



town planning division

TREES AND DEVELOPMENT IN ELMBRIDGE

A Companion Guide to Trees and Development in Elmbridge.

This guide is a companion to the Supplementary Planning Guidance on Trees and Development in Elmbridge adopted by the Council on 23 February 2006. It provides a summary and overview of a number of the issues contained within this guidance. It is intended to offer useful and practical advice and assist those involved in the development process regarding trees and development sites. However for full details and explanatory text, reference should be made to the adopted Guidance.

Policy & Legislation

National, regional and local policy and legislation provides the framework that deals specifically with the protection of trees and are a material consideration in the determination of a proposal that would impact on trees. The Replacement Elmbridge Borough Local Plan 2000 contains many policies designed to protect and enhance both the natural and built environment.

In the context of trees and development Policies ENV11 and ENV12 are particularly relevant. Policy ENV11 requires applications to be supported by a full site survey including an arboricultural survey and report, for account to be taken of the existing landscape character and the incorporation of a landscape scheme or design commensurate with the character and scale of the development and the locality. Policy ENV12 seeks to prevent the loss of trees that are, or are capable of making, a significant contribution to the character or amenity of the area.

Other important documents include BS 5837: 2005 Trees in Relation to Construction - Recommendations and DETR – “Tree Preservation Orders – A Guide to the Law and Good Practice”



Introduction

It is widely recognised that trees form a significant and vital component of the environment in which we live, offering aesthetic value, shade, wildlife habitat and substantial environmental benefits such as sequestration of noise and pollution.

Elmbridge Borough has a wealth of large trees that contribute to the amenity, character and landscape value of the area. It is also an area that is subject to high development pressures and trees on site are a material consideration for any development proposed. Council adopted policy seeks to prevent the loss of trees that are, or are capable of making a significant contribution to the character or amenity of the area. Experience has also shown that it is important and essential that trees are considered in relation to proposals from the outset.

Incorporating Trees into the Development Process

The use of arboricultural and amenity assessment information to reach a high quality design and a good juxtaposition of buildings, trees and landscaping is paramount. A methodical process should be applied to incorporating trees into a development from the start of the process. The relevant stages are set out below: -

Preliminary Assessment – to consider the site and its surroundings and the main issues to be addressed.

The Land Survey – at minimum this should show the topography of the site, existing ground levels and the positions of all trees on site. This will be expected to meet the requirements of Section 4.1 of BS5837: Trees in Relation to Construction - Recommendations.

Tree Survey and Assessment – tree surveys should plot the accurate location of all existing trees, shrubs and hedges. Information detailed should include species name, height, age, tree reference number, crown spreads, trunk diameter, structural condition etc

Tree Constraints Plan (TCP) – This is a useful design tool which should show the above and below ground constraints on a site posed by trees. It should show the Root Protection Area (RPA) around each tree and any effects of light and shade through shading.

Arboricultural Impact Assessment – In accordance with Local Plan Policy ENV 11, the potential applicant is required to submit information to the LPA detailing how the proposals will affect trees on, or adjacent to, the site. A number of aspects need to be considered within this assessment and BS5837:2005 Trees in Relation to Construction - Recommendations provides further advice on a number of these matters: -

- **Tree Preservation Orders / Conservation Areas** - Careful consideration should be given to the trees protected by either aspect of Statute Law to ensure that the value they provide is retained as much as possible. This will be reflected in the initial Tree Survey and Assessment, which should help inform of their potential for retention.
- **Site Layout** – to include an assessment of the size and position of the trees taking into account future growth, and future impact and relationship with development. For example, potential damage or problems trees may cause to buildings or occupants such as subsidence and excessive shade. Both the current and potential relationship between trees and development must be assessed and taken into account in the design of the site layout. However there are also benefits to retaining trees in close proximity to proposed structures,

such as intercepting pollution and reducing noise. These issues should also be considered as part of the assessment (see Light and Shade below).

