WHARTON
Natural
Infrastructure
Consultants

Arboricultural Impact Assessment

SITE LOCATION
Premier Foods Bakery, Carlton, South Yorkshire

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OUR REFERENCE
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PREPARED FOR
Prermier Foods PLC

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Quality Assurance

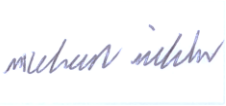
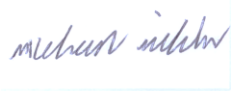
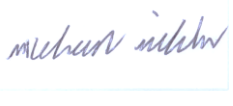
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1. Introduction

1.1 Terms of instruction

1.1.1 tor&co acting on behalf of Premier Foods PLC (hereafter the 'Client') commissioned Wharton Natural Infrastructure Consultants Ltd ('Wharton') to undertake an arboricultural assessment and prepare an Arboricultural Impact Assessment (AIA). It is prepared in relation to the project at Premier Foods Bakery, Carlton, South Yorkshire (hereafter referred to as the 'Site').

1.1.2 The Principal Author of this report is Michael Nicklin, Graduate Arboricultural Consultant at Wharton. The Principal Author is an Associate Member of the Arboricultural Association (AA) and has an MSci in Environmental Biology.

1.2 Aims of the Arboricultural Assessment

1.2.1 Trees may form a constraint to the Proposed Development and therefore a detailed tree survey was undertaken following the methodology as set out in *BS5837:2012 Trees in Relation to Design, Demolition and Construction – Recommendations* (The British Standards Institution, 2012) hereafter referred to as 'BS5837:2012'.

1.2.2 This AIA is required to fulfil the requirements of the Local Planning Authority (LPA), Barnsley Metropolitan Borough Council, to make an informed decision on our client's planning application. This approach accords with best practice as set out in BS5837:2012, which is a planning policy requirement of most Local Planning Authorities (LPAs) in the UK.

1.2.3 The assessment has considered trees directly on Site or within influencing distance (a 15m buffer based on the surveyor's discretion, hereafter the 'Study Area') to ensure that arboricultural features which are outside the developable area but whose root protection areas or crowns extents extend into the developable area, are recorded, and considered.

1.3 Scope of the Project

1.3.1 The scope and level of detail included within this AIA is appropriate with that required for the adequate consideration of arboricultural features as part of an outlined planning application.

1.3.2 Information provided complies with the requirements of 5837:2012, Table B.1 and broadly comprises four stages, these are:

i. Undertake a survey of trees on the Site and those within the Study Area to fulfil the requirements of BS5837:2012.

ii. Provide a Tree Constraints Plan for the Site demonstrating the above and below-ground constraints including Root Protection Areas (RPA) and canopy spreads.

iii. Provide an AIA to evaluate the impacts and effects which are likely to arise from the Proposed Development and identify mitigation for retained trees, where necessary.

iv. Provide a draft Tree Protection Plan (TPP)

1.3.3 BS5837:2012 outlines guidance on how to assess an arboricultural feature's quality and advises on assessing both direct and indirect impacts. Neither a methodology for defining impacts nor specific criteria for determining an arboricultural feature's perceived sensitivity are provided.

1.3.4 If a disagreement arises regarding compliance with associated planning decisions, this document may be utilised as a reference.

1.4 Caveats and Limitations

1.4.1 The contents of this report are valid for a period of one year (12 months) from the date of this survey.

1.4.2 This is a report which should be used to accompany a planning application and provides no detail specifically in relation to the health and safety of the trees. This report in no way constitutes a tree risk-benefit or health and safety survey. Where concerns for tree health and safety exist the necessary and appropriate tree inspections should be carried out.

1.4.3 Trees are growing dynamic structures. Whilst reasonable effort has been made to identify defects within the trees inspected, no guarantee can be given as to the absolute safety or otherwise of any individual tree. No tree is ever safe due to the unpredictable laws and forces of nature. As a result of this, natural failure of intact trees will occur; extreme climatic conditions can cause damage to even apparently healthy trees.

1.4.4 All tree inspections were undertaken from ground level and no climbing inspections were undertaken.

1.4.5 Where trees have been captured beyond the Site boundary, all dimensions of trees and their associated parts are based on estimation unless otherwise stated. If trees are located within the Site boundary, measurements will not be estimated unless otherwise stated within the comments of the Tree Schedule.

1.4.6 This is an arboricultural report and as such no reliance should be given to comments relating to buildings, engineering, or soil. Further, this is an arboricultural report and therefore does not rely on ecological or archaeological data. If either is commented upon within the report further professional advice should be sought.

