



BS 5837

Tree Constraints Report (TCR)

Client:	Roger Goodman & Paul Henry
Site address:	Bowesden Lane, Shorne DA12 3LA
Report reference:	#Ref-350
Surveyor:	Ian Dalton TechArborA
Author:	Ian Dalton TechArborA
Date:	28th May 2026

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1.0 Executive Summary

- 1.1.1** Canopy IQ was commissioned to undertake an arboricultural survey at Bowesden Lane, Shorne DA12 3LA, on 28th May 2026 and prepare this Tree Constraints Report (TCR). This report has been produced in accordance with British Standard 5837:2012, *Trees in relation to design, demolition and construction – Recommendations* to support a planning application for the proposed development.
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- 1.1.2** Individual trees comprise 1 Category A, 4 Category B, 4 Category C and no Category U trees. Groups comprise 1 Category B, 4 Category C and no Category A or U groups. One Category C shrub area was also recorded.
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- 1.1.3** Principal constraints are the Category A off-site oak T2, Category B off-site G3 and T4, and Category B oaks T11, T12 and T13. The largest recorded Root Protection Area (RPA) is G14 at 541 m². Significant RPAs are also associated with T4 and T9, each recorded at 387 m².
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- 1.1.4** The supplied schedule does not identify any veteran trees. Several ash components in G1 and G15 are recorded as declining and likely affected by ash dieback.
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- 1.1.5** Development should be directed outside the RPAs of retained Category A and B trees where practicable. Lower-value Category C areas may offer greater flexibility, subject to design review.
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- 1.1.6** The next design stage should include a Tree Constraints Plan, design overlay and an Arboricultural Impact Assessment if a layout is available. Tree protection requirements should then be specified.

- 1.1.7** A total of 9 individual trees, 5 tree groups, 0 hedges, and 1 shrub/scrub area were recorded during the survey. Trees have been categorised as per the BS 5837:2012 guidelines as follows:

1.2 Table 2: Summary of Tree Survey Categorisation

	<i>A</i>	<i>B</i>	<i>C</i>	<i>U</i>	<i>TOTAL</i>
<i>Trees</i>	1	4	4	0	9
<i>Groups</i>	0	1	4	0	5
<i>Hedges</i>	0	0	0	0	0
<i>Woodlands</i>	0	0	0	0	0
<i>Shrub/Scrub areas</i>	0	0	1	0	1
<i>TOTAL</i>	1	5	9	0	15

- 1.2.1** Full details for each item, including dimensions, condition, and specific recommendations, can be found in the [Tree Schedule \(Appendix 2\)](#).

2.0 Introduction

2.1 Instructions

- 2.1.1** Canopy IQ was instructed by Roger Goodman & Paul Henry to undertake a tree survey and prepare this Tree Constraints Report (TCR) to inform the site's planning and design process.

2.2 Scope and Purpose

- 2.2.1** This report sets out the findings of the BS 5837:2012 tree survey and identifies the principal arboricultural constraints that should be taken into account during the design and planning of any development proposals. It provides a strategic framework for the retention and protection of trees through the Tree Constraints Plan (TCP) and associated Root Protection Areas (RPAs).

3.0 The Site

3.1 Site Location and Context

- 3.1.1** The site is located at Bowesden Lane, Shorne DA12 3LA. A plan showing the site location and survey boundary is provided below:

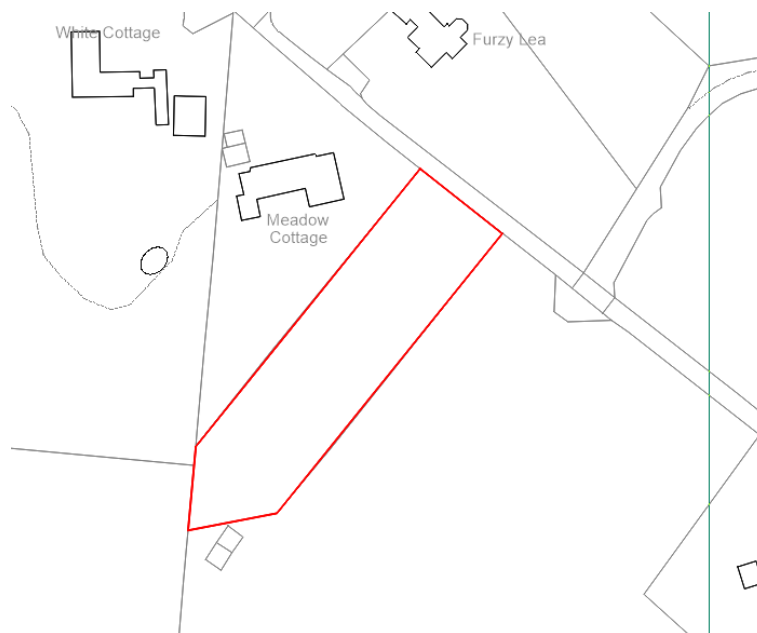


Figure 1 Site plan

4.0 Legal Status of the Trees

Protection Type	Yes/No
Tree Preservation Order (TPO)	Unconfirmed
Conservation Area	No
Ancient Woodland	No

4.1 Tree Preservation Orders and Conservation Areas

- 4.1.1** The Council's website was reviewed, but no interactive map was available to confirm Tree Preservation Order (TPO) or Conservation Area status. An email enquiry has therefore been submitted to the Local Planning Authority (LPA) to request confirmation.
- 4.1.2** The National Planning Data Map was also reviewed. This does not show the site as being within a Conservation Area. The available mapping does not appear to provide definitive Tree Preservation Order information for this area.

