From: "Phil Timson" <[redacted]
To: <planning@northlincs.gov.uk>
cc: <andrea.brocklebank@northlincs.gov.uk>

Date: 28 February, 2011 04:59PM
Subject: Application Reference PA/2010/1518

DEVELOPMENT CONTROL SECTION
- 1 MAR 2011
DATE RECEIVED
Referred To A Brocklebank

To Mike Welton - Head of Planning
(Copied to Andrea Brocklebank - Case Officer)

Further to my email of 2 February and your reply of 4 February the attached report dated 25 February 2011 has now been received from Barnes & Associates, arboricultural consultants, regarding the present condition of the horse chestnut tree (T3) protected by Tree Preservation (Land off King Edward Street, Belton) Order 1998.

It is clear from the conclusions contained in the Barnes report that they support the view that the tree poses a significant risk of failure and should be removed. It is also clear from the report that the tree has suffered as a result of impact damage and repeated changes within its root zone, including soil reduction, utility trenching and many other works in connection with building development. Some of these matters were brought to the Council's attention during the construction works on this site when residents were concerned that excavation works were being carried out within the root zones of protected trees on this site.
In connection with future works on the site the Consultant points out that careful management will be needed to protect the remaining trees, including a scheme for site supervision of work in the vicinity of all trees, and a tree protection plan drawn up in accordance with BS5837 to be agreed in writing by the Planning Authority. Supervision and monitoring of the agreed protection areas (which can extend to almost 10 metres) is of utmost importance to ensure that the remaining trees are not destroyed.

The Barnes report is funded by a group of concerned Belton residents, with the support of their Parish Council. Their purpose is to ensure that their local trees are retained whenever this is feasible and, where trees are on land affected by building work, that their protection is monitored in accordance with good current practice. Whilst it is accepted that this tree cannot be saved, it is hoped that our Planning Authority will in future proactively support these aims by enforcing their planning conditions and supporting good practice.

Philip Timson

Attachments:

Barnes Tree Report.pdf

barnes associates

Mr Timson
Lynfield
King Edward Street
Belton
Doncaster
DN9 1QN

DEVELOPMENT CONTROL SECTION
- 1 MAR 2011
DATE RECEIVED
Referred To

Our Ref: BA3223

Date: 25/02/2011

Dear Mr Timson,

Re: BRIEF ASSESSMENT OF THE CHESTNUT ON THE ADJACENT PROPOSED DEVELOPMENT SITE.

Please find my assessment of the Chestnut tree located on the proposed development site on to the south-west of Lynfield.

Objective: To assess the condition of the tree and provide sufficient information to enable a decision on the planning aspects of the site and its potential development in relation to trees.

Surveyor: My name is Ian Barnes; I am an Arboricultural Association Registered Consultant, a Chartered Environmentalist, and Fellow of the Arboricultural Association and an International Society of Arboriculture Certified Arborist and Professional member of the Consulting Arborist Society.

Qualifications and experience: I have based this report on my site observations and the provided information; I have come to conclusions in the light of my experience. I have experience and qualifications in arboriculture and list the details in Appendix 1.

Scope of this report: This report is only concerned with the current condition of the trees and their retention value in relation to redevelopment of the site. The trees have been assessed in line with the guidelines outlined in British Standard BS5837:2005 'Trees in Relation to Construction'. This provides information for the retention and protection of trees upon development sites. In

addition site safety is also considered, remedial recommendations are based on the continuing safety of the site.

The statements made in this Report do not take account of the effects of extremes of climate, vandalism or accident, whether physical, chemical or fire. Barnes & Associates cannot therefore accept any liability in connection with these factors, nor where prescribed work is not carried out in a correct and professional manner in accordance with current good practice. The authority of this report ceases at any stated time limit within it, or if none stated after two years from the date of the survey or when any site conditions change, or pruning or other works unspecified in the Report are carried out to, or affecting, the Subject Tree(s), whichever is the sooner.

