



# Arboricultural Impact Assessment

Prepared for: Mr R Miller

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~~14 June 2021~~

Version 1 dated 14 June 2021 refers to architectural drawing 220:16:7

Version 2 dated 5 Oct 2021 to be read in conjunction with architectural drawing 220:16:10

220:16:10 reflects the movement of 'house 1' North to avoid RPA of T2

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## EXECUTIVE SUMMARY

There are no insurmountable arboricultural implications associated with the proposed development which is detailed in the previously submitted architectural submissions and supporting documents prepared and coordinated by Bartram Deakin Associates in relation to planning application PA21/02533 (withdrawn.)

Tree 2, Beech, Category C1, is the only tree which **might** be considered for retention although the observable serious, irremediable structural defect make this unlikely and illogical. Given the condition of the tree, its location, cross border growth, growth potential and the anticipated future requirement for technical intervention (bracing) and periodic crown reduction to prevent nuisance, the argument for retention would not be credible regardless of any potential planning application.

The vast majority of trees on site are Category U status. There are frequent successful s211 notices from nearby neighbouring properties with very similar removal requirements and the only tree potentially worthy of retention is a Cat C tree with observable serious, irremediable structural defect.

It is proposed that all trees highlighted in Table 1 be approved for removal under planning consent on the basis that planning history (s211) demonstrates that this would be the likely outcome regardless of the planning application.

In the unlikely event that retention of T2 would be a requirement of planning approval, a combination of elliptical off set of the RPA due to structural and ground level changes may be required, perhaps in combination with a slight adjustment to the proposed building footprint.

This can be addressed (if necessary) once the opinion of the planning department in regard to retention / removal of T2 has been established.



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Reference(s):

- A. British Standard 5837:2012 Trees in relation to design, demolition and construction – Recommendations
- B. British Standard 3998:2010 Tree Work - Recommendations
- C. Looe Conservation Area Appraisal (LCAA) and Looe Conservation Area Management Plan (LCAMP), Caradon council, 2009.

## **1 Introduction and Terms of Reference**

1.1 Following the request for further information from the planning officer, planning application PA21/02533 - Demolition of existing house and construction of 2 detached dwellings was withdrawn by the applicant.

1.2 Empire Tree & Garden Services has been instructed by the client to compile and submit the necessary Arboricultural Impact Assessment (AIA) in preparation for the planning application to be re-presented. This AIA is required as a supporting document for validation of the re-submission.

1.3 Preparation of the Tree Protection Plan (TPP) and Arboricultural Method Statement (AMS), if required after granting of planning permission, will specifically address the considerations of demolition and construction in the vicinity of existing trees as detailed in Reference A, Chapters 6 and 7, and state the means by which appropriate protection will be afforded (if required) to existing tree(s). TPP and AMS may be required dependent upon design parameters, the decision / granting of planning consent, any conditions or reserved matters applied subsequent to the decision upon which tree(s) may be retained / removed. Preparation of AMS / TPP prior to agreement of tree retention / removal would be premature and nugatory.

## **2 Limitations and Use of the Report**

2.1 Albeit out of sequence with the recommended timeline for production of AIA as stated in Reference A figure 1, this AIA will utilise the existing proposed site plan (plate 1) and overlay any potential tree constraints upon it.

2.2 The survey and assessment of trees listed was undertaken using the guidance of Reference A Chapter 4.

2.3 Basic hand tools such as sounding hammer and binoculars were used during the survey. Tree dimensions were recorded using a diameter tape and laser range finder.

2.4 Climbing inspections have not been conducted.

2.5 No detailed soil samples were taken.

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2.6 The information in this report covers only the tree(s) that are detailed in the survey and is an assessment of their condition on that day. The potential for any further detailed tree inspections subject to the Planning officer's decision will be discussed with the client should that matter arise.

2.7 The statements, findings and recommendations in the report do not take into account any effects of extreme climate weather instances, vandalism, changes in the natural and built environment around the trees(s) after the date of this report or any subsequent damage whether physical, chemical or otherwise.

2.8 Empire Tree and Garden Services cannot accept any liability in connection with the above factors, nor where recommended tree management is not carried out within stated timelines (where specified) and in accordance with Reference B.

2.9 The contents of this report are for the exclusive use of the client and Cornwall council in the execution of the specified planning application.

### **3 Site Description**

3.1 The proposed development site is within the existing curtilage of "Treryn", Shutta, East Looe PL13 1LY (plate 1) entrance at grid reference SX25640 54105.

3.2 Precise detail of the site under consideration is as described in the architectural design submissions and topographical survey.

3.3 The proposed development site may generally be described as a large detached bungalow sited within a generous garden plot of the style and proportion which matches the immediate area.

3.4 Although within the Looe CA and within an area of great landscape value, the proposed development presents no significant conflict with the stated aims and policies of Reference C; there are however considerable opportunities to achieve enhancements in line with those policies through the adoption of well considered new planting.

3.5 The site is identified in LCAA Appendix 2 Map 3 as "Positive but Altered or Modern" and LCAMP page 31 - Shutta - requires that:

*"...The green backdrop of Shutta should be preserved and reinforced by appropriate planting and management of gardens and spaces..."*

*"...protection of garden space, avoiding loss of greenery for car parking and hard standings..."*



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This is further reenforced in the paragraph Urban Landscapes and Greenery (p38) thus:

*"...Trees in the conservation area have a measure of protection; the notification procedures provide the opportunity to manage works to trees; planning briefs, proposals and permissions will include protection and /or management measures where appropriate. Proposals which damage or destroy a significant tree will lead to a Tree Preservation Order (TPO)..."* which is defined in policy SPL12 & 13..." (p48/49)

3.6 The CA designation requires tree owners to notify the Local Authority (LA) of their intention to conduct works to tree(s) under s211 of the Town & Country Planning Act and presents the LA with the opportunity to initiate TPO proceedings if it:

- (a) considers the notified works to be excessive / inappropriate **AND** that,
- (b) the subject tree(s) warrant retention with the statutory protection of a TPO after having been assessed as meeting the qualifying criteria.