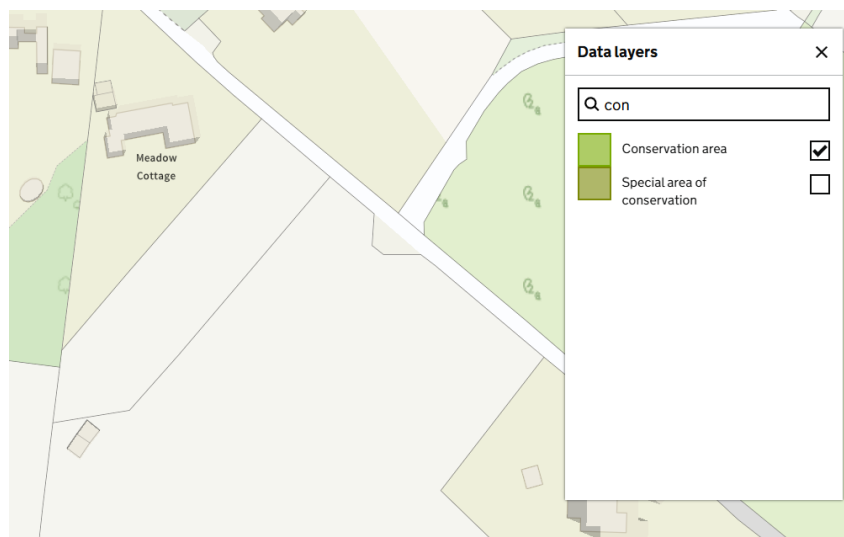


Figure 2 Snapshot from the National Planning Data Interactive map showing Conservation Areas

- 4.1.3** On the basis of the information available at the time of writing, the site is not shown as being within a Conservation Area. Tree Preservation Order status remains unconfirmed until the LPA responds.

- 4.1.4** See [Appendix 4](#) for more information on the statutory protection of trees.
- 4.1.5** Please note that if a tree is subject to a Tree Preservation Order (TPO) or is located within a Conservation Area, written consent from the Local Planning Authority (LPA) is required prior to any pruning or removal, unless the works are explicitly authorised by an existing planning permission.
- 4.1.6** Where tree works are clearly detailed within an approved planning application, including associated arboricultural documents, separate TPO or Conservation Area consent is not required. However, if the work is required as part of a planning consent, separate permission is not needed.
- 4.1.7** Tree protection status, including Tree Preservation Orders (TPOs) and Conservation Area designations, can change over time. Before any pruning, felling or other tree works are undertaken, the Local Planning Authority (LPA) should be consulted to confirm the current protection status of the relevant trees and to identify any statutory notification, consent or approval requirements.

4.2 Ancient Woodland

- 4.2.1** A search of DEFRA's interactive mapping (MAGIC) was undertaken on 28th May 2026 to identify any ancient woodland designations within or close to the site. The results are shown in Figure 2 below.

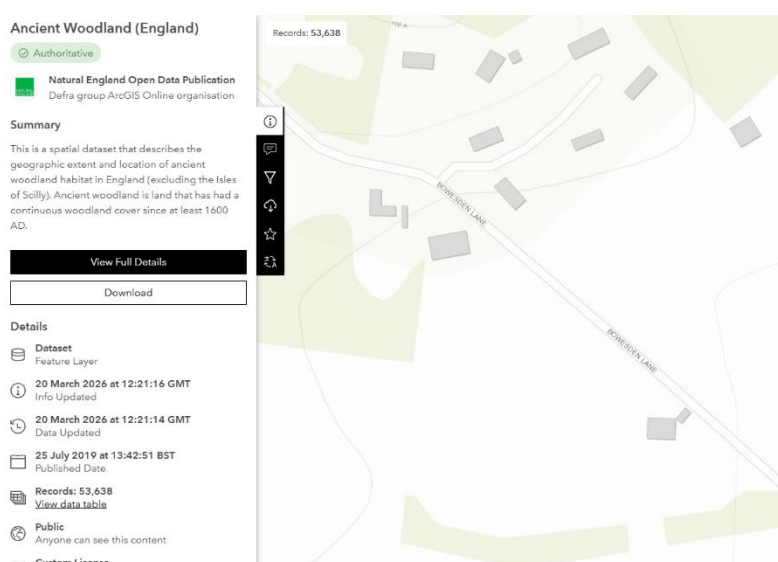


Figure 3 Snapshot from national planning Interactive map showing Ancient Woodland

- 4.2.2** Ancient woodland refers to land that has been continuously forested since at least 1600 AD. It is recognised as an irreplaceable habitat and

receives strong protection under the National Planning Policy Framework (NPPF).