- Above Ground Constraints – you must be aware of two distances, new building and tree separation, and the protective distances for development otherwise known as the root protection area (RPA). As a general rule it is rarely acceptable for development to take place within the RPA. Construction works should also not intrude within the identified RPA and if this is to occur it is likely that additional details and method statements will be necessary.
 - Tree Retention/Removal /Relocation – you should aim to retain quality tree stock although in some instances it may be preferable to relocate smaller trees to more appropriate locations. If tree removal is unavoidable, a balanced approach to retaining the quality trees, shrubs and hedges along with subsequent replanting is essential.
 - Light and Shade – overbearing and large trees close to buildings are often 'perceived' as dangerous. They can also result in excessive shading and loss of light, all of which can lead to requests to fell. However, trees provide economical, social, environmental, and wildlife benefits, amongst others, that are worthy of consideration in any proposed development scheme.
 - Subsidence Evaluation – where a site is affected by shrinkable/expandable clay soils, attention should be given to the design of foundation to avoid potential problems of movement exacerbated by tree roots. Advice can be gained from the web site www.nhbc.co.uk
 - Infrastructure - layouts should be designed to ensure that trees do not block any sight lines and the routing of underground facilities requires early consideration. It will generally be unacceptable for underground facilities to be routed through the RPA and soakaways should not be installed close to trees.
 - Levels – changes in ground levels around trees should be avoided. Any difference in ground levels must be shown on the proposed site plan at the application stage.
 - Kerb and Haunchings – conflicts between kerbs/haunchings and trees will not be considerable favourably. Close proximity to existing trees can result in an unacceptable amount of root loss whereas proximity to newly planted trees may result in physical damage to the hard standing through future root growth.
 - New Tree Planting – new tree planting is encouraged, and should be considered during the initial stages of the process. Careful consideration should be paid to species choices, possible future conflicts and areas for new planting should be protected during building works.
 - Hard and Soft Surfacing around the Trees- special consideration should be given to the installation of hard surfaces within the RPA of retained trees. A significant amount of root material may be severed resulting in ill-health and instability. Further guidance can be obtained from Arboricultural Practice Note 1 (APN1) available from the Arboricultural Advisory and Information Service.
- Soft landscaping may cause significant damage to root systems by the use of heavy machinery to prepare the ground for the finished treatment and to 'level-off' any discrepancies in ground levels. If alterations to the ground levels are

required, these must be shown on the proposed site plan at application stage.

What Damages Trees on Development Sites

Trees suffer from direct and indirect damage to their branches, trunks and roots. Therefore in protecting trees we aim to protect the soil that they grow in as well as the trunk and branches. A number of aspects can result in a trees decline, in the short or long term, and only one aspect need to be damaged for this to occur. The following could result in damage to trees: -

Soil Compaction – damage from compaction can typically last for many years and can result from the passage of vehicles or pedestrians, storage of materials, mounding of topsoil or dumping of waste. It only takes one pass of a vehicle to cause approximately 80% of the soil compaction.

Dumping, Spillage of Toxic Materials, Mixing Cement, Refuelling – these will have an adverse affect on soil chemistry which in turn will have a adverse affect on the condition of the tree root system and the vitality and longevity of the tree.

Excavation in the Root Zone – excavation within the RPA may adversely affect the stability of a tree. If roots are cut the tree may not have the anchorage it needs.

Impact Damages to Trunks and Branches – this could include branches being torn off by high vehicles or bark damage due to clumsy material storage. Furthermore tree protection should never be directly attached to the trunk.

Alteration to Soil Grades – Removing soil may either undermine tree root systems causing structural instability or may remove fibrous feeding roots. Raising soil levels either on a permanent or temporary basis may lead to root asphyxiation with decay at the base of the root trunk also likely.

Trenching Operations – such operations are likely to be carried out for the installation of utilities, foul water drainage, sewage systems or ducting. This may remove significant parts of the tree root system and affect stability of the tree. Trenchless technology may also not be acceptable due to future potential maintenance requirements.

Changes in Hydrology – any change in the capacity of the natural soil water recharge would result in the decline of the tree. This may occur as a result of the laying of impermeable services, soil compaction and diversion of run off into drains.

Fires – fires must not be constructed closer than 20 metres to the canopy of any tree.

Installation of impermeable surfacing – this may lead to significant root death through the reduction of soil moisture and air.

Documentation required with the submission of a planning application

An application must show that all the relevant issues have been considered. The following information should be submitted for all non-householder applications where trees are present on or immediately adjacent to the development site and are likely to be affected by the development. These are applications for one residential dwelling and above and all major non-residential applications.

Tree Survey Schedule and Drawing – this must be in plan and table form.

Tree Constraints Plan (TCP) – this shows the above and below ground constraints and is used as a tool to inform the design of the proposed development.

Arboricultural Implication Study – this must contain an assessment of trees in their current context and setting, the impact of the proposal on the trees to be retained, the effect of any tree

removals, and potential solutions to tree/development conflicts. Tree management details should also be provided if relevant.

Arboricultural Implications Assessment (AIA) - this must contain an assessment of trees in relation to the proposal, the impact of the proposal on the trees to be retained, the effect of any tree removals, and potential solutions to tree/development conflicts. Tree management details should also be provided if relevant.

Arboricultural Method Statement (AMS) - The AMS will make allowance for, and plan all construction operations to be undertaken in close proximity to trees. This should include, but is not limited to, contractors car parking, phasing of construction works, space for services, site hut allocation, storage of materials and the extent of landscape works.

Tree Protection Plan (TPP) – this should include a specification and location plan for fencing and other measures to ensure trees are not harmed during any part of the development process. Details of specification for protective fencing may be found in BS5837:2005, Section 9.2. This fencing must be in place before any aspect of development starts.

