



TREE SURVEY
ARBORICULTURAL CONSTRAINTS
ARBORICULTURAL IMPACT ASSESSMENT

St Andrew's Gardens
Crooked Lane
Gravesend
DA12 2BD

Client: Meiloci
Reference: EV-5339-TS CA AIA
Site visit Date: 11 January 2026
Report Date: 20 January 2026

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1 INSTRUCTION

- 1.1 Evolve Tree Consultancy have been instructed to Meiloci provide the following;
- Tree Survey
 - Arboricultural Constraints Analysis
 - Tree Constraints Plan
 - Arboricultural Impact Assessment
 - Tree Protection Plan

2 INTRODUCTION

- 2.1 We have been asked to survey the trees to assess their condition with regards the potential for the proposed landscape improvements to a community green space.
- 2.2 This report analyses the final design as received and describes the implications of the development on the trees.
- 2.3 This report provides the necessary information to satisfy the validation requirements of a planning application by the local planning authority.



Image 1. Survey site location. ©Google Map Data 2026.
Exact site boundary subject to a topographic survey.

3 METHODOLOGY

- 3.1 I have undertaken both survey and report to accord with the recommendations in British Standard 5837:2012 Trees in relation to design, demolition & construction - Recommendations (BS 5837).
- 3.2 This survey is not a risk assessment, nor does it assess the risks related to subsidence, heave or other forms of disturbance associated with tree root growth or removal.
- 3.3 My survey was a visual one made from ground level. I did access trees outside the boundary of the site. Any observations of these trees are confined to what is visible from within the property.
- 3.4 Tree Schedule Explanatory Notes & Methodology are presented as Appendix A.
- 3.5 The collected tree data is presented as Appendix B.
- 3.6 Tree positions are indicated on the Tree Constraints Plan (TCP), which is based on the topographical survey provided.
- 3.7 Following the survey I consider the collected data, conduct a search for statutory protections, controls and legal constraints. This information, in addition to planning policies and designations, enables me to analyse the proposal with regard to the trees noted during the survey.

4 SUPPORTING DOCUMENTATION

- 4.1 Relevant documents provided to me include;
- Topographic Survey prepared by Enka Surveys 3246 October 2025.
 - General Arrangement prepared by Meiloci ML2564_MLOC_DR_L_1001 Rev 05 dated 30.01.2026.
- 4.2 This report should be read alongside Evolve drawing;
- Tree Constraints Plan: EV-5339-TCP.
 - Tree Protection Plan: EV-5339-TPP.

5 STATUTORY PROTECTION & OTHER CONTROLS

- 5.1 Statutory Protection: I have used the information provided by the Gravesham Borough Council on the assumption this is a true and accurate record. Should any tree be identified for removal confirmation must be obtained from the local planning authority (LPA) in writing as to the protected status of the trees.
- 5.2 Tree Preservation Order: Trees are not protected by a Tree Preservation Order (TPO).

- 5.3 Conservation Area: I have used information supplied by Gravesham Borough Council. The site is within a designated Conservation Area - reference: Riverside.
- 5.4 Ancient Woodlands: I have used information supplied by Magic (Gov.uk) interactive mapping. The site is not adjacent to or designated Ancient & Semi-natural Woodland or Ancient Replanted Woodland.
- 5.5 Public Rights Of Way: The site is a community green space.
- 5.6 Planning Conditions/Covenants: I did not investigate whether any planning conditions or legal covenants relevant to the trees are in place.
- 5.7 Information regarding legal constraints is presented as Appendix C.

6 PLANNING POLICY

- 6.1 The following include planning policies relevant to trees;
- The National Planning Policy Framework (NPPF) sets out national planning policy
 - Kent County Council Environment Plan
- 6.1.1 Further details are presented as Appendix D Planning Policy.