- 4.2.3** Development proposals affecting ancient woodland, or its buffer zone (typically a minimum of 15–50 metres, depending on site context), must be approached with caution. Indirect impacts such as soil compaction, changes in hydrology, and air or light pollution can be highly damaging, even where trees are not directly removed.
- 4.2.4** Planning permission is generally only granted where wholly exceptional reasons can be demonstrated, and overriding public benefits clearly outweigh the loss or harm. Early consultation with the Local Planning Authority (LPA) is essential, and reference should be made to guidance from Natural England, the Woodland Trust, and relevant standing advice.
- 4.2.5** The reviewed mapping does not identify ancient woodland within the site boundary. Where works are proposed near any ancient woodland outside the site, appropriate assessment and authorisation should be obtained before works proceed.

5.0 Tree Categorisation Summary

5.1 Tree Quality Categories (BS 5837:2012)

CATEGORY	DEFINITION	ESTIMATED LIFE EXPECTANCY	RETENTION PRIORITY
A – HIGH QUALITY	Trees of high quality and value; particularly good examples of their species, or trees offering significant landscape, conservation, or cultural benefit.	40+ years	Retention should be prioritised wherever possible.
B – MODERATE QUALITY	Trees of moderate quality with no significant defects; may have been downgraded from A due to impaired condition or suboptimal location. Still provides notable landscape or cultural value.	20+ years	Retention is desirable if it can be achieved within the design.
C – LOW QUALITY	Trees of low overall quality or young trees with a stem diameter below 150mm. May offer limited landscape benefits but do not warrant significant design constraints.	10+ years	Retention is not essential but may offer screening or a minor amenity.
U – UNSUITABLE FOR RETENTION	Trees in such poor condition that they cannot realistically be retained beyond 10 years. Includes dead, dying, or structurally unsafe specimens.	<10 years	Should be removed on arboricultural grounds regardless of development.

5.2 Retention Guidance by Category

-  **Category A:** These are key landscape features and represent a material constraint. Design proposals should seek to retain and protect these trees.
-  **Category B:** These trees are of moderate importance. Retention should be considered, though removal may be justified if design constraints require it.
-  **Category C & U:** These trees are typically not considered significant constraints to development. However, Category C trees may still provide temporary screening or minor amenity and could be retained opportunistically.

- 5.2.1** A detailed breakdown of individual trees and their categories is provided in the Tree Schedule in [Appendix 2](#).
- 5.2.2** The surveyed tree stock is predominantly Category B and Category C. The principal high-quality constraint is the Category A off-site English oak T2. Category B constraints include G3, T4, T11, T12 and T13, which should be given early consideration during layout design. The remaining Category C trees, groups and shrub areas are of lower arboricultural quality, but may still provide local screening, boundary structure and short to medium-term amenity.

6.0 General Design Considerations

Designing layouts near trees requires careful consideration of both below-ground and above-ground constraints to ensure the long-term health and stability of retained trees and the development's viability. These principles should be applied alongside the site-specific tree constraints identified on the [Tree Constraints Plan \(Appendix 3\)](#).

6.1 Root Protection Areas (RPAs)

- 6.1.1** RPAs have been calculated in accordance with BS 5837:2012 and are listed in the Tree Schedule (Appendix 2). They represent the minimum rooting volume required to support each tree's health and long-term stability. These areas should remain:

-  Undisturbed;
-  Free from excavation, compaction or level changes;
-  Clear of materials storage or construction traffic.

6.2 Modifying RPA Shapes

- 6.2.1** While RPAs are initially plotted as circles, their shape may be modified to reflect site conditions (e.g., existing structures, impermeable surfaces). Any adjustment must:

-  Retain the same overall area;
-  Be based on sound arboricultural reasoning;
-  Ensure that a sufficient functional rooting environment is preserved.

6.3 Demolition Within Root Protection Areas (RPAs)

- 6.3.1** Where demolition activities are proposed within or adjacent to Root Protection Areas (RPAs), particular care is required to avoid root

severance, soil compaction, or contamination that could compromise tree health and stability.

6.3.2 BS 5837:2012 recommends that demolition within RPAs is only undertaken where it can be clearly justified, and that methods are employed to minimise disturbance. This may include:

- ✚ Manual or supervised demolition of structures or hard surfaces using hand tools or low-impact machinery;
- ✚ Breaking out slabs inwards towards the building footprint, away from RPAs;
- ✚ Avoidance of heavy plant within RPAs; any machinery used must operate from outside the RPA or on suitable ground protection;
- ✚ Use of geotextile membranes and no-dig techniques to stabilise any temporary access routes.
- ✚ A detailed methodology for demolition within RPAs must be set out within an Arboricultural Method Statement (AMS) and supervised by a qualified arboriculturist. This ensures that tree protection measures remain effective and risks are appropriately mitigated.

6.4 Construction Within RPAs

6.4.1 Development within RPAs is discouraged under BS 5837:2012. Where unavoidable, such intrusion must be:

- ✚ Justified through the AIA;
- ✚ Undertaken using low-impact techniques, such as:
 - ✚ Pile and beam foundations;
 - ✚ Suspended floor slabs;
 - ✚ No-dig construction (e.g., cellular confinement systems);
 - ✚ Avoiding traditional trench-based foundations.
- ✚ All works must be detailed in the AMS and overseen by a qualified arboriculturist.

