

**Tree Protection Plan for the
Approved Demolition of existing dwelling and rebuild of
'Leyburn',
Church Lane,
Oving,
Buckinghamshire, HP22 4HL**

Prepared for Mr and Mrs Wood

Prepared for Discharge of Planning Condition 4 for Planning Reference
20/01054/APP



A trading name of RG Consultancy Ltd

**Prepared by
Peter Wilkins BA (Hons) MA ArborA
Our Ref: 0422-10040**

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Appendix 1

Tree Protection Plan

1.0 Introduction

1.1 The attached tree protection plan has been prepared to discharge planning condition 4 for the approved Demolition of existing dwelling and rebuild of 'Leyburn', Church Lane, Oving, Buckinghamshire, HP22 4HL. (Planning Reference 20/01054/APP)

1.2 For ease of reference the relevant planning condition is shown below:

Condition 4

No site clearance works or development shall take place until there has been submitted to the Local Planning Authority for their approval a tree protection plan showing the type, height and position of protective fencing to be erected around each tree or hedge to be retained. Unless otherwise agreed in writing by the Local Planning Authority this shall comprise a barrier complying with Figure 2 of BRITISH STANDARD 5837:2012 positioned at the edge, or outside the Root Protection Area shown on the tree protection plan.

No site clearance works or the development itself shall be commenced until such a scheme is approved by the Local Planning Authority and thereafter the development hereby permitted shall only be carried out in accordance with that scheme. The area surrounding each tree/hedge within the approved protective fencing shall remain undisturbed during the course of the works, and in particular in these areas:

- 1. There shall be no changes in ground levels;*
- 2. No materials or plant shall be stored;*
- 3. No buildings or temporary buildings shall be erected or stationed unless these are elements of the agreed tree protection plan.*
- 4. No materials or waste shall be burnt nor within 20 metres of any retained tree; and.*
- 5. No drain runs or other trenches shall be dug or otherwise created, without the prior written consent of the Local Planning Authority.*

Reason: In order to minimise damage to the trees during building operations and to comply with policy GP38 of the Aylesbury Vale District Local Plan, emerging policy NE8 of the Vale of Aylesbury Local Plan and the National Planning Policy Framework. Details must be approved prior to the commencement of development to ensure the development is undertaken in a way which ensures a satisfactory standard of tree care and protection.

1.3 Ruskins Tree Consultancy have been appointed to provide the arboricultural information to discharge Planning Condition 4 associated with planning reference (Planning Reference 20/01054/APP). Peter Wilkins visited the site in March 2022 to undertake a survey of the vegetation to inform the Tree Protection.

2.0 Statutory Tree Protection

2.1 The site is located within the Oving Conservation Area within a Conservation Area all trees with a stem diameter of over 75mm at 1.5m above ground level are protected. For treeworks in Conservation Areas the Local Planning Authority must be given six weeks' notice (a section 211 Notification) of any proposed felling or pruning of trees (over 75mm diameter at 1.5m above ground level). The LPA have six weeks to consider the proposed works.

- 2.2 The LPA can decide to allow these works either by confirming in writing that they do not object or by letting the six weeks elapse without making a Tree Preservation Order [TPO], serving a TPO is the only way the LPA can prevent treeworks which they do want to allow.
- 2.3 The Conservation Area status does not preclude the presence of Tree Preservation Orders. If trees are protected by a TPO unless exempt it is necessary to make a formal application for consent to undertake the work. If an application for TPO consent for treeworks is refused it is possible to appeal.
- 2.4 There are some relevant exemptions from the normal Conservation Area and Tree Preservation Order procedures:
- Removing or making safe any trees that are dead, or which are imminently dangerous does not need consent but in such cases the council must be given five days' notice. If a tree is removed under this provision, there is a requirement to plant a new tree in the same place unless the council agree otherwise.
 - Any treeworks which are necessary to directly implement a full planning permissions are deemed to be exempt and are covered by the planning consent for the development.
 - Preventing or abating an actionable nuisance, e.g. subsidence, does not need consent, although for this to apply the tree and damaged property must be in different ownership.
 - Removal of deadwood can be undertaken without TPO consent.
- 2.5 Prior to any treeworks or vegetation clearance being undertaken the possible presence of nesting birds or protected species needs to be considered and if necessary ecological advice should be sought. Nesting birds and protected species (including bats and their roosts) are protected from disturbance under the Wildlife and Countryside Act 1981 (as amended), The Countryside and Rights of Way Act 2000 (as amended) and the Conservation of Habitat and Species Regulations 2017.

3.0 Arboricultural Background Information

- 3.1 For all trees root growth is not predictable. Tree roots are opportunistic, they grow most prolifically in areas where conditions are favourable and will be deflected by natural features and man-made structures. When hostile conditions are encountered root growth will be limited.
- 3.2 It is generally agreed that the majority of tree roots, even for a mature tree are found in the top 90cm of the soil. These roots absorb moisture and nutrients needed for growth and contrary to popular belief mature trees do not have a large deep taproot that obtains moisture from great depth.
- 3.3 An ideal soil for root growth is about 50% pore space (in urban areas this is often significantly reduced). These pores, the spaces between soil particles, are filled with water and air, construction activity can compact the soil and can dramatically reduce the amount of pore space. This not only inhibits root growth and penetration but also decreases oxygen in the soil that is essential to the growth and function of the roots.