Risk Management: Trees unlike built structures are a dynamic structure and offer several specific management issues that need to be considered. Reasonable risk management generally aims to provide trees that can be regarded stable in a normal / foreseeable, storm event. I have included further general information upon the Risk Management of trees in Appendix 2.

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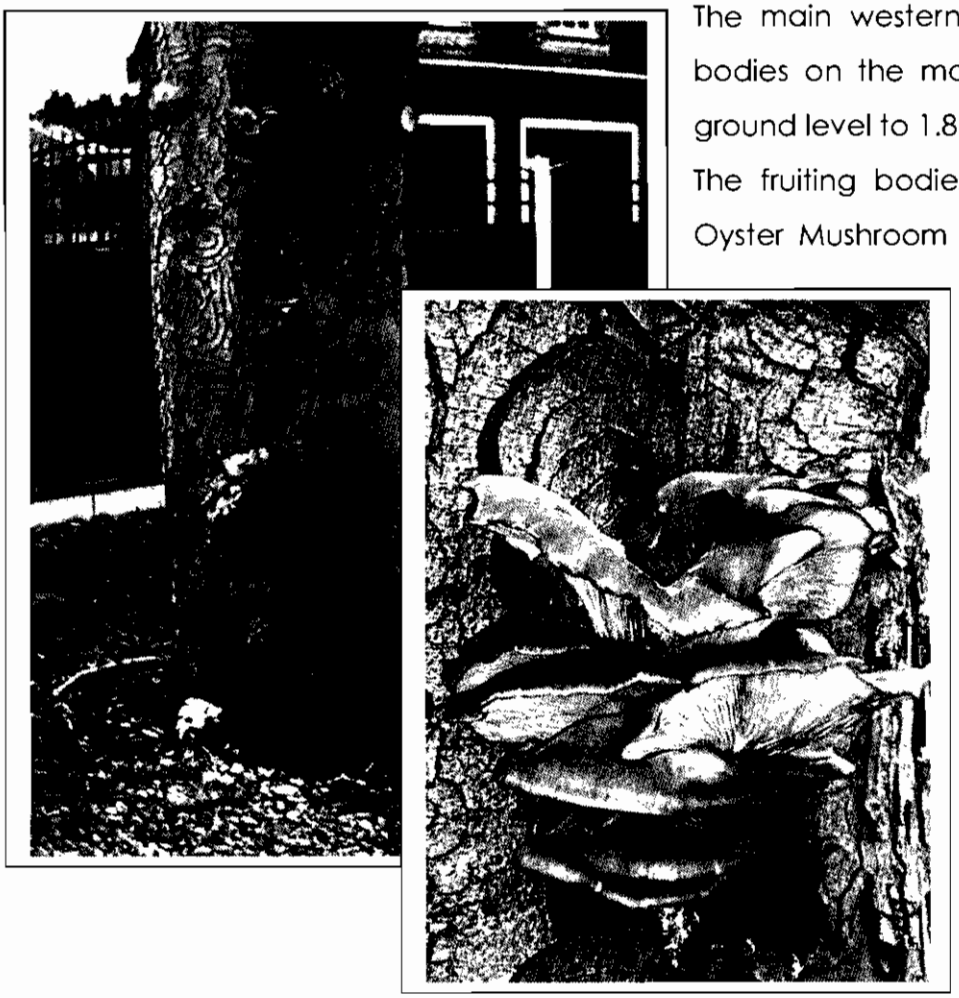
Visual Assessment of Trees: The tree was assessed from ground level only in line with the guidelines outlined in British Standard BS5837:2005 'Trees in Relation to Construction'.

The Horse Chestnut tree is located close to the highway boundary to the north and the neighbouring boundary to the east as shown in the photograph opposite, an informal desire line (footpath) runs below the canopy.

This tree appears to have undergone repeated changes within the root zone, the soil level appears to have been reduced. Depressions were seen in the ground close by suggesting a possible utility trench and a

recent development to the east is located well within the Root Protection Area of the tree.

The lower south-eastern buttress has impact damage on the upper surface of the root. A section of the stem above this wound has dark deposits indicating Phytophthora, a problem associated with vascular dysfunction, which has infected the tree.