6.5 Underground Services

6.5.1 Service routes should avoid RPAs. Where this is not feasible:

- ✚ Trenchless installation (e.g., directional drilling or moling) must be used;
- ✚ Launch/reception pits must be located outside RPAs;
- ✚ Minor incursions may be possible using hand-dig or air-spade excavation under supervision;
- ✚ Mechanical trenching within RPAs must be avoided;

- Early coordination between design and utility teams is essential.

6.6 Above-Ground Considerations

6.6.1 Design proposals must also consider above-ground implications, including:

- Crown spread (current and future):** Avoiding conflicts with structures and allowing for growth;
- Shading impacts:** Considering daylight and solar gain to buildings and gardens;
- Physical interaction:** Ensuring clearance to prevent branch contact or obstruction;
- Seasonal nuisance:** Managing potential issues such as leaf fall, fruit drop, or honeydew;
- Construction logistics:** Allowing space for scaffolding, crane use, and machinery to avoid canopy and stem damage.

6.7 Site-specific arboricultural constraints

- 6.7.1** The principal arboricultural constraints are the Root Protection Areas (RPAs), crown spreads and shading influences associated with the Category A and Category B trees. These should be treated as fixed design constraints where practicable.
- 6.7.2** The Category A off-site English oak T2 is a key constraint on the northern part of the site. Its Root Protection Area extends to 7.2 m radius, with an area of 163 m².
- 6.7.3** The Category B off-site common beech T4 has a Root Protection Area of 387 m² and should be carefully considered in relation to any access, construction activity or development near the north-western boundary.
- 6.7.4** The Category B trees T11, T12 and T13 form an important internal sequence of English oaks. Their Root Protection Areas and future crown development should inform the position of built form, access routes, services and private garden areas.
- 6.7.5** T9 and G14 are Category C items but have large recorded Root Protection Areas of 387 m² and 541 m², respectively. Their quality category means they are not principal design constraints, but their rooting areas should still be considered where retention is proposed.
- 6.7.6** The Tree Constraints Plan should be used as the primary design tool at the next stage. Any proposed layout should be reviewed by the project arboriculturist before submission, so that tree impacts can be assessed and appropriate protection measures can be specified.

7.0 Conclusion

- 7.1.1** This Tree Constraints Report identifies the existing trees, tree groups and shrub area on and adjacent to the site. It sets out the principal below-ground and above-ground constraints that should inform the design process.
- 7.1.2** The tree stock includes one Category A tree, five Category B items and nine Category C items. No Category U trees or groups were recorded. The highest-value constraints are the Category A oak T2 and the Category B trees and group T4, T11, T12, T13 and G3.
- 7.1.3** Future proposals should treat the Root Protection Areas (RPAs), crown spreads and shading influences of retained Category A and B trees as fixed design constraints where practicable. Particular regard should be given to T2, T4, T9 and G14, which have the largest recorded RPAs.
- 7.1.4** Lower-value Category C trees, groups and shrub areas may offer greater design flexibility, subject to detailed assessment once a layout is available. This should not be taken as a recommendation for removal at this stage.
- 7.1.5** Provided that future proposals respect the constraints identified in this report, there is scope to develop the site while retaining the most valuable elements of the tree stock. Once a proposed layout is available, an Arboricultural Impact Assessment should be prepared to assess tree impacts and specify any required protection or mitigation measures.

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Ian Dalton

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Canopy IQ Ltd



Appendix 1: Key to Tree Survey Schedule

Tree no. (with Google map link) – The individual identification reference numbers for the tree. For example:

📍 **T1** – Individual tree

📍 **G1** – Group of trees

This field also includes a link to the tree's location on Google Maps.

Species – The species of the tree, listed by scientific name, with the accompanying common name in parentheses.

Structural Condition – An assessment of the tree's structural integrity, noting any physical defects or signs of instability, categorised as follows:

📍 **Stable** – No significant structural defects; stable and unlikely to fail under normal conditions.

📍 **Manageable** - Defects are present but can likely be corrected through interventions like pruning.

📍 **Irremediable** - Defects are significant and cannot be corrected, compromising the tree's stability over time.

📍 **Critical** - Structure is critically weak, posing an immediate hazard and unsuitable for retention.

Physiological Condition – Observations on the tree's health and vitality, categorised as follows:

Attributes – Characteristics or features of the tree, such as:

📍 **Height** – Total height from ground to top of the crown, measured in metres.

📍 **Stem diameter** – Diameter of the main stem at 1.3 metres above ground, in millimetres.

📍 **Spread** – The horizontal reach of the crown measured from the trunk to the edge of the foliage, taken from the four cardinal points (north, south, east, and west).

📍 **Crown clearance** – Height above ground to the lowest part of the crown, important for clearance assessments.

📍 **Lowest branch** – Height of the lowest branch above ground, noting its orientation.

📍 **Life stage** – An estimate of the tree's age based on visual indicators; considered provisional unless supported by additional information, such as historical records or local knowledge.

- ✚ **Remaining contribution in years** - Estimated remaining lifespan based on health and structure, indicating future landscape value.

General Observations – General comments on the tree's overall condition, noting any physiological or structural issues, health, vitality, and form. Observations may include any visible defects, pests, diseases, or disorders affecting the tree.

