawson's cypress	7.0	20	1	1.5	1.5	1.5	1.5	1.5	Early Mature	Structural condition Fair. Physiological condition Fair. No significant faults observed. 3rd party tree.	18.1	2.4	20-40	C1
Tree 6	1	<i>Sorbus aucuparia</i> Rowan	4.0	5	1	1.0	1.0	1.0	1.0	1.0	Young	Structural condition Fair. Physiological condition Fair. No significant faults observed. 3rd party tree.	1.1	0.6	20-40	C1

Stem green= estimated

Category and definition	Criteria (including subcategories where appropriate)			Identification on plan
Trees unsuitable for retention (see note)				
<p>Category U</p> <p>Those in such a condition that they cannot realistically be retained as living trees in the context of the current land use for longer than 10 years</p>	<ul style="list-style-type: none"> * Trees that have a serious, irremediable, structural defect, such that their early loss is expected due to collapse, including those that will become 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 health and/or safety of other trees nearby, or very low quality trees suppressing adjacent trees of better quality 			RED
<p><i>NOTE Category U trees can have existing or potential conservation value which it might be desirable to preserve; see 4.5.7</i></p>				
Trees to be considered for retention				
<p style="text-align: center;">1 Mainly arboricultural qualities 2 Mainly landscape qualities 3 Mainly cultural values, including conservation</p>				
<p>Category A</p> <p>Trees of high quality with an estimated remaining life expectancy of at least 40 years</p>	<p>Tree that are particularly good examples of their species, especially if rare or unusual; or those that are essential components of groups or formal or semi-formal arboricultural features (e.g. the dominant and/or principal trees within an avenue)</p>	<p>Trees, groups or woodlands of particular visual importance as arboricultural and/or landscape features</p>	<p>Trees, groups or woodlands of significant conservation, historical, commemorative or other value (e.g. veteran trees or wood-pasture)</p>	GREEN
<p>Category B</p> <p>Trees of moderate quality with an estimated remaining life expectancy of at least 20 years</p>	<p>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 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</p>	<p>Trees present in numbers, usually growing as groups or woodlands, such that they attract a higher collective rating than they might as individuals; or trees occurring as collectives but situated so as to make little visual contribution to the wider locality</p>	<p>Trees with material conservation or other cultural value</p>	BLUE
<p>Category C</p> <p>Trees of low quality with an estimated remaining life expectancy of at least 10 years, or young trees with a stem diameter below 150 mm</p>	<p>Unremarkable trees of very limited merit or such impaired condition that they do not qualify in higher categories</p>	<p>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/transient landscape benefits</p>	<p>Trees with no material conservation or other cultural value</p>	GRAY

- Feasibility Tree Surveys
- British Standard 5837 Tree Surveys
- Tree Constraints Reports & Drawings
- Appeal Statements & Proofs
- Expert Witness
- Evidence at Hearings & Public Inquiries
- Method Statements to Satisfy Planning Conditions
- Design Solutions
- Landscape Plans
- Tender Documents & Drawings
- Supervision & Inspection of Works
- Contract & Project Management
- Health & Safety Surveys
- GPS Surveys
- Computerised Tree Population Surveys
- CAD Plans & Consultancy
- Subsidence Risk Assessments
- Mortgage & Insurance Reports
- TPO Review
- Local Government Officer Contracts
- Arboricultural & Ecological Reports for Planning
- Habitat Surveys (Extended Phase 1/ Walkover/ Botanical)
- Protected Species Surveys
- Ecological Mitigation & Licencing
- BREEM & CFSH
- Ecological Management Plans
- Hedgerow Surveys
- Landscape Analysis



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