The main western stem has a series of fruiting bodies on the main stem located roughly from ground level to 1.8 metres.

The fruiting bodies show the stem is affected by Oyster Mushroom (Pleurotus ostreatus) as shown in the photograph opposite.This fungi when found on Horse Chestnut causes early delignification in springwood and typically develops to form an intense white rot and can seriously affect the stems strength.

This tree offers a significant risk to site users through potential failure of the main branch work and potentially the main stem. Ideally, this tree should be removed at the earliest opportunity.

Additional Trees. To the west of the Horse Chestnut a line of trees continues with an additional Lime and Horse Chestnut, these trees have a stem diameter of 580mm and 810mm respectively, which equates to a Root Protection Areas of 6.96m and 9.72m respectively.

Development proposals need to consider the requirement of the retained trees and need to meet the guidelines detailed within British Standard 5837:2005 Recommendations - Trees in Relation to Construction; section 1, which provides key guidance.

Conclusions. The Horse Chestnut offers a significant a risk to the site and will require works to be made safe.

The Root Protection Areas (RPA) for each of the major trees on site should be used to inform the location of the tree protective fencing, ground protection and the location of other site alterations such as the location of services. These show that the proposed development is within the RPA for the major trees and will require careful management to ensure protection.

Tree risks and protection of trees during development can be expanded upon within an Arboricultural Implication Assessment if required. In relation to a site such as this where the risks are relatively low I would expect the Local Planning authority to condition an Arboricultural Method Statement to detail protection methodologies, please find an example condition in Appendix 3. Please feel free to contact me if you require further details.

I enclose a copy of my account to date, should you require any further information please contact me at the office above.

Yours Sincerely

Ian Barnes
HND Arb, F.Arbor.A, ND Ht/Arb Tech.Cert (Arbor.A), Mi Hort, C.Env
Arboricultural Association Registered Consultant
Chartered Environmentalist
International Society of Arboriculture Certified Arborist

APPENDIX 1 - BRIEF QUALIFICATIONS AND EXPERIENCE OF IAN BARNES

Qualifications:

Higher Diploma in Arboriculture (H.N.D Arb)
National Diploma in Horticulture & Arboriculture (N.D.Ht/Arb)
Arboricultural Association Technicians Certificate (Tech.Cert. (Arbor.A))
ISA Certified Arborist

Membership grades by peer review:

Chartered Environmentalist (CEnv)
Corporate Member Institute of Horticulture (MI Hort)
Fellow of the Arboricultural Association (F.Arbor.A)
Professional member Consulting Arborist Society UK.

Registration Schemes:

Arboricultural association Registered Consultant (49)

Practical experience:

I have worked in the Arboricultural Industry since 1987. Firstly as a climbing Arborist in both the public and private, sector, undertaking a wide range of practical operations on a variety of sites, before becoming a gang foreman. I set up and ran my own Arboricultural contracting business for 15 years, though this is now under new ownership. I have developed an arboricultural consultancy practice working throughout England for clients in both the public and private sector.

Continuing professional development:

As part of my ongoing education, I am a member of a range of related Arboricultural bodies. Including the Arboricultural Association (AA), International Society of Arboriculture (ISA), Royal Forestry Society (RFS), Forestry Contracting Association (FCA), and Arboricultural Mortgage & Insurance Users Group (AMUIG), which has been incorporated into the Consulting Arborist Society (CAS) of which I am a professional member. I am a corporate member of the Institute of Horticulture (MI Hort) and a Fellow of the Arboricultural Association (F.Arbor.A). An inclusive member of the British Mycology Society (BMS) in addition to being a Chartered Environmentalist (CEnv).

I am a registered consultant of the Arboricultural Association.

I regularly attend seminars and training events on issues relevant to Arboriculture these include events focusing on General Tree Management, Veteran Tree Management, Tree Health, Tree Pest management, Tree Diseases management, Trees Biology & Morphology, Tree Stability, Wind Loading of Trees, Tree Risk Assessment, in addition to keeping an upto date level of CPD.