Retention Category – The recommended category for tree retention is based on BS5837 criteria, which indicates the tree's suitability for retention in the context of site development or management. The categories are as follows:

- ✚ **Category A (High Quality)** – Trees of high value due to their age, size, condition, or special significance (e.g., historical, ecological, or landscape importance). They have a long-anticipated lifespan and contribute significantly to the landscape. Retention is strongly recommended wherever possible.
- ✚ **Category B (Moderate Quality)** – Trees of moderate value, in fair condition with some defects or younger age. They make a positive contribution to the landscape but are not as essential as Category A trees. Retention is desirable if it does not hinder site development.
- ✚ **Category C (Low Quality)** – Trees of lower value due to poor health, limited longevity, or minor landscape significance. Often younger or smaller, they may have defects that limit their lifespan. Retention is optional, and they can be removed if needed for site development.
- ✚ **Category U (Unsuitable for Retention)** – Trees in poor condition with serious structural defects or health issues, unlikely to survive beyond 10 years. These trees are not recommended for retention due to safety concerns and limited future value.

Root Protection Area (RPA) – The calculated area surrounding a tree is required to protect its root system and ensure its health, as per BS5837 guidelines.

Appendix 2: Tree Survey Schedule

Site address: Bowesden Lane, Shorne DA12 3LA
Client: Roger Goodman & Paul Henry

Report ref: #Ref-350
Survey date: 28th May 2026

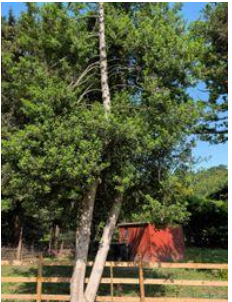
Tree no. (with Google map link)	Species	Structural Condition	Physiological Condition	No. of stems	Attributes	General Observations	Retention Category	RPA	Photo
G1	English oak (Quercus robur) Common ash (Fraxinus excelsior) Laurel cherry (Prunus laurocerasus)	Stable	Normal	3	Height (m): 13 3 stems, avg.(mm): 200 Spread (m): 3N, 3E, 3S, 3W Crown Clearance (m): 1 Life Stage: Young Rem. Contrib.: At least 10 years	Group of young trees and shrubs, considering predominantly of declining Ash trees, likely caused by Ash dieback.	C2	Area: 68 sq m.	
T2	English oak (Quercus robur)	Stable	Normal	1	Height (m): 20 Stem Diam(mm): 600 Spread (m): 5N, 5E, 5S, 5W Crown Clearance (m): 3 Life Stage: Mature Rem. Contrib.: At least 40 Years	Off-site tree – measurements estimated. Good overall physiological and structural condition.	A1	Radius: 7.2m. Area: 163 sq m.	
G3	Cedar (Cedrus sp.) Common beech (Fagus sylvatica)	Stable	Normal	2	Height (m): 15 2 stems, avg.(mm): 450 Spread (m): 3N, 3E, 3S, 3W Crown Clearance (m): 1 Life Stage: Early mature Rem. Contrib.: At least 20 Years	Off-site trees – measurements estimated. Group of trees in neighbouring garden. Fair overall physiological and structural condition.	B2	Area: 100 sq m.	
T4	Common beech (Fagus sylvatica)	Stable	Normal	2	Height (m): 15 2 stems (mm): 700, 600 Spread (m): 4N, 4E, 4S, 4W Crown Clearance (m): 1 Life Stage: Mature Rem. Contrib.: At least 20 Years	Off-site tree – measurements estimated. Good overall physiological and structural condition. The crown has been heavily reduced on the field side, which downgrades from category A to category B.	B1	Radius: 11.1m. Area: 387 sq m.	

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Tree no. (with Google map link)	Species	Structural Condition	Physiological Condition	No. of stems	Attributes	General Observations	Retention Category	RPA	Photo
G5	Common hawthorn (<i>Crataegus monogyna</i>) Leyland cypress (<i>X Cuprocyparis leylandii</i>) Purple norway maple (<i>Acer platanoides</i> 'Crimson King')	Stable	Normal	3	Height (m): 10 3 stems, avg.(mm): 250 Spread (m): 2N, 2E, 2S, 2W Crown Clearance (m): 1 Life Stage: Early mature Rem. Contrib.: At least 10 years	Off-site trees – measurements estimated. Fair overall physiological and structural condition.	C2	Area: 250 sq m.	
T6	Common hawthorn (<i>Crataegus monogyna</i>)	Stable	Normal	6	Height (m): 2.5 6 stems, avg.(mm): 50 Spread (m): 1N, 1E, 1S, 1W Crown Clearance (m): 1 Life Stage: Young Rem. Contrib.: At least 10 years	Fair overall physiological and structural condition.	C3	Radius: 1.5m. Area: 7 sq m.	
T7	Common holly (<i>Ilex aquifolium</i>)	Stable	Normal	2	Height (m): 10 2 stems (mm): 220, 270 Spread (m): 2N, 2E, 2S, 2W Crown Clearance (m): 1 Life Stage: Early mature Rem. Contrib.: At least 10 years	Fair overall physiological and structural condition. Included bark at base where stems divide.	C3	Radius: 4.2m. Area: 55 sq m.	
S8	Laurel cherry (<i>Prunus laurocerasus</i>)	Stable	Normal	1	Height (m): 4 Stem Diam(mm): 100 Spread (m): 3N, 3E, 3S, 3W Crown Clearance (m): 0 Life Stage: Early mature Rem. Contrib.: At least 10 years	Fair overall physiological and structural condition.	C2	Area: 74 sq m.	