1.4.7 Assessment of statutory and non-statutory constraints have been carried out using publicly accessible third-party information and aerial imagery. While this is deemed to be broadly accurate, in some instances no specific date is given for the information and images used and Wharton cannot and will not accept liability for any deficiencies in third party information.

1.4.8 The survey has only been undertaken from land within the Client's ownership, from public land or from areas where formal access has been arranged.

1.5 Confidentiality

1.5.1 The report is for the sole use of the Client as named on this report and its reproduction or use by anyone else is forbidden unless written consent is given by the author. This report shall not be relied upon or transferred to any other parties without the express written authorisation of Wharton.

2. Site Overview

2.1 Site description

2.1.1 Table 1 provides a description of the Site, with the Site location, denoted by a red line boundary, presented at Appendix 1.

Table 1 Site Description and Overview

Item	Description
Site Name	Premier Foods Bakery, Carlton, South Yorkshire
Ordnance Survey National Grid Reference	SE 37213 09993
Site Description, surrounding land use and Topography	The Site is located to the south-east of the centre of Carlton. Access to the Site is gained from Fish Dame Lane to the west. The Site comprises of an open grass field with unmanaged vegetation around the peripheries. Surrounding the Site to the north, east and south were more open fields. The fields to the north were used for arable agriculture. To the west of the Site were the facilities of Premier Foods, Carlton Bakery. These comprised of the main factory, hard standing outdoor storage areas, roads and footpaths going around the buildings and a large car park.

3. Relevant Legislation, Policy, Statutory and Non-Statutory Designations

3.1.1 This report has been compiled with reference to the following legislation, policy, and guidance.

3.2 Legislation

- The Town and Country Planning Act 1990.
- The Town and Country Planning (Tree Preservation) (England) Regulations 2012.
- The Forestry Act 1967

3.2.1 Other legislation that affords a lesser or indirect level of protection to trees includes the following:

- The Wildlife & Countryside Act 1981 (as amended).
- Conservation of Species and Habitat Regulations 2017 (as amended).
- Natural Environment and Rural Communities Act 2006 (Section 41 England and Section 42 Wales).
- Hedgerow Regulations (1997).

3.3 National and Local Planning Policy

- National Planning Policy Framework (NPPF), July 2021[1]
- Barnsley Local Plan (2019)[2]

3.4 Related Guidance

- British Standards Institute. BS 5837: 2012 Trees in relation to design, demolition and construction – Recommendations. London: BSI.
- British Standards Institution. (2010). British Standard 3998:2010, Tree Work - Recommendations. British Standards Institution, London.
- Forestry Commission and Natural England, Ancient woodland, ancient trees, and veteran trees: protecting them from development (2018).
- Tree Council & Ancient Tree Forum Ancient Tree Forum, Lonsdale, D (ed.) (2013) Ancient and other Veteran Trees: Further Guidance on Management.
- Owen & Alderman (2008) and Reed, H. (2000), Veteran Trees: A Guide to Good Management.
- Royal Institute of British Architects, RIBA Plan of Work 2020 Overview, RIBA (2020).

3.4.1 Full details on the Legislation, Statutory and Non-Statutory Designations listed above have been provided in Appendix 6.

[1] Ministry of Housing, Communities & Local Government (2021) National Planning Policy Framework. [Online] Available at https://www.gov.uk/government/publications/national-planning-policy-framework--2
[2] Barnsley Metropolitan Borough Council (2019) Barnsley Local Plan [Online] Available at https://www.barnsley.gov.uk/services/planning-and-buildings/local-planning-and-development/our-local-plan/barnsleys-local-plan/ (Last Accessed 17 August 2023)

4. Arboricultural Desk Study

4.1 Arboricultural Desk Study

4.1.1 A desk study has been undertaken as a means of identifying if any statutory and non-statutory constraints or designations are present within the Site or Study Area. This desk study includes consideration of the following environmental constraints:

- Tree Preservation Orders (TPO).
- Conservation Areas.
- Ancient Woodland and Ancient, Veteran, or Notable trees.

Tree Preservation Orders and Conservation Areas

4.1.2 It has been confirmed via Barnsley Metropolitan Borough Council online mapping system[3] that the Site does not fall within a local Conservation Area. There were also no TPO's present on the Site.

4.1.3 Provisional Tree Preservation Orders (TPO) may be made whenever a local planning authority deems it appropriate with only those persons interested in the land served with a copy of the Order. A further search for the presence of TPOs should be carried out prior to commencement of any tree works or removals specified within this report.