3.7 **There are no trees within this site that would satisfy the qualifying criteria for TPO.**

3.8 As illustrated in Table 1 Tree appraisal and classification (below) the only tree which raises any possible case for retention - albeit barely credible - is the Category C1 (borderline Cat U - irremediable structural defect) Copper Beech identified as T2 in plate 3.

3.9 Thus, regardless of this planning application, should the land owner decide to submit a notice of intention to remove all/any of the tree(s) currently onsite, it is considered highly unlikely that TPO action would be initiated by the LA. This assumption is supported by the selection of historic and recent previous successful s211 notifications in the immediate vicinity recorded as:

- PA13/02585 - Application to remove one fir tree within a Conservation Area - Tree officer comment *"...In my view the amenity contribution is limited, and the tree is not a good example of the species. I would not recommend the placement of a Tree Preservation Order..."*
- PA18/01889 - Works to trees in a conservation area, namely remove silver birch in front garden, due to proximity to house - Tree officer comment *"...Whilst the tree has moderate levels of visual amenity and does contribute to the local landscape, It would not, in this instance, be appropriate to serve a Tree Preservation Order..."*

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- PA19/07245 Fell a Horse Chestnut tree and a Mountain Ash - Tree officer comment "...*The trees in question have limited amenity on the local landscape and are in close proximity to built structures/retaining walls. None are exceptional specimens and as such it would not be appropriate to serve a TPO...*"
  - PA20/05067 | Works to trees in a Conservation Area, namely fell thirty Cypress and one Ash trees - Tree officer comment "...*I do not feel that these works will have a detrimental affect on the conservation area/surrounding amenity, nor do I have objections from an arboricultural perspective...*"
  - PA20/10823 - Works to trees in a Conservation Area - remove 13 outgrown Leylandii - Tree officer comment "...*The proposed works would not have any significant or detrimental impact to public visual amenity and so should be allowed to proceed...*"

3.10 The general aims of the LCAMP ("*...The green backdrop of Shutta should be preserved and reinforced by appropriate planting and management of gardens and spaces...*") would be achieved through the establishment of new domestic gardens.

3.11 The broader 'woodland' hillside aspect of the wider region is already well served and protected by existing Priority Habitat Inventory - Deciduous Woodland (England) designation (plate 2.)

3.12 Generally, the site may be described as a derelict / uninhabitable structure standing within a generous domestic garden which has fallen into neglect with extensive scrub encroaching upon former lawned areas, shrubs and over-mature trees, some of which are dead or significantly degraded through structural defect. Trees of a similar age class and species have been removed from numerous neighbouring properties as detailed above. The overgrown and unmanaged condition of the area was raised by a neighbour during the site survey as a major factor in the presence of rodents causing nuisance to neighbouring property.

3.13 There are no trees in Category A or B within the site.

3.1 Category C and U trees are detailed in Table 1 (below.)

#### **4 Recommendations**

4.1 Removal of Cat U and C trees.

#### **5 Summary:**

5.1 There are no significant arboricultural barriers to the granting of planning approval.



## 6 Tree Appraisal and classification

6.1 At Table 1.

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**Table 1 - Tree appraisal and classification**

Ref	Species	Height (m)	Trunk $\varnothing$ (cm)	Crown Spread (m)	Direction Height of first limb (m)	RPA Radius of nominal circle	Structural & physiological condition	Age class	Category
T1	Yew	4	30	N3 E3 S3 W3	N/A 2	3.6	Tree stands in an elevated position upon the existing bank and has been severely height reduced by utility pruning to remove proximity to overhead cables. Tree could be retained but would require periodic pruning to maintain clearance from overhead utility cables. Plate 4.	Semi Mature	C1
H1	Laurel	<1.5	N/A	<2	N/A	N/A	Unmanaged and with potential to become dominant. Recommend annual trim. Potential benefit to retention law Ref A para 4.5.10.	Young	C2
T2	Beech	15	52.5 52.5	N7 E10 S7 W6	N 4	12.6	Tree stands upon or very close to what would be considered the boundary between Treryn and the neighbouring property (South) with stem and crown extending across the boundary. Twin stemmed with pronounced included union, evident previous amateur pruning presumably to remove nuisance limbs. In discussion with the neighbour (Mr D Hill) it was established that the size, location, future growth potential and structural defect contribute to a tangible concern for future failure and property damage. It was established that removal would be a highly desirable outcome. The tree has been allocated a category C1 on the basis that periodic crown reduction and/or bracing could ameliorate the potential for uncontrolled failure but it must be acknowledged that this carries an enduring technical and financial burden which outweighs the amenity value of the tree. This is a borderline Category U tree where the definition "...serious, irremediable, structural defect..." should be viewed in the context of the close proximity to dwelling houses. Cover plate, plates 5, 6 & 7.	Semi Mature	C1
T3 to T7	Cypres	<10	N/A	N/A	N/A	N/A	Trees 4 - 7 have been grouped together and should be considered in context as Cat U trees which are overdue removal as is illustrated by unopposed neighbouring s211 notices detailed at para 3.8 of the main text. Example plates 8 & 9.	Mature	U
T8	Pine	N/A	N/A	N/A	N/A	N/A	T8 should be considered in context as Cat U tree which is overdue removal as is illustrated by unopposed neighbouring s211 notices detailed at para 3.8 of the main text. Plate 10.	Semi mature	U