I am a licensed user of the Quantified Tree Risk Assessment (QTRA) System and regularly attend updates.
I am a trained user of Picus 'Acoustic' Tomography and Picus Treetronic and have attended training to extend my knowledge in this area.
I am trained and a licensed user of tree thermography as an aid to detecting defects in trees.

Relevant experience:

My career to date has involved me in a variety of tree care, dealing with trees in many different environments, and with differing management aims, these included: Tree planting schemes, including Woodland Design & Management, Detailed Health and Safety Appraisals, Tree inventories / population surveys, Management & selection on both proposed and active development sites, Advice upon trees in relation to structures, Additional areas of work such as Contract Specification & Management, Planning applications, Expert Witness. This has provided me with a range of experience, enabling me to comment upon trees and their management, in line with current best practice. Full CPD and training record can be forwarded upon request.

APPENDIX 2 – RISK MANAGEMENT

Reasonable risk management generally aims to provide trees that can be regarded stable in a normal / foreseeable, regularly experienced storm event. In this region, this is likely to be a 'Storm' of force 10 using the Beaufort Scale (55 - 63 miles per hour) of wind speeds on land. Although it should be remembered that all trees do pose a risk, recent work in Germany has show even sound trees that would be regarded as safe can fail during high wind events through various factors relating to wood physiology, dynamics and relationship between the root system and the supporting soils. It should be remembered that for any given tree regardless of its stability, there will always be a wind load that has the potential to break or uproot a tree regardless of its condition.

Typically, trees have evolved to fail in part, i.e. twigs and branches are sacrificed / fail from a parent tree rather than the tree being lost entirely. Observations at various sites in this country have found that twigs and branches, can break from trees at wind speeds of as little as 31 miles per hour, the upper limit of a 'strong breeze' as detailed in Beaufort Scale 6 (25 - 31 miles per hour). This has led to recommendation for certain sites with grounds open to the public, being closed when the wind speeds approach 'Near Gale' or Force 7, as detailed by the Beaufort Scale (32-38 miles per hour). Such failures are difficult to predict with any great level of detail and a general position is best adopted. Typically the level of risk offered by trees will be significantly greater as the force of the wind increases, the threat from aerial parts i.e. deadwood, tight unions and elongated branches may remain even following remedial works. Typically branch failures are likely to be limited to small diameter branches and to periods of extreme weather, though as often seen in any natural model, exceptions to the rule can be expected. Therefore in managing trees we are aiming to limit or reduce the risk to nearby features, unfortunotely it is not possible to remove the risk offered by a tree entirely.

As an arborist, I am a tree specialist and use my knowledge, education, training and experience to examine trees, to recommend measures to enhance their beauty and health, and attempt to reduce the risk of living near trees. As a client, you may choose to accept or disregard these recommendations, or seek additional advice. As an arborist, I cannot detect every condition that could possibly lead to a tree or limb failure. Trees are living organisms that may fail in many ways, some of which we do not fully understand.

Conditions are often hidden within the tree and below the ground. As arborists, we cannot guarantee that a tree will be healthy or safe under all circumstances, or for a specified period, of time. Sometimes trees may appear "healthy," but may be structurolly unsound. Likewise remedial treatment, like any medicine, cannot be guaranteed.

Treatment, pruning and removal of trees may involve considerations beyond the arboricultural perspective, such as property boundaries and ownership, disputes between neighbours, planning issues, sight lines, landlord-tenant matters etc. Arborists cannot take such issues into account unless complete and accurate information is given to them. Likewise, as an arborist, I cannot accept any responsibility for the authorization or non-authorization of any recommended treatment or remedial measure. Furthermore, certain trees are borderline cases as to whether they should remain or be removed. Also, conditions change, and a tree may need further monitoring in the future to determine its health and structure.

Trees can be managed, but they cannot be controlled, and to live near a tree is to accept some degree of risk.

APPENDIX 3 – PLANNING CONDITIONS

Note: "*Retained tree,*" means an existing tree, which is identified on the plan and particulars as being retained.

