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**Arboricultural
Impact Assessment
in connection with redevelopment at
59 Dartmouth Park Road, London
NW5 1SL**

Prepared by
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Report Reference: D2242AIAv2

Report Date: 17th January 2023

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Plan AC01

1 INTRODUCTION

- 1.1 **Brief:** I have been instructed by Bradley Van Der Straeten Architects for the applicant to inspect the significant trees close to the proposed redevelopment at 59 Dartmouth Park Road, London NW5 1SL and to provide advice on the successful retention and incorporation of trees of amenity value within and closely adjacent to the site and the proposals. In addition this report includes the following information in connection with the planning application:-
- a schedule of the relevant trees giving dimension data and an assessment of their condition; and
 - an assessment of the layout proposal with appropriate suggestions for reducing any impact on amenity.
- 1.2 **Proposed development:** The development proposed is lower ground floor alterations to the existing dwelling and associated works at 59 Dartmouth Park Road, London NW5 1SL
- 1.3 **Documents provided:** I have been provided with the Bradley Van Der Straeten Architects 'Site Plan' drawing no. 461 A-0.1.0 Revision PL 1 dated 24.10.2022 based on the site survey and indicating the positions of trees on and adjacent to the site, with the proposed siting of the development. An annotated copy of this drawing with tree schedule numbering, tree root protection areas (RPAs) and indicating the location of special measures in respect of trees is attached as Plan AC01.
- 1.4 **Qualifications and experience:** I have based this report on my site observations and the provided information, and I have come to conclusions in the light of my experience. I have experience and qualifications in arboriculture, details of which are listed in Appendix 1.
- 1.5 **Tree constraints:** I have not myself seen specific tree preservation orders (TPOs) relating to this site. The London Borough of Camden planning website is silent on TPOs, although it seems unlikely that the trees included in the tree schedule for this site would be the subject of individual TPOs. However, the website shows the site to be within the Dartmouth Park Conservation Area. The proposal is to retain the trees (and see paragraph 3.2 below) and consider them in the planning submissions as if they were formally protected. In any event this arboricultural impact assessment has been prepared in acknowledgement of the general planning principle that trees are a material consideration in the planning process, and in tacit acknowledgment of the Council's relevant tree policies.

- 1.6 **Validation:** Typically, the Local Planning Authority requirement for a planning application for a site where trees are involved is for the submissions of a tree schedule, a tree constraints plan and an arboricultural impact assessment report in line with the BS5837:2012 recommendations. This D2242AIA report has been prepared in line with the BS5837:2012 recommendations and should allow the planning application to be validated in respect of tree information.
- 1.7 **Council comments:** I have seen an email of 17th January 2023 from the London Borough of Camden planning case officer reporting comments from the Council's Tree Officer. The Tree Officer found the arboricultural submissions (my report D2242AIA) mostly acceptable but wanted to see the ground protection provisions extended to include the plum trees T3 and T4 on adjacent property. The arboricultural report has been revised as D2242AIAV2 to comply, with additional annotations to the site plan now my plan AC01, attached, and revisions to the propose tree protection at Section 5 below.

2 SITE VISIT AND OBSERVATIONS

- 2.1 **Site visit:** I carried out a site visit on 13th September 2022 to collect tree information to enable me to prepare the tree schedule. All my observations were from ground level without detailed investigations and I estimated all dimensions unless otherwise indicated. I did not have permissive access to trees outside the boundaries and have confined observations of them to what was visible from within the property. The weather at the time of the inspection was dry and overcast with a light breeze and good visibility.
- 2.2 **Collection of data:** I inspected each significant tree, and the numbering is indicated on the annotated site layout attached as Plan AC01. For each tree, I collected information as recommended in BS5837:2012 – *Trees in relation to design, demolition and construction - Recommendations*. I have recorded this information in the tree schedule at Appendix 2.
- 2.3 **Subjective assessment of trees:** The information collected at the site visit was used to prepare a tree schedule in line with the recommendations in BS5837:2012. Trees are categorised on the basis of their suitability for retention on a development site, and brief details of the reasons for each category allocation are provided. There are four categories, which are summarised below:
- | | |
|--------------------|---|
| Category A: | Trees of high quality and value |
| Category B: | Trees of moderate quality and value |
| Category C: | Trees of low quality and value |
| Category U: | Trees unsuitable for retention, usually to be removed |

- 2.4 **The root protection areas (RPAs) and location of protective fencing:** BS5837:2012 gives recommendations for the areas of root protection to be equivalent to the area of a circle centred on the tree with a radius of least 12 times the trunk diameter. This distance is given for guidance for each tree in the tree schedule. In practice the extent of the RPA may vary depending on specific site circumstances and may be shown as an irregular polyhedron; and the siting of the specific protection measures may be different. The implication of the RPA is that no significant disturbance should occur within it if the trees are to be successfully retained.