7 THE SITE

- 7.1 Site location: St Andrew's Gardens are found to the north of Gravesend town centre on the bank of the River Thames.
- 7.2 Access: Pedestrian access is available at various points around the grounds.
- 7.3 Structures & facilities: The site is comprised of both hard and soft landscaping with typical public garden features plus interpretation signs and a memorial statue.
- 7.4 Site Use: Public recreation.
- 7.5 Slope: Overall, the site slopes downwards from Crooked Lane towards the pathway adjacent to the riverbank.
- 7.6 Exposure: The site is on the south bank of the River Thames.
- 7.7 Adjacent land: To the north is the river, east is a car parking facility and green space, south is Crooked Lane. To the west is The Three Daws public house which is Grade II listed.



Image 2. Aerial view.
©Google Map Data 2026.

8 THE TREES

- 8.1 Overview: The trees comprise a mix of exotic and native species trees. They are well-spaced throughout the small area of the park.
- 8.2 Visual amenity: The trees are of moderate public amenity when considered individually, I have assessed the majority as B category.
- 8.3 Evidence of management: There is regular management of all the trees with regular crown pruning, primarily crown-lifting.
- 8.4 Evidence of disease: The birch tree T3 has some decay on the lower primary branch. The willow tree T4 displays evidence of decay.
- 8.5 Trees of note: The willow tree T4 has considerable decay in the hollowing stem and has been regularly managed in the past. Given the collection of the features and dysfunction within the tree and its age I have categorised this tree as B3 indicating it to be a veteran tree.



Image 3. Stem of veteran willow T4.



Image 4. Veteran willow T4.

9 CONSTRAINTS ANALYSIS & DESIGN CONSIDERATIONS

- 9.1 The key constraints posed by the trees are shown on the Tree Constraints Plan. Both the above and below ground constraints have the potential to influence the design.
- 9.2 Tree Quality Assessment: The cascade chart, presented as part of Appendix B, is a construct of the BS5837 designed to help describe the characteristics and relative value of trees. It provides guidance enabling an estimate of which trees are important and which trees are not.
 - 9.2.1 It does not dictate which trees ought to be retained or removed, merely the weight that should be given to them when balancing competing interests.

10 THE PROPOSAL

- 10.1 The indicative proposal for the site is to demolish existing steps and construct new, extend paved surface areas, enlarge access points including the construction of ramp(s) and sculptural terraces.