Outline consent - Location of trees on and adjacent to development sites

1, The plans and particulars submitted in accordance with condition [ ] above shall include:

(a) a plan, to a scale and level of accuracy appropriate to the proposal, showing the position of every tree on the site and on land adjacent to the site (including street trees) that could influence or be affected by the development, indicating which trees are to be removed;

(b) and in relation to every tree identified a schedule listing:-

i. information as specified in paragraph 4.2.6 of British Standard BS5837 - *Trees in Relation to Construction - Recommendations*);
ii. any proposed pruning, felling or other work;

(c) and in relation to every existing tree identified to be retained on the plan referred to in (a) above, details of:

i. any proposed alterations to existing ground levels, and of the position of any proposed excavation, that might affect the root protection area (see paragraph 5.2.2 of BS5837)
ii. all appropriate tree protection measures required before and during the course of development (in accordance with Clause 7 of BS5837]

(d) areas of existing landscaping to be protected from construction operations and the method of protection.

Full consent - Existing trees which are to be retained

2, No site clearance, preparatory work or development shall take place until a scheme for the protection of the retained trees (the tree protection plan) and the appropriate working methods (the arboricultural method statement) in accordance with Clause 7 of British Standard BS5837 - *Trees in Relation to Construction - Recommendations* has been agreed in writing by the local planning authority. These measures shall be carried out as described and approved.

3, All tree work shall be carried out in accordance with British Standard BS3998 - *Recommendations for Tree Work*.

4, No retained tree shall be cut down, uprooted, destroyed, pruned, cut or damaged in any manner within [1-5 years] from [*the date of the occupation of the building for its permitted use*], other than in accordance with the approved plans and particulars, without the prior written approval of the local planning authority.

5, If any retained tree is cut down, uprooted or destroyed or dies another tree shall be planted at the same place and that tree shall be of such size and species and planted, in accordance with condition [13], at such time as may be specified in writing by the local planning authority,.

6, No fires shall be lit within [10] metres of the nearest point of the canopy of any retained tree.

7, No equipment, machinery or structure shall be attached to or supported by a retained tree.

8, No mixing of cement or use of other contaminating materials or substances shall take place within, or close enough to, a root protection area that seepage or displacement could cause them to enter a root protection area.

9, No alterations or variations to the approved works or tree protection schemes shall be made without prior written consent of the local planning authority.

Site supervision

10, No works or development shall take place until a scheme of supervision for the arboricultural protection measures required by condition [2] has been approved in writing by the local planning authority. This scheme will be appropriate to the scale and duration of the works and will include details of: (*select as appropriate*)

a. Induction and personnel awareness of arboricultural matters
b. Identification of individual responsibilities and key personnel
c. Statement of delegated powers
d. Timing and methods of site visiting and record keeping, including updates
e. Procedures for dealing with variations and incidents.
f. The scheme of supervision shall be carried out as agreed.
g. The scheme of supervision will be administered by a qualified arboriculturist instructed by the applicant and approved by the local planning authority.

Provision for tree planting

11, No works or development shall take place until a full specification of all proposed tree planting has been approved in writing by the local planning authority. The specification shall include the quantity, size, species, and positions or density of all trees to be planted, how they will be protected and the proposed time of planting.

12, A schedule of maintenance of the trees until successfully established is to be agreed in writing with the local planning authority and implemented. The schedule shall include provision for replacement planting should establishment fail.

13, All trees shall be planted in accordance with the details and times stated in the specification required by condition [11] and in accordance with British Standard [BS4043 - *Transplanting Root-balled Trees*][BS4428 - *Code of Practice for General Landscape Operations (excluding hard surfaces)*].

14, If within a period of [ ] years from the date of planting the tree (or any tree planted in replacement for it) is removed, uprooted, destroyed or dies or becomes in the opinion of the local planning authority, seriously damaged or defective, another tree of the same size and species as that originally planted shall be planted at the same place within the first planting season following the removal, uprooting, destruction or death of the original tree unless the local planning authority gives its written consent to any variation.