3 **ARBORICULTURAL IMPACT APPRAISAL - TREES**

- 3.1 **Overview:** The significant trees relating to the proposed development are in the rear garden and in adjacent properties on either side of 59 Dartmouth Park Road. In the rear garden the trees and shrubs are generally small ornamental with fruit trees. The exception is a silver birch T1 near the veranda on the rear elevation of the house. This is a semi-mature tree appearing to be in normal health and condition. The pear tree T8 is reasonably substantial for a fruit tree. The trees in the rear garden have small public amenity significance. On adjacent properties the trees are fruit trees or large shrubs. The proposal is for the trees to be retained and protected during development.
- 3.2 **Tree management and Conservation Area constraints:** The trees at 59 Dartmouth Park Road are generally small and of amenity value to the occupants of 59 Dartmouth Park Road only, perhaps with limited amenity to occupants of adjacent properties. It would be reasonable for tree management generally to be in the control of the occupants with no requirements for reference to the Local Planning Authority. In principle a Conservation Area applies controls over works to trees with a trunk diameter over 7.5cm, requiring notice of proposed works to be given to the Local Planning Authority. If the Local Planning Authority objects to proposed work, it may make a TPO. TPOs are made in the interests of amenity, and should be reserved for trees of amenity value, typically trees that can be seen from public places and which contribute to the pleasant character of the place. TPOs are not appropriate for shrubs; and trees grown for fruit are normally exempt. For the trees in the rear garden of 59 Dartmouth Park Road, the majority are fruit trees or small ornamental species of no significant public amenity value and unsuitable subjects for a TPO. It would not be reasonable for such trees to be a constraint on the proposed redevelopment. These trees are shown retained, and trees on adjacent properties outside the direct management control of the applicant are also shown retained. Tree protection measures are proposed, but will be proportionate and reasonable.

4 ARBORICULTURAL IMPACT APPRAISAL - DEVELOPMENT

- 4.1 **Preliminary matters:** In consideration of 3.2 above, the tree protection measures proposed relate to the birch T1 and the pear T8. Although the applicant is proposing to retain the fruit trees and shrubs, no temporary protection measures are shown for these. For the plum trees T3 and T4 on the adjacent property, the existing boundary fence provides adequate above-ground protection, and access in the garden of 59 Dartmouth Park Road within their RPAs for the redevelopment will be pedestrian only, as at present, not requiring any additional temporary protection.
- 4.2 **Site access:** Site access will be by way of the existing pedestrian access at the front of the site on Dartmouth Park Road, and along the pedestrian access on the northeast side elevation of the dwelling to the rear of the dwelling. The width of this access and the steps limit the use of plant, so access to the rear will be pedestrian only, as it is at present.
- 4.3 **Demolition and removal of structures:** There are no existing buildings within the RPAs of trees and proposed for removal. The existing veranda on the rear elevation will be removed and replaced. The veranda is a wooden structure and removal will be by hand, with all arisings removed from site along the pedestrian access on the northeast side elevation of the dwelling. There will be no fires in connection with the development activities including demolition within 10m of the canopy of any retained tree, and no storage or mixing of harmful materials e.g. DERV fuel, concrete within 10m of the trunk of any retained tree. The combination of these measures with the temporary tree protective fencing will reduce any risk of damage to retained trees to an acceptable minimum.
- 4.4 **Construction of new buildings:** The proposed alterations to the dwelling are within the footprint of the existing dwelling, with no requirement for foundations or excavations for the alterations. There is no significant risk to retained trees from the proposed alterations.
- 4.5 **Terrace steps:** The existing veranda will be replaced and will have new steps down to the rear garden. These steps will be partly within the RPA of the birch T1. The steps will be formed from concrete with shuttering on the external faces. There will be excavation within the RPA of the birch T1. The design of the steps has taken account of the tree, with the layout of the treads offset to the northeast. The incursion into the RPA is a comparatively small proportion of the whole RPA, with rooting opportunities in other directions to compensate. This is still a semimature tree appearing to be growing with normal health and

vigour and is likely to tolerate the small amount of root loss without significant adverse effects on its health.