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Tree no. (with Google map link)	Species	Structural Condition	Physiological Condition	No. of stems	Attributes	General Observations	Retention Category	RPA	Photo
T9	Leyland cypress (<i>X Cuprocyparis leylandii</i>)	Stable	Normal	7	Height (m): 16 7 stems, avg.(mm): 350 Spread (m): 3N, 3E, 3S, 3W Crown Clearance (m): 1 Life Stage: Mature Rem. Contrib.: At least 10 years	Fair overall physiological and structural condition.	C3	Radius: 11.1m. Area: 387 sq m.	
T10	English oak (<i>Quercus robur</i>)	Stable	Below average	1	Height (m): 16 Stem Diam(mm): 570 Spread (m): 4N, 4E, 4S, 4W Crown Clearance (m): 1 Life Stage: Early mature Rem. Contrib.: At least 10 years	Fair overall physiological and structural condition. Moderate deadwood throughout crown and sparse foliage in places.	C3	Radius: 6.8m. Area: 145 sq m.	
T11	English oak (<i>Quercus robur</i>)	Stable	Normal	1	Height (m): 12 Stem Diam(mm): 430 Spread (m): 3N, 3E, 3S, 3W Crown Clearance (m): 1 Life Stage: Early mature Rem. Contrib.: At least 20 Years	Good overall physiological and structural condition.	B1	Radius: 5.2m. Area: 85 sq m.	
T12	English oak (<i>Quercus robur</i>)	Stable	Normal	1	Height (m): 12 Stem Diam(mm): 400 Spread (m): 3N, 3E, 3S, 3W Crown Clearance (m): 1 Life Stage: Early mature Rem. Contrib.: At least 20 Years	Good overall physiological and structural condition.	B1	Radius: 4.8m. Area: 72 sq m.	
T13	English oak (<i>Quercus robur</i>)	Stable	Normal	1	Height (m): 12 Stem Diam(mm): 590 Spread (m): 4N, 4E, 4S, 4W Crown Clearance (m): 1 Life Stage: Early mature Rem. Contrib.: At least 20 Years	Good overall physiological and structural condition.	B1	Radius: 7.1m. Area: 158 sq m.	

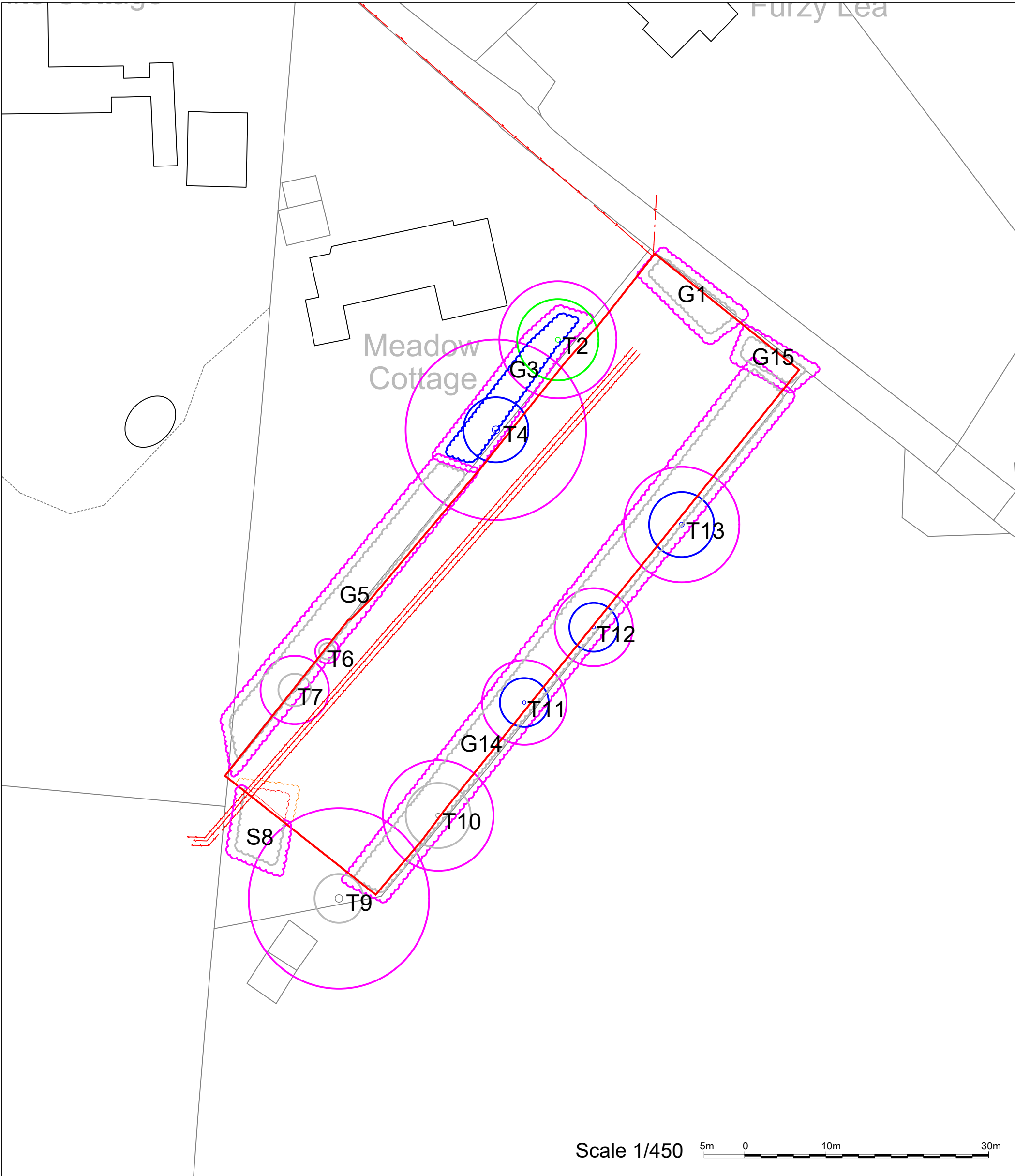
Site address: Bowesden Lane, Shorne DA12 3LA
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Tree no. (with Google map link)	Species	Structural Condition	Physiological Condition	No. of stems	Attributes	General Observations	Retention Category	RPA	Photo
G14	English oak (<i>Quercus robur</i>) Laurel cherry (<i>Prunus laurocerasus</i>)	Stable	Normal	2	Height (m): 7 2 stems, avg.(mm): 300 Spread (m): 3N, 3E, 3S, 3W Crown Clearance (m): 1 Life Stage: Early mature Rem. Contrib.: At least 10 years	Fair overall physiological and structural condition.	C2	Area: 541 sq m.	
G15	Common ash (<i>Fraxinus excelsior</i>) Laurel cherry (<i>Prunus laurocerasus</i>)	Manageable	Below average	2	Height (m): 10 2 stems, avg.(mm): 300 Spread (m): 2N, 2E, 2S, 2W Crown Clearance (m): 1 Life Stage: Early mature Rem. Contrib.: At least 10 years	Group of Laurel shrubs and a declining Ash tree, likely affected by Ash dieback.	C2	Area: 43 sq m.	