Ancient Woodland

4.1.4 The presence of ancient woodland designation within or bordering the Site was checked using Natural England's Multi Agency Geographical Information for the Countryside (MAGIC) map[4] on 17 August 2023.

4.1.5 The Site was absent of this non-statutory designation.

Ancient, Veteran and Notable trees

4.1.6 The presence of Ancient, Veteran, or Notable trees[5] associated with the Site were checked using Woodland Trust's Ancient Tree Inventory on 17 August 2023.

4.1.7 The Site was absent of these non-statutory designations.

[3] Barnsley Metropolitan Borough Council (Online]). Available at < https://www.barnsley.gov.uk/services/parks-and-green-spaces/tree-management-and-maintenance/tree-preservation-orders/ > (Last Accessed 17 August 2023)
[4] Magic (DEFRA), 2018. Multi Agency Geographic Information for the Countryside (Online). Available at: < https://magic.defra.gov.uk/MagicMap.aspx > (Last 17 August 2023).
[5] Ancient Tree Inventory, 2018. Ancient Tree Inventory [Online]. Available at: < https://ati.woodlandtrust.org.uk > (Last Accessed 17 August 2023).

5. Arboricultural Walkover Survey

5.1.1 The walkover survey and arboricultural assessment was undertaken on 20 July 2023 by Calum Throw Arboricultural Consultant at Wharton. The weather at the time of the survey was clear and bright.

5.1.2 There were no limitations to the assessment.

5.2 Method of data collection

5.2.1 The arboricultural survey was undertaken in accordance with BS5837:2012, with OS master maps and a Topographical Survey forming the base mapping.

5.2.2 The trees on the Site were surveyed without reference to the Site layout as detailed in Clause 4.4.1.1 of BS5837:2012. However, for the purposes of this arboricultural assessment, the design proposal for the Site has been considered.

5.2.3 The survey recorded trees either as individual specimens or as groups, where these trees were aerodynamically, culturally, or visually important as groups. The tree numbers associated with each tree are cross-referenced within the schedule and plans at Appendix 3 and 4 respectively.

5.2.4 A specific methodology for identifying and documenting Ancient, Veteran, or Notable trees in the field is not provided by BS5837:2012. While the term 'Veteran' is defined in paragraph 3.12 of BS5837:2012, the term 'Ancient' or 'Notable' is not given. There are currently several published approaches that are available associated with defining and classifying Ancient, Veteran, or Notable trees. However, due to the intricacy and subjectivity of this subject, different definitions and methodologies exist.

5.2.5 For this BS5837:2012 survey, the methodology set out by the Recognition of Ancient, Veteran & Notable Trees – RAVEN[6] has been adopted to survey and assess potential Ancient, Veteran or Notable trees.

5.2.6 It should be noted that Table 1 of BS5837:2012 only gives recommendations in relation to remaining years. A tree may be considered to have a longer remaining life, however, still be of a lower category given its maturity, condition, or overall impact to the application site.

5.2.7 Full details of the survey methodology used are provided in Appendix 2.

5.3 Arboricultural Survey Results

5.3.1 Full details of the trees are provided within the Tree Schedule and the location of each tree and their associated constraints including canopy spread and root protection areas are illustrated on the Tree Constraints Plan (TCP) at Appendix 4. A brief summary of recorded features can be seen below in Table 2.

Table 2 Arboricultural features recorded and quality categories in accordance with BS5837:2012

	Category A	Category B	Category C	Category U
Trees	0	1	1	0
Groups	0	0	6	1
Hedges	0	0	0	0
Total	**0**	**1**	**7**	**1**

[6] J. Forbes-Laird. (2018). *Recognition of Ancient, Veteran & Notable Trees – R A V E N.* [Online]. FLAC. Last Updated: 2018. Available at: https://www.flac.uk.com/wp-content/uploads/2018/08/RAVEN.pdf [Accessed 8 March 2023].

5.3.2 A total of 9no. arboricultural features were surveyed across the wider Site (Arboricultural Study Area, as defined by a dashed blue line on the TCP) comprising 2no. individual trees and 7no. groups of trees.

5.3.3 These include 1no. category B, 7no category C and 1 no. category U features.

5.3.4 None of the arboricultural features recorded were considered to offer a high arboricultural quality (category A).

5.3.5 In line with BS5837:2012, the category B trees should be considered as providing a substantial contribution to a Site. Therefore, Category A and B trees should be retained and incorporated into the Proposed Development where possible and feasible.

5.3.6 The 1no. category B tree was in the north-west corner of the Site along the boundary. T1 was a mature Ash (*Fraxinus excelsior*). It had fused branches which had been unsympathetically removed by the neighbouring property, but it was in good structural condition.