3.4 The two main possibilities for injury to trees during and following the construction process are from direct and indirect damage.

- Direct Damage can be defined as injury resulting from physical contact including contact with machinery or fire, and excavation of the root area.
- Indirect Damage can be defined as injury resulting from activities that take place near the tree such as level changes, compaction of the soil, or contamination by chemical spillage in proximity to the root plate.

3.5 It should be noted that damage to trees both above and below ground and to their rooting environment may impact on the health and structural integrity of these trees. In the longer term this may result in whole or partial tree failure, which has the potential to result personal injury and or damage to property.

3.6 If there is any direct or indirect damage to the above ground or below ground parts of the retained trees there is a risk of enforcement action and / or criminal prosecution from the Local Planning Authority.

3.7 In addition the owner of the site has a duty of care to the neighbours to avoid damage to the retained 3rd party owned trees.

4.0 Tree Protection Measures

4.1 This Arboricultural method statement is to address the tree protection measures for the demolition / construction works at 'Leyburn', Church Lane, Oving, Buckinghamshire, HP22 4HL. All retained trees both on and off-site are close to the boundary of the site as such these trees do not pose a significant constraint to the demolition and construction works.

4.2 The main points of note regarding the tree protection measures during the proposed works are listed below:

- **The Tree Protection Fencing will be installed as per the attached Tree Protection Plan prior to enabling, soft-strip demolition, groundworks or construction works commencing and will remain in situ during the demolition and construction programme.**
- **No Machinery will overhang or pass over the line of the Tree Protection Boundary Hoarding.**
- **Prior to any Enabling / Demolition / Construction works commencing the Tree Protection Measures will be photographed by the site owners.**
- **All works (including Landscaping works) within the fenced-off Tree Protection Areas on the Tree Protection Plan will be specified to avoid excavation, level changes and damage to the root system of the retained trees. The specifications and construction methodologies for all these works will be reviewed by the ACoW prior to works commencing.**

- 4.3 The Tree Protection Fencing / hoarding will form a rigid barrier to protect the above and below ground parts and the rooting environment of the retained trees. This fencing will remain in place throughout the demolition, excavation and construction works. To avoid any risk of damage no machinery will overhang the tree protection fencing / hoarding. The fencing should only be removed only after completion of the construction works to allow for landscaping works and installation of the boundary treatment.
- 4.4 All spoil, including excavated soil and demolition material, will be removed from site or stored in a location remote from any tree protection barriers.
- 4.5 The fuel storage and refuelling point is to be located in an area remote from any of the trees. The tarmac will remain in-situ and only be removed as part of the landscaping works.

5.0 Conclusion

- 5.1 All retained trees both on and off-site are close to the boundary of the site as such these trees do not pose a significant constraint to the demolition and construction works. Based on the known tree species characteristics it is my opinion that subject to appropriate tree protection measures as outlined in this report, the approved works will not impact on the health, stability or longevity of the retained trees.

Peter Wilkins BA (Hons) MArborA. MEnvSc CEnv
Ruskins Tree Consultancy
17th April 2022
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Appendix 1

Tree Protection Plan

Tree Protection Information

For to any demolition / remediation / enabling works, site scrape or
underworks commencing the Tree Protection Fencing will be installed in
accordance with this Tree Protection Plan. The Tree Protection Fencing will
remain in situ throughout the construction works.

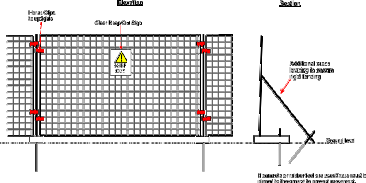
Within the fenced-off Construction Exclusion Zones there will be:

- No Pedestrian, Machinery or Vehicular Access.
- No level obstructions + or -
- No storage of plant or materials.
- No storage or handling of any chemicals including cement washings.
- Any works within the fenced-off areas will be subject to Arboricultural Supervision.
- No Fires within 10m of the Tree Protection Fencing.
- Clear Tree Protection Signs will be attached at 5m intervals along the fence line.
- See Below



Tree Protection Fencing location to
be based on this Tree Protection
Plan, (not the tree canopy spread or
height of the tree).

Tree Protection Fencing Specification



For further information on any tree issues please contact
info@ruskins-tree-consultancy.co.uk

TREE PROTECTION NOTICE



PLEASE KEEP OUT

The trees / hedgerows in this area are protected by Planning
Conditions and may be protected by Statutory Protection including
Tree Preservation Orders.