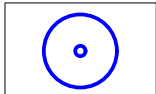
Appendix 3: Tree Constraints Plan (TCP)



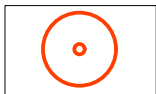


Key

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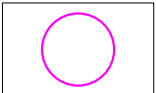
Category A - Trees of high quality
with an estimated remaining life expectancy of at least 40 years
- 

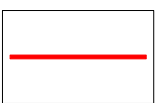
Category B - Trees of moderate quality
with an estimated remaining life expectancy of at least 20 years
- 

Category C - Trees of low quality
with an estimated remaining life expectancy of at least 10 years, or young trees with a stem diameter below 150 mm
- 

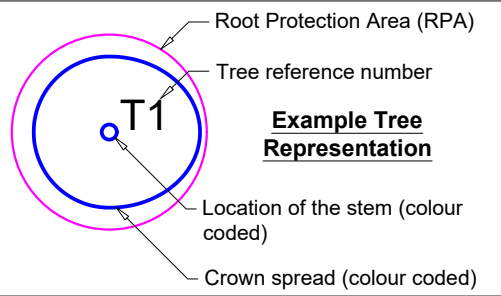
Category U - Trees unsuitable for retention
Those in such a condition that they cannot realistically be retained as living trees in the context of the current land use for longer than 10 years
- 

Group of trees (G) / Hedgerows (H) / Woodlands (W) / Shrub (S)
Colour coded according to categories above

- 

Root Protection Area (RPA)
- 

Redline boundary



NOTE:
TO BE PRINTED IN COLOUR AT
A3 SIZE

Site	Bowesden Lane		
Client	Roger Goodman & Paul Henry		
Drawing title	Tree Constraints Plan for Tree Constraints Report		
Drawing no.	TCP/#Ref-350/28-05-26		
Revision	Scale 1/450@A3 Drawn by ID	Date 28-05-26	

Appendix 4: Report Caveats, Tree Protection and References

1.0 Guidance on Tree Preservation Orders and Conservation Areas

- 1.1.1** This appendix provides general guidance on the primary forms of statutory tree protection in the UK: Tree Preservation Orders (TPOs) and Conservation Areas. The information contained within our report does not override the legal duties of the tree owner.
- 1.1.2** It is the tree owner's responsibility to ascertain the legal status of any trees before authorising or undertaking work. We recommend contacting the Local Planning Authority (LPA) to confirm if trees on your property are subject to any restrictions. Canopy IQ can assist with this process and any subsequent applications or notifications if required.