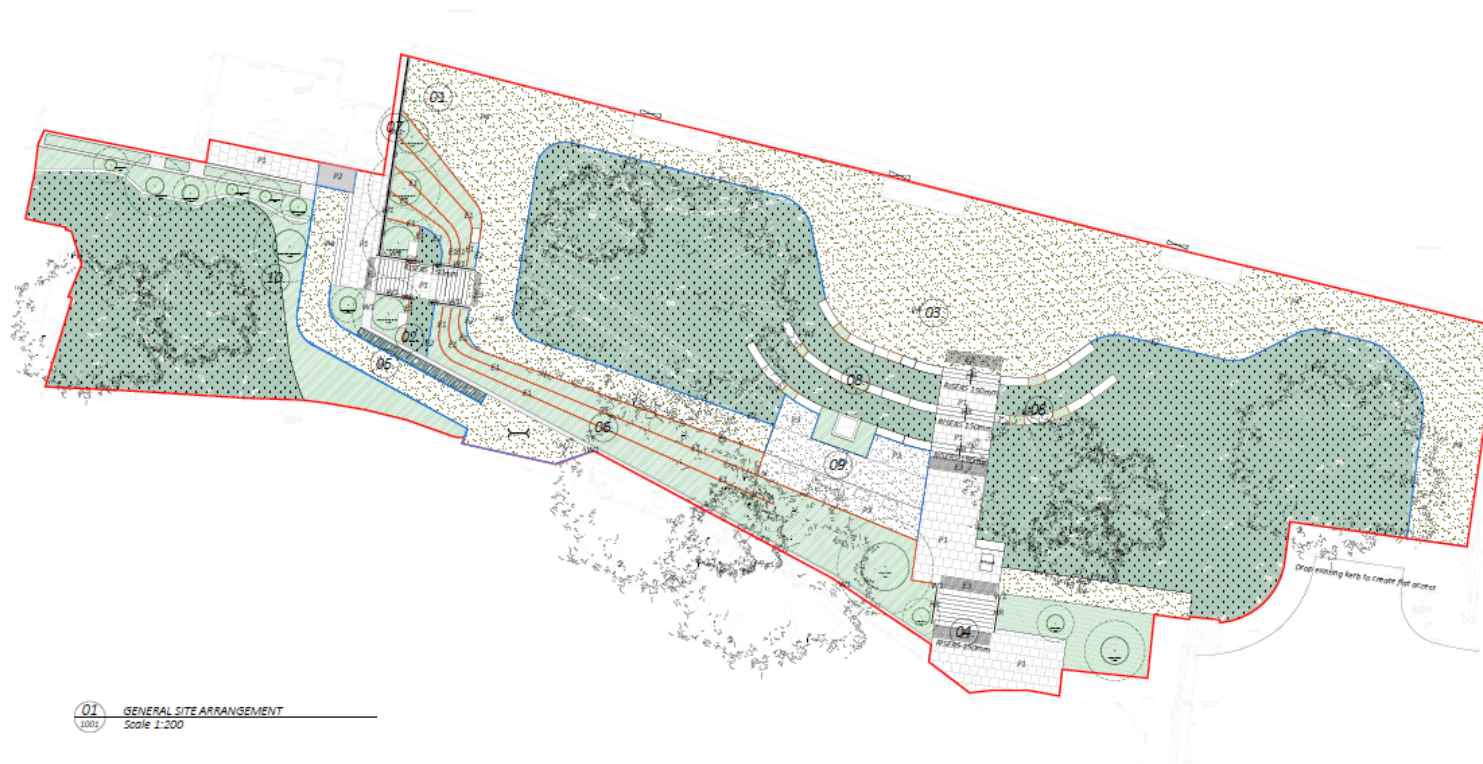


Image 5. Mei Loci Proposals Plan General Arrangement prepared by Meiloci ML2564_MLOC_DR_L_1001 Rev 05 dated 30.01.2026

11 IMPACT OF PROPOSAL ON TREES

- 11.1 My assessment focuses on the impacts relevant to planning merits and is guided by the British Standard BS5837 'Trees in relation to design, demolition, and construction – recommendations'.
- 11.2 Impact 1-Tree Removals
No trees are to be removed.
- 11.3 Impact 2-Visual Amenity
As no trees are to be removed the impact on visual amenity will be very low.
- 11.4 Impact 4-Build Practicability
The root protection area (RPA) and canopy of the key trees will be compromised by the proposals. However, this can be managed as described in 11.8 below.
- 11.5 Impact 5-Services
Excavations for services will need to avoid the RPA of the key trees. If this is not practicable, mitigation will need to be considered in relation to the advice given in the National Joint Utilities Group (NJUG) Publication No. 4 - Guidelines for the planning, installation and maintenance of utility services in proximity to trees.
- 11.6 Impact 6-Incursions into RPA
Section 5.3.1 of BS5837 2012 recommends that the default position should be that structures (see 3.10) are located outside the RPAs of trees to be retained, but where there is an overriding justification for construction within the RPA, technical solutions might be available that prevent damage to the tree(s).
- 11.7 The RPA is an estimation of the area of the root system that would need to be retained to sustain the condition of the tree if all the other roots were to be severed. It represents, on average, around a half to one third of a tree's entire root system and consequently, whilst the RPA is a particularly important consideration, if an encroachment does not significantly reduce the overall assimilative function of the root system it is unlikely to cause harm.
- 11.8 Much of the work is within the RPAs of the trees but is primarily the replacement of existing surfacing and will not require any excavation. There will be the removal of turf for replacement with new planting but this can be done without damaging roots by using ground protection and careful management of the turf removal.
- 11.9 The incursion into the RPA of the veteran tree T4 is again primarily the replacement of existing structures with the building up for new steps. Given the vitality of this tree and the species ability to tolerate disturbance, and the current management of the ground around it, I do not believe this work will

result in any further deterioration of the condition of this tree. This tree can be retained as a veteran within this slightly amended environment.