5.3.7 Generally, category C and U trees are of low quality or are young specimens, which can be readily replaced, therefore, should not be considered a constraint to Proposed Development. However, it is understood that, wherever possible, trees will be retained for the benefits that they currently provide as well as helping to ensure a continuity of tree cover and providing a mature landscape to the Proposed Development.

5.3.8 The 1no. category C tree was located off-site to the south. T2 was a Goat willow (*Salix caprea*) which was in its mature life stage but was in fair structural and physiological condition due to showing signs of decay and having splitting and collapsing stems.

5.3.9 The 6no. category C groups of trees were all located along the Site boundaries, apart from G4 which was located in the centre of the Site. These were semi-mature and early mature groups of predominantly hawthorn (*Crataegus monogyna*) and ash. These groups were mostly in good condition, apart from G2 and G7 which were in fair structural and physical condition.

5.3.10 The 1no. category U group was in the north-west corner of the Site. It comprised of Elder (*Sambucus nigra*). G3 was a mature group with 3no. of the 5no. trees dying back with sparse and thinning crowns.

6. Arboricultural Impact Assessment

6.1 Purpose of the AIA

6.1.1 The purpose of the AIA is to assess the direct and indirect impacts and effects associated with construction of the Proposed Development on existing trees. Where necessary, the AIA further identifies necessary compensation and mitigation measures where these are deemed appropriate.

6.2 Proposed Development Description

6.2.1 Full planning application for installation of up to 2MW generating capacity solar farm, sub-station and associated infrastructure and erection of perimeter fencing and CCTV posts

6.3 Reference documents

6.3.1 As background information, the following documentation set out in *Table 3* below, has been referenced.

Table 3 Document and Plans Provided

Document Description	Reference No.	Prepared By	Date
Topographical Survey	2304s021	Geotec Surveys	April 2023
Proposed Development	I2010-000-01C-02-03 Planning Drawings[2]	Photon energy	July 2023

6.4 Assumptions and Limitations

6.4.1 This AIA has been compiled based on the following assumptions and limitations:

Assumptions

- That all proposed site clearance, earthworks, and construction activities will be restricted to the immediate application area (as denoted by the red line boundary) and not into areas of third-party land beyond the development land.

Limitations

- Impacts arising to any trees beyond the Study Area have not been considered.
- The extent of earthworks across the Proposed Development has not been fully disclosed in detail.
- Details on enabling works, such as the installation or diversion of services and utilities by statutory undertakers beyond the Site, were not considered during this Impact Assessment.
- Several arboricultural features subject to this AIA have been plotted using aerial imagery and on-site GPS location which cannot always be relied upon. The Tree Plans have features plotted with approximate locations only, these include; T2, G6 and G7.

6.5 Arboricultural Impacts from the Proposed Development

6.5.1 The Proposed Development (I2010-000-01C-02-03 Planning Drawings[2]) has been overlaid on the TCP to allow for an assessment of the arboricultural features to be retained and removed, as shown on the Tree Retention and Removals Plan provided at Appendix 4.

6.5.2 This plan helps to illustrate the relationship between the RPAs associated with the trees and the Proposed Development and outlines any impacts, conflicts, or mitigating effects. The RPA for the trees has been calculated as prescribed by BS5837:2012 and are shown as pink dashed circles on the Tree Retention and Removals Plan.

Arboricultural Features to be Removed

6.5.3 The arboricultural features to be removed to facilitate the Proposed Development have been summarised in *Table 4*.

Table 4 Trees to be removed to facilitate the Proposed Development

Reason for removal	Proposed works or reason	BS5837:2012 retention category				Total
		A	B	C	U	
Proposed Development	Fell for development.	0	0	G4	0	**1**
Proposed Development	Partial removal	0	0	G1, G2, G5, G6	0	**4**
Health and Safety	Fell for reasons of safety	0	0	0	1	**1**
Total		**0**	**0**	**5**	**1**	**6**

6.5.4 To implement the Proposed Development, there will be an overall loss of 1no. category C group of trees. A further partial loss of 4no. category C groups of trees is required. The partial removals comprise of a small percentage of the total size of the groups and will have a small impact on the overall arboricultural value of the Site.

6.5.5 The proposed individual tree removals are all confined to category C (low quality) features set within the confines of the Site and which are largely obscured from view beyond the Site boundaries. As such, their removal will have minimal impact on the amenity value and scene of the wider surrounding area.