- 4.6 **Installation of new surfaces:** There are no new surfaces proposed within the RPAs of retained trees and no significant risk to trees from issues relating to new surfaces.
- 4.7 **Services:** The site is already serviced, and this establishes the principle of services to the site and their maintenance and repair. At present services are assumed to run out to Dartmouth Park Road and the proposal is for all replacement and new services to do the same. There are no RPAs across the Dartmouth Park Road frontage and no special measures proposed for the installation of services in respect of the risk of harm to tree roots.
- 4.8 **Construction access:** The RPAs of retained trees do not unduly affect construction access and provided that the existing boundary fencing and proposed temporary tree protective fencing are installed/retained, there will be no significant adverse effects on trees from construction access.
- 4.9 **Storage and movement of materials:** Materials will be delivered to site at the Dartmouth Park Road frontage, and whatever materials are needed at the rear of the building will be moved there by hand along the walkway on the northeast side elevation of the dwelling. Materials may be stored in the rear garden outside the areas of temporary tree protective fencing.
- 4.10 **Planting:** Although the risk to the birch T1 is comparatively small, there is an opportunity to plant a successor between this tree and T8. Such a tree should secure the continuity of the tree population and may be another birch, although typically if the Local Planning Authority required such planting it would be secured by a condition of consent with details of species and location to be submitted and approved.

5 PROTECTIVE MEASURES

- 5.1 **Protective fencing:** Temporary tree protective fencing is proposed for the retained trees T1 and T8. For T1, the fencing will be partly within the RPA and additional measures in the form of temporary ground protection will be used (and see 5.2 below). The temporary fencing should be of a specification proportionate to the scale and intensity of the risk from the redevelopment activities. The recommendation in BS5837 is for the fencing to consist of pre-formed mesh panels ('Heras' or similar) and, in small-scale domestic circumstances like these, for the panels to be installed using proprietary

concrete feet that may be pinned through to the ground to resist easy relocation. Previous editions of BS5837 recommended split chestnut pale fencing attached to drive wooden posts and if that is available that would be a reasonable alternative. The fencing is shown forming a box round T1. Fencing is also shown for part of the RPA of T8, for the avoidance of doubt – it is unlikely that there will be development-related activity so far away from the actual redevelopment, but the fencing is shown just as a precaution.

- 5.2 **Ground protection - 1:** Temporary ground protection is proposed as an adjunct to the temporary fencing. It will be installed at the locations indicated on plan AC01. This temporary ground protection will allow pedestrian access for construction and the movement of small amounts of building materials. The ground protection shall be as recommended in BS5837 i.e. it shall be scaffold planks, or plywood sheets at least 15mm thick, laid butt-jointed over a geotextile membrane installed on a layer of pulverised bark or similar laid on the existing ground surface i.e. with no significant excavation. The minimum areas where these measures apply are the protection zones as indicated on the attached plan AC01 by diamond hatching.
- 5.3 **Ground protection - 2:** In response to comments from the Council's Tree Officer the proposals now extend the ground protection measures to include the trees T3 and T4 on adjacent property. Tree protection will be provided by a combination of two measures. One is the existing path acting as ground protection where it runs within RPAs, and proposed for retention. The other is the installation of temporary ground protection as detailed at 5.2 above. The minimum areas where these measures apply are the protection zones as indicated on the attached plan AC01 by diamond hatching.

6 POST OCCUPANCY PRESSURES ON TREES

- 6.1 **Effects on trees post occupancy:** The alterations do not significantly change the relationship of internal amenity spaces to trees. There are improvements to fenestration to increase ambient light levels in the dwelling, but retained trees will not be significant in blocking sunlight to the rear elevation or in obstructing skylight or in being unduly dominant. It will be in the interests of the occupants to retain the trees for their own domestic amenity. The redevelopment will not bring new pressures on trees and where formal tree protection measures apply, the Council will be able to resist unreasonable applications for tree work, with such decisions likely to be supported at appeal.

7 CONSENT CONDITIONS

- 7.1 **Conditions:** In tree terms the proposals include elements that have the potential to affect retained trees e.g., the installation of steps, the installation of temporary tree protection measures. In these circumstances it would be reasonable for any additional details that the Council requires to be submitted post-consent, as determined by the Council and defined in appropriate conditions.
- 7.2 **Arboricultural method statement heads of terms:** The recommendation in BS5837:2012 is that where details might need to be submitted to allow for changes that might occur after planning permission has been granted, heads of terms for an arboricultural method statement (AMS) would be appropriate. That is appropriate for sites with a range of arboricultural protection measures and methods to be determined. For this site, the development is reasonably straightforward and a separate AMS seems disproportionate and is not proposed.