- 11.10 can be protected during development by establishing a Construction Exclusion Zone (CEZ). The CEZ will be protected by way of a tree protection barrier (TPB) as indicated on the TPP.

12 ENHANCEMENT

- 12.1 A plan to include any new tree plantings will be presented by Meiloci.

13 TREE PROTECTION PROPOSALS

- 13.1 Tree protection for this site and the proposals will not be in line with the recommendation in BS 5837 as this would impinge on the works. The works will not require large machinery or the significant impacts generally associated with construction projects. Consequently, the tree protection measures I have proposed are proportionate if not to the recommended fencing standards.
- 13.2 The trees will have their stems protected using Trunk Protecta or similar.



Image 6. Trunk Protecta

- 13.3 The ground adjacent to the works will be covered by ground protection to plates to reduce the impact of construction on the soil. These will comprise secured plates laid onto a compressible material. An example is shown below.



Image 7. An example of a proprietary ground protection system (Ground Guards)

- 13.4 Based on the information provided to date, this report and Tree Protection Plan provide defined tree protection proposals (related to this design) which can be implemented without further specification.
- 13.5 The TPP defines the position of tree protection measures which will be erected prior to the commencement of development and thereafter retained until completion. Please refer to requirements and illustrations of tree protection barriers presented as Appendices E to I.
- 13.6 Arboricultural site considerations are presented as Appendix J.

14 CONCLUSIONS

- 14.1 The overall arboricultural impacts of the proposed development are moderate but can be managed with careful specification and supervision. Consequently, the proposal does not conflict with either local or national planning policies.
- 14.2 We accept that a planning condition may be imposed within any future decision notice which requires the measures outlined within the Tree Protection Plan to be implemented as defined.



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Evolve Tree Consultancy

I am a Fellow of the Institute of Chartered Foresters and a Chartered Arboriculturist. I am also a Fellow of the Arboricultural Association and a Chartered Surveyor. I hold an honours degree in Forestry and the Royal Forestry Society Professional Diploma in Arboriculture. I have been working as a full-time, professional arboriculturist since 1999 with experience in both the public and private sector.



The authority of this report ceases when any site conditions change or pruning or other works unspecified in the report are conducted to, or affecting, the subject tree(s). The statements made in this report do not consider the effects of extremes of climate, vandalism, or accident, whether physical, chemical or fire. Evolve Tree Consultancy cannot accept any liability about these factors and/or where prescribed work is not carried out in a correct and professional manner in accordance with current good practice.

The recommendations within this report remain valid for the period stated for re-inspection or twelve months from the date of survey.

The limit of Evolve Tree Consultancy's indemnity over any matter arising out of this report extends only to the instructing client; Evolve Tree Consultancy cannot be held liable for any third-party claim that arises following or out of this report. This report remains the intellectual property of Evolve Tree Consultancy.