The use of chestnut pale fencing is not considered acceptable even on areas of low construction activity. On sites with a relatively high level of construction activity, 1.8m high Heras type fencing may be suitable as long as it is well braced and secured to resist impacts

Site Layout Drawing – a drawing with details of the proposal with each tree clearly marked either for retention or removal. Information should also include root protection zones, construction exclusion zones, siting of underground installations requiring excavations, areas allocated for site huts, material storage etc, areas for tipping and bonfire areas and any changes to soil grade.

Landscape Proposals - plans should show location of new planting to include the species, specifications and numbers to be planted.

Arboricultural and Landscaping Method Statement – this should include, but is not limited to, the following aspects; access, timing of works, emergency procedures, specifications and schedules for each area of work including tree works, space for site huts and other (temporary structures), type and extent of landscaping works within the RPAs, space for services and their installation method, and space for storage of materials.

Other details – this list is not exhaustive and depending on site circumstances further information may be required. If this information is not provided with a submitted application, it may not be registered and the additional information requested. Further information may also be requested after an application has been validated and the Council officer has visited the site.

How and When Tree Preservation Orders (TPOs) Will be Made.

Tree Preservation Orders are generally applied to individual trees, groups of trees or woodlands. However, sometimes if there is considered to be an immediate threat to trees, an Area TPO will be put on the site although the order can be amended subsequently to solely include specific trees. A TPO can also be put on a tree that does not exist, for example, where new trees are indicated to be planted as part of a landscaping scheme. TPOs afford greater control and protection than planning conditions. Damage to such protected trees is a criminal offence with appropriate penalties.

Monitoring your site and enforcement action

Site Visits - Council officers will carry out both pre-arranged sites visits as well as on site spot checks. If there are any aspects of the site that are causing damage to trees or could cause potential damage, it will be requested that this is rectified.

A well-managed development site would include protective fencing in good repair and in the correct position, the site laid out with suitable space allocated for materials storage and site huts, and new planting incorporated into the design. Indications of a poorly managed development site include bonfires under tree canopies, unauthorised tree removal and tipping of waste and storage of materials within the Root Protection Area (RPA) and Construction Exclusion Zone.

Protective Equipment for Tree Workers – There should be the appropriate use of personal protective equipment for the work being undertaken. Non-compliance with industry best practices and guidance, including the Health and Safety at Work Act 1974 and the Personal Protective Equipment at Work Regulations 1992 will be reported to the Health and Safety Executive.

Contravention of a Planning Control – Breaches of planning control may range from minor infringements of planning conditions where trees have not yet been damaged but there is potential for damage, through to the unauthorised destruction and felling of trees. There is a range of legal tools through which breaches can be stopped or remedial action taken. These include Breach of Condition Notice, Enforcement Notice, Stop Notice, and High Court Injunction or instigation of criminal proceedings. Consequences range from the requirement for steps to be taken to remedy the breach, imprisonment or significant fines.

Summary

Elmbridge Borough has a wealth of large trees and these form a strong visual component of the Borough and are a significant amenity. Local Planning Authorities have a legal duty to preserve trees and adopted policy seeks to prevent the loss of trees. As such development throughout Elmbridge must be sympathetic to the Borough's tree heritage.

Previously, many issues relating to trees and development have been dealt with after an application has been determined. However experience has shown that this approach does not provide certainty in what has been agreed and does not lead to a high quality of development. It is important and essential that trees are considered in relation to proposals from the outset and these issues fully assessed as part of the proposal, with the relevant details submitted with the application.

This leaflet is intended as a companion guide to the adopted Supplementary Planning Guidance – “Trees and Development in Elmbridge – A Guide to Incorporating Trees in Proposals for Developing Land.” It only provides a summary and overview of the issues that need to be considered when developing a site. Reference must be made to the adopted Supplementary Planning Guidance for further detailed advice and information.

If you would like this information translated, please contact the address below :

আপনি যদি এই তথ্যের অনুবাদ চান তাহলে দয়া করে যোগাযোগ করুন।

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請聯系：

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dòch sang ngoân ngöô cuûa mình,
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آپ ان معلومات کا اپنی زبان میں ترجمہ چاہتے ہیں تو ہماری سے رابطہ قائم کریں۔

ਜੇ ਤੁਸੀਂ ਇਹ ਜਾਣਕਾਰੀ ਦਾ ਉਕਤ ਖੰਗਾਈ ਵਿਚ ਆਪਣੇ ਤੇ
ਤੁਸੀਂ ਇਹ (WATS) ਤੇ ਅਤੇ ਤੇ ਫੋਨ ਕਰੋ।

If you would like a copy of this document in Braille, **large print**, on audiotape or in a community language, please contact

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Further advice can be obtained by telephoning the Town Planning Division on 01372 474474 or visiting the Town Planning Reception at the Civic Centre during normal office hours.

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