8 SUMMARIES

- 8.1 **Summary of control during development:** In order to minimise any adverse effects on the retained trees identified, I advise that:-
- Temporary tree protective fencing is installed at appropriate locations before commencement of development and is retained until the completion of development
 - Temporary ground protection is installed at appropriate locations before commencement of development and is retained until the completion of development
 - Existing surfaces e.g. paths within RPAs and already acting as ground protection will be retained
 - There will be no fires within 10m of the canopy of any retained tree, and no storage or mixing of harmful materials e.g. DERV fuel, concrete within 10m of the trunk of any retained tree
- 8.2 **Summary of the impact on local amenity:** This layout retains the significant trees on and adjacent to the site, with scope for proper provisions for their protection during development. If adequate precautions to protect the retained trees are implemented as recommended in this report and as may reasonably be required by consent conditions, the overall impact of the proposal on local

amenity will be very low and limited to the short term only. The proposals also take proper account of potential pressures for pruning and felling post-occupancy. Where formal tree protection measures apply, the Council could properly refuse consent for inappropriate works and could expect to be supported in such decisions at appeal. These submissions demonstrate that it is reasonably practicable to redevelop in accordance with the proposals for the submitted scheme without significant harm to retained trees. Any additional information required for reassurance can reasonably be required by way of conditions attached to the planning permission. There are therefore no supportable or reasonable grounds for refusing permission in terms of trees.

A handwritten signature in black ink, appearing to read 'Jonathan Fulcher', written in a cursive style.

Jonathan Fulcher **DipArb FArborA**

Appendix 1

Brief qualifications and experience of Jonathan Fulcher

1. **Qualifications:** I hold the City and Guilds Certificate in Arboriculture, and the Royal Forestry Society's Professional Diploma in Arboriculture, which is one of the premier qualifications within the Arboricultural Profession. I am also a Registered Consultant of the Arboricultural Association.
2. **Practical experience:** I have worked in local government tree management for over twenty years. After cutting my teeth as an arborist at London Borough of Redbridge, I moved to London Borough of Islington where I supervised direct works for three years. I joined New Forest District Council in 1987, where I made and administered Tree Preservation Orders and advised on arboricultural issues relating to planning applications. In 1991, I moved to Poole Borough Council as Senior Arboricultural Officer, leading a small professional team providing a comprehensive arboricultural service to the Council. Duties included arboricultural consultancy on major development proposals, acting as arboricultural witness at Public Inquiries and setting and running tree work contracts. I joined Barrell Treecare as a self-employed arboricultural consultant in March 1998, leaving in early 2003 to become a fully independent consultant. My clients include local and national development companies, schools, public utilities and Local Planning Authorities. From 2003-2008 I was also one of a small number of arboricultural consultants appointed by the Department for Communities and Local Government (DCLG) for the determination of Tree Preservation Order application appeals. This function was transferred to the Planning Inspectorate in 2008, when I was appointed as a contracted Inspector for Tree Preservation Order application and High Hedge appeals, serving until 2016.
3. **Continuing professional development:** I am a Fellow of the Arboricultural Association by examination, and have served the Association as a member of their Local Authority Committee, including one year as committee chair. I have been co-organiser of national seminars on Tree Strategies and Tree Preservation Order Enforcement, and given papers and chaired sessions at the Association's annual conferences. I am currently a member of the Association's Consultants Working Party, have until recently been interim lead assessor for the Association's Registered Consultant scheme and am currently an assessor for that scheme. I keep professionally current through professional reading, subscription to professional journals and by regular attendance at seminars and conferences.

Appendix 2
59 Dartmouth Park Road, London
Tree Schedule and Explanatory Notes

| Tree No | Species | Height (m) | Trunk Diameter (cm) | Crown spread (m) | | Crown height above ground | Life stage | General observations | Estimated contribution in years | BS 5837 cat | Root protection distance (m) |
|---------|--|------------|---------------------|------------------|-----|---------------------------|------------|--|---------------------------------|-------------|------------------------------|
| T1 | Birch (<i>Betula pendula</i>) | 10 | 18 | 2.5 | 2.5 | 2 | SM | Reasonable form, of no significant public amenity value | 20+ | B | 2.1 |
| | | | | 2.5 | 2.5 | | | | | | |
| T2 | Magnolia (<i>Magnolia</i> sp) | 2 | 7 | 1 | 1 | 1 | Y | Shrubs | N/A | N/A | N/A |
| | | | | 1 | 1 | | | | | | |
| T3 | Plum (<i>Prunus</i> sp) | 9 | 30 | 5 | 2 | 2.5 | M | In adjacent property, one-sided, leans slightly to north | 10+ | C | 3.6 |
| | | | | 2 | 1 | | | | | | |
| T4 | Plum (<i>Prunus cerasifera</i>) | 10 | 35 | 2.5 | 2.5 | 3.5 | M | In adjacent property | 10+ | C | 4.2 |
| | | | | 2.5 | 2.5 | | | | | | |
| T5 | Cherry (<i>Prunus</i> 'Amanogawa') | 3 | 6.5 | 0.5 | 0.5 | 2 | SM | Small ornamental species | N/A | N/A | N/A |
| | | | | 0.5 | 0.5 | | | | | | |
| T6 | Apple (<i>Malus domestica</i>) | 1.5 | 16 | 1 | 1 | 0.5 | SM | Leans 60°, poor form - fruit tree | N/A | N/A | N/A |
| | | | | 1 | 1 | | | | | | |
| T7 | Firethorn (<i>Pyracantha</i> sp) | 6 | 25 | 2.5 | 2.5 | 2 | M | Shrubs, on adjacent property | N/A | N/A | N/A |
| | | | | 2.5 | 2.5 | | | | | | |
| T8 | Pear (<i>Pyrus</i> sp) | 11 | 61 | 5 | 5 | 2.5 | M | Large fruit tree | 20+ | B | 7.2 |
| | | | | 5 | 5 | | | | | | |