APPENDIX A Tree Schedule Explanatory Notes

Tree number	Sequential Tree, Group or Woodland Reference Number.	
Name	Scientific name (Common name in brackets).	
Height	Recorded in metres by inclinometer in each discrete area and estimated from the measured tree.	
Stem diameter	Tree stem diameter in millimetres at 1.5 metres above adjacent ground level rounded up to the nearest 50 millimetres. For multi-stemmed, a cumulative diameter is calculated (in accordance with BS 5837:2012 Annex C).	
Branch spread	Measured in metres and taken at four cardinal points (N E S W).	
1 st Sig branch	Existing height in metres above ground level (agl) of the first significant branch with direction of growth (if possible).	
Life stage	Y Young	Recently planted or established tree.
	SM Semi Mature	Age less than one third life completed. Established tree but one that has not reached its potential ultimate height and has significant growth potential.
	EM Early Mature	One-third to two-thirds life completed. A tree reaching its ultimate potential height, whose growth rate is slowing down but will still increase in stem diameter and crown spread.
	M Mature	Two-thirds plus life completed. Specimen with limited potential for any significant increase in size but with reasonable life expectancy.
	LM Late Mature	Two-thirds plus life completed and declining. A tree that has passed its optimum growth rate and may require specialist management. These trees may offer significant benefits in terms of nature conservation. Referred to as Over Mature in the British Standard.
	V Veteran	A tree that shows features of biological, cultural or aesthetic value that are characteristic of, but not exclusive to, individuals surviving beyond the typical age range for the species concerned.
Comments	General observations e.g. collapsing, the presence of any decay and physical defect and including further investigation of suspected defects that require more detailed assessment and potential for wildlife habitat.	
Life Expectancy	Estimated remaining contribution in years in terms of amenity	

(<10, 10+, 20+,40+).

Recommendations	Preliminary management recommendations based on the site as surveyed and for any pruning likely to be required should any development proceed.
Category	A grade given in accordance with BS 5837:2012 – Tree Categories (see copy of Table 1 from BS on the next page).
RPA – R (m)	Root Protection Area (RPA) Radius – The radius of an indicative circle of the RPA.
RPA (m ²)	RPA Area in metres squared.

Table 1 from BS 5837:2012 Trees in relation to design, demolition & construction – Recommendations. Cascade chart for tree quality assessment

Category and definition	Criteria (including subcategories where appropriate)			Identification on plan
Category U Trees unsuitable for retention Those in such a condition that they cannot realistically be retained as living trees in the context of the current land use for longer than 10 years.	Trees that have a serious, irremediable, structural defect, that such that their early loss is expected due to collapse, including those that will become unviable after removal of other category U trees (e.g. where, for whatever reason, the loss of companion shelter cannot be mitigated by pruning). Trees that are dead or are showing signs of significant, immediate, and irreversible overall decline. Trees infected with pathogens of significance to the health and/or safety of other trees nearby, or very low-quality trees suppressing adjacent trees of better quality. <i>NOTE Category U trees can have existing or potential conservation value which it might be desirable to preserve.</i>			RED 
Category A Trees to be considered for Retention Trees of high quality with an estimated remaining life expectancy of at least 40 years.	1 Mainly arboricultural qualities Trees that are particularly good examples of their species, especially if rare or unusual; or those that are essential components of groups or formal or semi-formal arboricultural features (e.g. the dominant and/or principal trees within an avenue).	2 Mainly landscape qualities Trees, groups, or woodlands of particular visual importance as arboricultural and/or landscape features.	3 Mainly cultural values, including conservation Trees, groups, or woodlands of significant conservation, historical, commemorative, or other value (e.g. veteran trees or wood-pasture).	GREEN 
Category B Trees of moderate quality Trees with an estimated remaining life expectancy of at least 20 years.	Trees that might be included in category A but are downgraded because of impaired condition (e.g. presence of significant though remediable defects, including unsympathetic past management and storm damage), such that they are unlikely to be suitable for retention for beyond 40 years; or trees lacking the special quality necessary to merit the category A designation.	Trees present in numbers, usually growing as groups or woodlands, such that they attract a higher collective rating than they might as individuals; or trees occurring as collectives but situated so as to make little visual contribution to the wider locality	Trees with material conservation or other cultural value	BLUE 
Category C Trees of low quality Trees with an estimated remaining life expectancy of at least 10 years, or young trees with a stem diameter below 150 mm.	Unremarkable trees of very limited merit or such impaired condition that they do not qualify in higher categories	Trees present in groups or woodlands, but without this conferring on them significantly greater collective landscape value; and/or trees offering low or only temporary/transient landscape benefits.	Trees with no material conservation or other cultural value	GREY 