1.2 Tree Preservation Orders (TPOs)

- 1.2.1** A **Tree Preservation Order (TPO)** is a legal order made by an LPA to protect specific trees, groups of trees, or woodlands in the interests of public amenity. A TPO makes it a criminal offence to carry out any of the following works without the LPA's formal consent:
-  Cutting down
 -  Topping
 -  Lopping
 -  Uprooting
 -  Wilful damage
 -  Wilful destruction
- 1.2.2** **Applying for Consent** An application must be submitted to the LPA to obtain consent for proposed works to a protected tree. The LPA typically has up to eight weeks to issue a decision. Consent may be granted with conditions, or it may be refused.
- 1.2.3** **Exemptions** There are some exemptions from the need to apply for consent. For instance, work may be undertaken without consent if a tree is dead or has become dangerous. However, it is strongly advised to provide the LPA with at least five working days' written notice of any proposed work on a dead or dangerous tree, except in a genuine emergency.

- 1.2.4 Penalties** Contravention of a TPO is a criminal offence and can lead to significant fines. If a tree is destroyed or removed without consent, the landowner is also under a duty to plant a replacement tree.

1.3 Trees in Conservation Areas

- 1.3.1 A Conservation Area** is an area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance. Trees often make a significant contribution to the character of these areas and are therefore afforded protection.

- 1.3.2 How are Trees Protected?** Within a Conservation Area, it is a criminal offence to carry out work on any tree with a stem diameter greater than 75 mm, when measured at 1.5 metres from ground level, without first notifying the LPA.

- 1.3.3 The Notification Process** Anyone proposing to carry out work on a tree in a Conservation Area must give the LPA six weeks' written notice of their intention. This is often referred to as a 'Section 211 notice'. This provides the LPA with an opportunity to consider whether the tree should be protected by a TPO.

- 1.3.4** During the six-week period, the LPA can respond in one of two ways:

✚ **Issue a new TPO:** If the LPA considers the tree to have significant amenity value, it may make a TPO to provide long-term protection. If this occurs, a formal application for consent will be required for any future works.

✚ **Take no action:** The LPA may decide not to make a TPO. In this case, once the six-week period has expired, the proposed work can be carried out.

- 1.3.5 Exemptions and Penalties** The exemptions and penalties for carrying out unauthorised work on trees within a Conservation Area are broadly the same as those for TPOs.

1.4 Summary and Important Advice

- 1.4.1** Before authorising any tree work, it is essential to contact the Local Planning Authority to confirm whether the trees are subject to a TPO or are located within a Conservation Area.

- 1.4.2** This simple check ensures that all work is conducted lawfully and avoids the risk of prosecution and substantial penalties. The legal status of trees can change, and this information should always be verified directly with the relevant council department.

- 1.4.3** Disclaimer: This guidance is for informational purposes only and does not constitute legal advice. It is a summary of complex regulations. Canopy IQ accepts no liability for any loss or damage arising from reliance on this

information without first confirming the legal status of the trees with the appropriate Local Planning Authority.

2.0 Report Caveats

2.1 Scope of the Survey

- 2.1.1** This report addresses only the arboricultural aspects of the site and is based on the observed condition of trees at the time of inspection. Trees are living, dynamic organisms and their health and structural integrity can change over time due to environmental conditions, pests, diseases, or mechanical damage. Regular reassessment is therefore recommended to identify any changes that could affect stability or safety.

2.2 Hedges and Dense Vegetation

- 2.2.1** Certain vegetation types, particularly dense hedgerows and unmanaged thickets, may comprise multiple species that are difficult to identify during a single site visit, especially outside the growing season. Where such limitations occur, they will be recorded in the tree survey schedule.

2.3 Maintenance of Vegetation

- 2.3.1** It is the responsibility of the client or site manager to ensure that any vegetation within or adjacent to the construction zone is appropriately assessed and maintained in accordance with current building and health & safety guidelines. A pre-commencement walkover inspection is advised to confirm that vegetation is suitably managed before works begin.

2.4 Arboricultural Involvement

- 2.4.1** An appropriately qualified arboricultural consultant should remain engaged throughout the development process to monitor the condition of retained trees, ensure protective measures are maintained, and advise on mitigation where necessary. Any amendments to the approved development design should be reviewed for potential arboricultural impacts before implementation.

2.5 Report Validity

- 2.5.1** This report is valid for a period of 12 months from the date of inspection. After this time, a further site visit is recommended to verify the continued accuracy of the findings and recommendations.

2.6 Copyright

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3.0 References

- ✚ BS5837:2012 - Trees in Relation to Design, Demolition, and Construction – Recommendations.
- ✚ BS3998:2010 - Tree Work – Recommendations.
- ✚ Planning Practice Guidance - Tree Preservation Orders and Trees in Conservation Areas (gov.uk, 2014).
- ✚ The Party Wall etc. Act 1996: Explanatory Booklet (Department for Levelling Up, Housing and Communities).
- ✚ National Joint Utilities Group (NJUG): Volume 4, Issue 1 - Guidelines for the Planning, Installation, and Maintenance of Utility Apparatus in Proximity to Trees (2007).
- ✚ Lonsdale, D. (2013). Principles of Tree Hazard Assessment and Management. The Stationery Office.
- ✚ Mattheck, C., & Breloer, H. (1994). The Body Language of Trees. The Stationery Office.
- ✚ Schwarze, F. W. M. R., Engels, J., & Mattheck, C. (2012). Fungal Strategies of Wood Decay in Trees. Springer.
- ✚ British Geological Survey - Soilscape Viewer (landis.org.uk).