Appendix 2
59 Dartmouth Park Road, London
Tree Schedule and Explanatory Notes

Explanatory Notes

Abbreviations:

| | |
|----|----------------|
| m | : Metre |
| nm | : Not measured |
| > | : Greater than |
| < | : Less than |

- **Species:** Species identification is based on visual observations.
- **Height:** Height is estimated to the nearest metre.
- **Trunk diameter:** Trunk diameter for accessible trees has been measured with a diameter tape and recorded in centimetres. Trunk diameters for trees not accessible e.g., on adjacent property has been estimated and shown with '?'.
- **Crown spread:** Crown spread for trees within the site is estimated at the four cardinal compass points. The distances given as appropriate correspond to crown spreads to the four cardinal compass points as shown in the grid below:

| | |
|---|---|
| N | E |
| W | S |

- **Crown height above ground:** The height of the crown clearance above the ground over the site is estimated to the nearest 0.5m.
- **Life stage:** The life stage categories correspond to the classes given in BS 5837:2012, which are Young (Y), Semi-mature (SM), Early Mature (EM), Mature (M) and Over-mature (OM). There are no over mature or veteran trees included in the schedule.
- **General observations:** These comment on the health and physiological and structural condition of the tree, with management recommendations where appropriate.
- **Estimated contribution in years:** <10, 10+, 20+, 40+, as advised in BS 5837:2012.
- **BS 5837 category:** As advised in BS 5837:2012. This grading is based on the estimated remaining contribution in years i.e. A - more than 40; B - 20-40; C - 10-20; U - less than 10.
- **Root protection area:** The area of root protection should be equivalent to the area of a circle centred on the tree with a radius of least 12 times the trunk diameter. This column gives the radius of such a circle; the distance may not be the same as the distance for protective fencing.

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Plan AC01

Tree Protection Plan for Arboricultural Impact Assessment

Proposed redevelopments at 59 Dartmouth Park Road, London NW5 1SL

Report Ref: D2242AIAv2

Location of trees with tree schedule numbering indicating location of BS 5837:2012 section 6.2 temporary tree protective fencing and temporary ground protection / existing surfaces acting as ground protection

T1 Lime

Location of trees indicating species and BS5837 root protection area

Location of temporary fencing and protected areas

Location of BS 5837 temporary ground protection / existing surfaces acting as ground protection

The original of this drawing was produced in colour. A monochrome copy should not be relied upon.

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The diagram is a site plan for a building at 59 Dartmouth Park Road. It shows the building's footprint with internal room divisions. Surrounding the building are several trees, each labeled with a tree schedule number and species: T1 Birch, T2 Magnolia, T3 Plum, T4 Plum, T5 Cherry, T6 Apple, T7 Pyracantha, and T8 Pear. Each tree has a dashed green circle around it representing its root protection area. A red hatched area indicates temporary ground protection or existing surfaces acting as ground protection. A red dashed line indicates the location of temporary tree protective fencing. A section line A-A is shown on the left side of the plan, with a north arrow pointing upwards.

| | | | |
|------|------------|------------------|---------|
| PL 1 | 24/10/2022 | Planning Draft | VK |
| REV | DATE | REASON FOR ISSUE | INITIAL |

PROJECT
59 Dartmouth Park Rd,
London,
NW5 1SL

DRAWING TITLE
Site Plan

SCALE
1:200

DRAWN
VK

CHECKED
SR

PROJECT No.
461

DWG. No.
A-0.1.0

REV.
PL 1

STATUS
Planning

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