APPENDIX B Tree Schedule

Tree No.	Common Name	Ht (m) (Lwr cr ht)	Stem dia. (mm)	Branch Spread (m)				1 st sig branch (m)	Life Stage	Comments	Life Exp (yrs)	Phys Cond	Struct Cond	Cat	RPA R m	RPA A m ²
				N	E	S	W									
T1	Norway Maple	15(2)	520	2	5	7	5	5	EM	No significant visible defects. Reasonable vitality and structural condition. Surface roots exposed.	40+	Good	Good	B1	6	122
T2	Silver Birch	10(1)	250	2	2.5	2	3	2	SM	No significant visible defects. Reasonable vitality and structural condition. Crown distorted due to group pressure.	20+	Fair	Good	B2	3	28
T3	Silver Birch	9(1)	160	2	2.5	2	3	2	SM	Broken branches in crown. Crown distorted due to group pressure. Stubs in lower crown. Minor stem damage.	20+	Fair	Good	B2	2	12
T4	White Willow	9(0.5)	840	2	5	4	6	5	LM	Pollard. Decay present on stem. Cavity on stem. Major bark wounding on stem.	20+	Fair	Fair	B3	10	319
T5	Leyland Cypress	18(2)	820	2	6	6	6	6	M	Reasonable vitality and structural condition. In/adjacent to hard surface area. Dimensions vary - those recorded are an average representation. Prominent tree/group.	40+	Good	Good	B2	10	304
T6	Norway Maple	5(2)	150	2	1	2	2.5	2	SM	Suppressed tree.	10+	Fair	Fair	C1	2	10
T7	Leyland Cypress	18(2)	810	2	6	6	6	6	M	Reasonable vitality and structural condition. In/adjacent to hard surface area. Dimensions vary - those recorded are an average representation. Prominent tree/group.	40+	Good	Good	B2	10	297

Tree No.	Common Name	Ht (m) (Lwr cr ht)	Stem dia. (mm)	Branch Spread (m)				1 st sig branch (m)	Life Stage	Comments	Life Exp (yrs)	Phys Cond	Struct Cond	Cat	RPA R m	RPA A m ²
				N	E	S	W									
T8	Norway Maple	17(2)	640	2	8	9	7	8	M	No significant visible defects. Reasonable vitality and structural condition. Good occlusion on wounds. Crown lifted to current dimensions. Surface roots exposed.	40+	Good	Good	B1	8	185
T9	Norway Maple	8(2)	320	2.5	3	3	3	3	EM	Reasonable vitality and structural condition. Decay present on stem. Cavity on stem.	20+	Fair	Fair	B1	4	46
T10	Silver Birch	20(2)	390	2	3	3	2	3	EM	Reasonable vitality and structural condition. In/adjacent to hard surface area.	40+	Good	Good	B1	5	69
T11	Himalayan birch	19(2)	350	2	5	4	5	5	EM	Reasonable vitality and structural condition.	40+	Fair	Fair	B1	4	55

APPENDIX C Legal Constraints

Trees outside the site or property

Landowners and managers have a duty of care not to damage trees on the neighbouring land. The common causes of damage (root damage, compaction, physical damage and inexperienced pruning) must be avoided through good planning and site management. However, branches and roots from trees on adjacent properties that extend over boundaries can be pruned back to the boundary line without the permission of the owners. However, the branch material belongs to the tree owner and should be returned where appropriate.