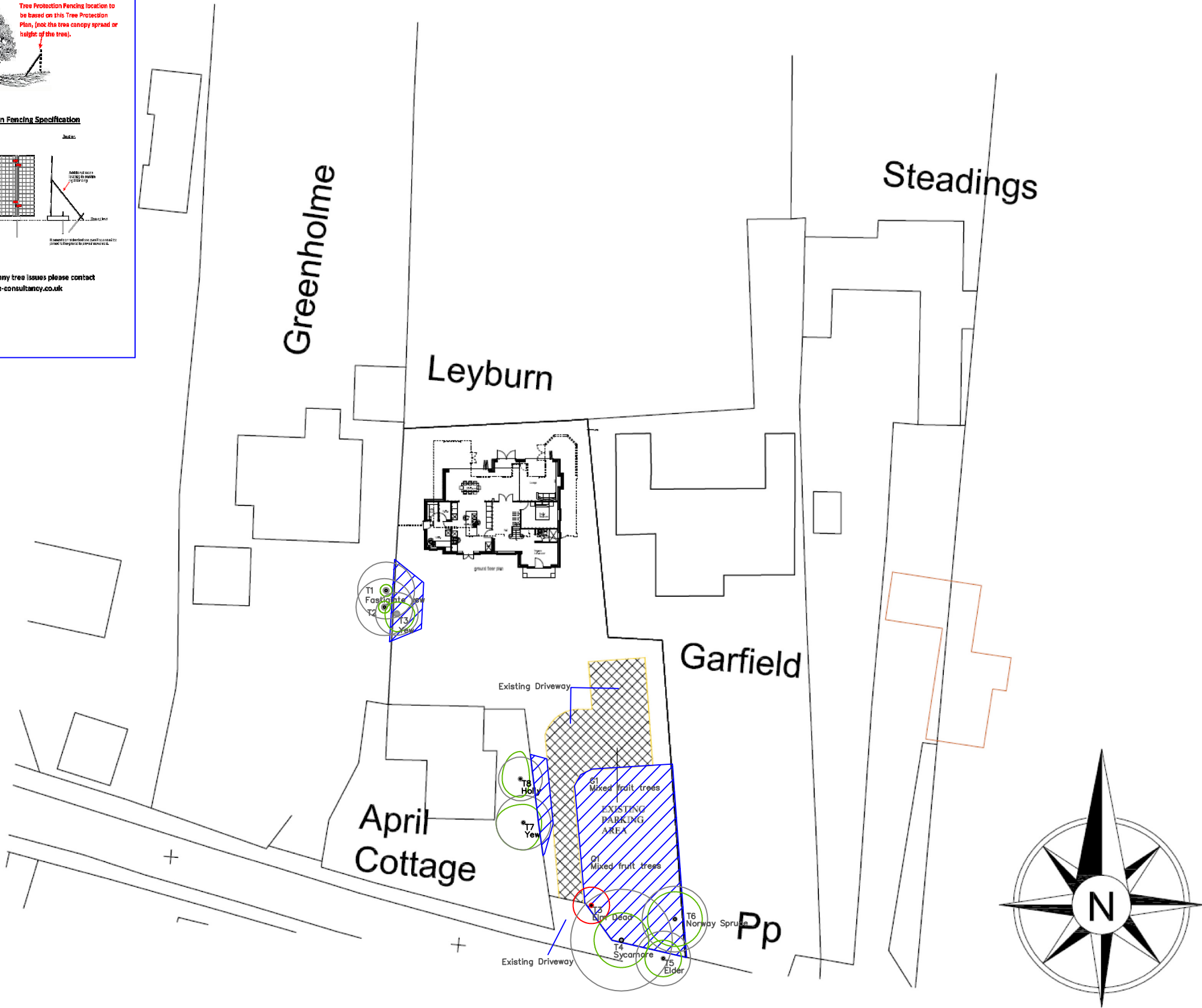
Any works in this fenced-off area may result in damage to the above
ground parts or root systems of this vegetation.

Damage to trees may lead to enforcement action and or a criminal
prosecution.

Any works in this area must be undertaken as per the Arboricultural
Report or with permission from the Local Planning Authority Tree
Officer.

For more information please contact

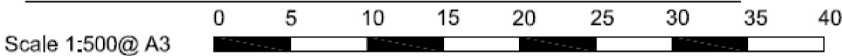
info@ruskins-tree-consultancy.co.uk



PROPOSED --BLOCK PLAN AT SCALE 1:500 A3

Leyburn, Church Lane, Oving HP22 4HL

Amended Plan - Date: 25 07 2021



Tree Protection Plan

Tree Protection Area / Construction Exclusion Zone
Fence-off this area from the works site, prior to
enabling or groundworks commencing, with a rigid and
robust Tree Protection Barrier.

'Leyburn', Church Lane
Oving, Buckinghamshire, HP22 4HL

Tree Protection Plan
For
Mr and Mrs Wood

Ruskins Tree Consultancy
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Scale 1:500 @ A3
Date 06/04/2022
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Drawn by
PW
Checked by
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