Statutory Wildlife Obligations

The Wildlife and Countryside Act 1981 as amended by the Countryside Rights of Way Act 2000 provides statutory protection to birds, bats and other species that inhabit trees. All wild birds are protected by law under the Wildlife and Countryside Act 1981, and it is an offence to disturb, injure or kill a nesting bird intentionally or to take, damage or destroy an occupied nest or egg. If nesting birds are discovered, works on the trees should be deferred until the nests are abandoned. Care should be taken during any felling operation, or surgery works to trees to avoid damage or disturbance to birds during the nesting season.

Forestry Commission Felling Licence

In any quarter (1 January to 31 March, 1 April to 30 June, 1 July to 30 September and 1 October to 31 December), you may fell up to 5 cubic metres on your property without a licence if no more than two cubic metres are sold.

Exemptions: Certain types of felling do not need permission from the Forestry Commission. The Forestry Act 1967, as amended, and related regulations give these exceptions in full.

The main categories are listed below:

- Lopping and topping (which usually includes tree surgery, pruning and pollarding).
- Felling included in an approved dedication plan.
- Felling fruit trees, or trees growing in a garden, orchard, churchyard or designated public open space (e.g. under the Commons Act 1899).
- Felling trees which, when measured at the height of 1.3 metres from the ground: have a diameter of 8 centimetres or less; or if thinnings have a diameter of 10 centimetres or less; or if coppice (i.e. managed by cutting to promote multi-stemmed growth arising at or near ground level) or underwood, have a diameter of 15 centimetres or less.
- Felling trees immediately required for carrying out development authorised by planning permission (granted under the Town and Country Planning Act 1990) or for work carried out by certain providers of gas, electricity and water services and which is essential for the provision of these services.
- Felling necessary for the prevention of danger or the prevention or abatement of a nuisance (e.g. which may involve the threat of danger to a third party). This exemption will only apply if there is a real rather than perceived danger. We may be able to give you advice that would minimise the danger without felling the trees in these circumstances. You may be prosecuted for illegal felling if it is shown that the tree did not present a real or immediate danger.
- Felling necessary to prevent the spread of a quarantine pest or disease and done in accordance with a notice served by a Forest Commission Plant Health Officer (under the Plant Health (Forestry) (Great Britain) Order 1993, as amended).

- The felling is done in compliance with any obligation imposed by or under an Act of Parliament.

The Hedgerow Regulations 1997

The hedgerow regulations do not apply to the boundary of a domestic curtilage but will affect those hedgerows that border land used for keeping horses or agriculture. The Hedgerows Regulations 1997 make it an offence to remove most countryside hedges without first giving the local planning authority 42 days' notice.

APPENDIX D Planning Policy

National Planning Policy Framework

Section 15

Conserving and enhancing the natural environment

187. Planning policies and decisions should contribute to and enhance the natural and local environment by: a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);

b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;

c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;

d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs;

e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and

f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

188. Plans should: distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in this Framework⁶⁵; take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries.

189. Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and National Landscapes which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads⁶⁶. The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.

190. When considering applications for development within National Parks, the Broads and National Landscapes, permission should be refused for major development⁶⁷ other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:

a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;

b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and

c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.

Habitats and Biodiversity

192. To protect and enhance biodiversity and geodiversity, plans should:

- a) Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity⁶⁸; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation⁶⁹; and
- b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.

193. When determining planning applications, local planning authorities should apply the following principles:

- a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
- b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;
- c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons⁷⁰ and a suitable compensation strategy exists; and
- d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.

194. The following should be given the same protection as habitats sites:

- a) potential Special Protection Areas and possible Special Areas of Conservation;
- b) listed or proposed Ramsar sites⁷¹; and
- c) sites identified, or required, as compensatory measures for adverse effects on habitats sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites.

195. The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.

Ground Conditions and Pollution

196. Planning policies and decisions should ensure that:

- a) a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities

such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation);

b) after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and

c) adequate site investigation information, prepared by a competent person, is available to inform these assessments.

197. Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

198. Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:

a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life⁷²;

b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and

c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

199. Planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement. So far as possible these opportunities should be considered at the plan-making stage, to ensure a strategic approach and limit the need for issues to be reconsidered when determining individual applications. Planning decisions should ensure that any new development in Air Quality Management Areas and Clean Air Zones is consistent with the local air quality action plan.

200. Planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed.

201. The focus of planning policies and decisions should be on whether proposed development is an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes). Planning decisions should assume that these regimes will operate effectively. Equally, where a planning decision has been made on a particular development, the planning issues should not be revisited through the permitting regimes operated by pollution control authorities.

APPENDIX E Tree Protection Requirements and Barriers

No equipment, machinery or materials shall be brought onto the site for the purposes of the development until fencing has been erected in accordance with the plans and particulars which shall have been previously approved by the local planning authority in writing.

The areas forming the Construction Exclusion Zone are to be protected by Tree Protection Barriers as per the recommendations in BS 5837:2012 (Figure 2) or as specified below at Appendix I.

This fencing is to be erected before any work commences on site and is to remain in place undamaged for the duration of all work or each phase. It will only be removed once all work is completed and if required by planning condition, with the formal consent of the local planning authority.

If the fencing be broken or removed during the course of carrying out the development, it shall be promptly repaired or replaced to the satisfaction of the local planning authority.

Within any area fenced in accordance with this condition, nothing shall be stored, placed, or disposed of on the above or below ground, the ground level shall not be altered, no excavations shall be made, nor shall any fires be lit, without the prior written consent of the local planning authority.

Other than works detailed within this method statement or approved in writing by the local planning authority, no works at all (including storage or dumping of materials) shall take place within the exclusion zones defined by the protective fencing.

The fencing is to carry waterproof warning notices denying access within the RPA. The following signs or similar will be attached to the fence panels.



**PROTECTIVE FENCING. THIS
FENCING MUST BE
MAINTAINED IN ACCORDANCE
WITH THE APPROVED PLANS
AND DRAWINGS FOR THIS
DEVELOPMENT.**



TREE PROTECTION AREA

KEEP OUT!

TREES INSIDE THIS AREA ARE PROTECTED BY
PLANNING LAW
ANY ENTRY TO THIS AREA MUST BE WITH THE
WRITTEN PERMISSION OF THE LOCAL PLANNING
AUTHORITY

APPENDIX F Informative Poster

Arboricultural Site Considerations – To be displayed in a prominent place.

Tree Protective Barriers must be regarded as sacrosanct and must not be removed or altered without prior consultation with either the Local Planning Authority (LPA) or the arboricultural consultant responsible for the site supervision.
Ground protection must not be lifted or removed without prior consultation with either the LPA or the arboricultural consultant responsible for the site supervision.
Damage caused to protective fencing or ground protection must be reported to the site supervisor immediately to ensure efficient repair.
No materials, chemicals, machinery, or vehicles must be stored within the Construction Exclusion Zone as defined on the Tree Protection Plan (TPP) and identified on site by fencing and above ground root protection.
No materials must be rested against a tree's trunk or machinery chained to it.
No pruning of trees may be undertaken by anyone other than an arborist, and all work must be approved by the supervising arboricultural consultant.
Any physical damage caused to a tree retained on site must be reported to the site manager so remedial work can be undertaken without delay.
Builder's sand, which contains salt, must not be used to back fill excavation within or in close proximity to tree roots, as this can have a toxic affect. Sharp sand can be used instead.
Material that will contaminate the soil, e.g. concrete mixings, diesel oil and vehicle washings, must not be discharged within 10 metres of a tree stem.
Fires must not be lit in a position where their flames can extend to within 5 m of foliage, branches, or trunk. This will depend on the size of the fire and wind direction.
Notice boards, telephone cables or other services must not be attached to any part of a tree.
 Evolve Tree Consultancy 8 Duke Street Truro Cornwall TR1 2QE 01872 276 099