6.5.6 Section 5.1.1 of BS5837:2012 recognises that the competing needs of development mean that trees are only one factor requiring consideration. It also states that misplaced tree retention can be detrimental on a Site where it will cause excessive pressure on those trees being retained and could necessitate their removal in the future.

6.6 Below Ground Constraints

Root protection areas

6.6.1 The below ground constraints are generally summarised as the Root Protection Areas (RPA). BS5837:2012 defines the root protection area as *'the minimum area around a tree deemed to contain sufficient roots and rooting volume to maintain the tree's viability'* and is an area within which the requirements of the tree *'must be given priority'*.

6.6.2 The RPA is an area equivalent to a circle with a radius 12 times the diameter of the trees measured at 1.5 metres for single stemmed trees. For trees with more than one stem, one of two calculation methods should be used, dependent on the number of stems.

6.6.3 In all cases, the stem diameter(s) should be measured in accordance with Annex C, and the RPA should be guided from Annex D of BS5837:2012.

6.6.4 The RPA is an area in which no ground works should be undertaken without due care in relation to the retained tree(s) and this is to avoid soil compaction, changes in levels or soil contamination which could alter the trees condition and/or stability. The shape of the RPA and its exact location will depend upon arboricultural considerations and existing ground conditions.

6.6.5 This does not mean that some works can't be proposed within the RPAs of retained trees however, this needs to be limited to as low as practicable. The BS5837:2012 states that incursion *"should not exceed 20% of any existing unsurfaced ground within the RPA"* and encroachment upon the RPA should be avoided, in general, with excavation avoided as this poses the greatest risk to root severance.

Existing RPA incursions

6.6.6 There were no existing RPA incursions associated with the Site.

New RPA incursions

6.6.7 The default position should be that structures are located outside the RPAs of trees to be retained. However, where there is an overriding justification for construction within the RPA, technical solutions might be available to prevent damage to the tree(s). Recommended within BS 5837:2012, paragraph 5.3.1.

6.6.8 There are no new RPA incursions associated with the Proposed development.

Proposed removal of grey infrastructure within RPAs

6.6.9 There will be no removals of grey infrastructure within RPAs required for the Proposed development.

Underground Utilities

6.6.10 There will be a new cable from the 3no. inverters to the transformer and a new cable from the transformer to the existing bakery. These will not disturb any of the RPA's on-site. The existing underground facilities will remain in-situ.

6.6.11 However, there is sufficient space outside of the RPAs for additional services to be located. If services do enter RPAs the use of hand digging as detailed in the National Joint Utilities Group publication *'Guidelines for the Planning, Installation and Maintenance of Utility Services in Proximity to Trees'* (NJUG 10, Volume 4, 2007) will be undertaken to minimise the impact on the tree roots.

6.7 Above Ground Constraints

Tree Crowns

6.7.1 The above ground constraints predominantly refer to the impact of the canopy of any retained tree on the Site either by size and form, shadowing, and nuisance factors. The above ground constraints imposed by tree/s, woodland/s and hedge crowns should be considered in relation to the following:

- The crown's extent and its relationship to any structures. The primary consideration should be whether there will be enough space to prevent branches from damaging structures, post-construction and whether the proximity of the crown will appear oppressive to occupiers and visitors and result in future pressure for removal.
- The proportion of open space beneath the crown and if this will obstruct construction access or on-site activities and is it adequate for the passage of both vehicles and pedestrians.
- Seasonal nuisance (e.g., leaf fall blocking gutters, fruit fall creating slippery patches and honey dew dripping on vehicles and surfaces).

6.7.2 Pruning urban trees to regulate their spatial requirements is a routine practice and might be used to address the issues raised above. However, pruning is not acceptable in all situations, and professional guidance should be obtained before depending on it to address any of the issues outlined.

Proposed Tree Works and Pruning

6.7.3 All tree works undertaken must comply with *British Standard 3998:2010 – Tree Work Recommendations* and should therefore be carried out by skilled tree surgery contractors, ideally Arboricultural Association Approved Contractors.

6.7.4 All vegetation and, particularly, woody vegetation proposed for clearance, must be removed outside of the bird-breeding season (March - September inclusive). Birds are protected under the Wildlife and Countryside Act, 1981 (as amended) whilst on the nest. If this is not practicable, a qualified Ecologist should inspect the vegetation to be removed or pruned for the presence of nesting birds.

6.8 Tree Planting and Green Infrastructure

Compensation and Mitigation

6.8.1 The Proposed Development allows an opportunity for compensatory and mitigating planting. A Planting Plan (drwg.no. 277101 -TOR-SK001) has been produced by tor & co which sets out provision for native tree planting, species rich wildflowers and native scrub mixes.

6.8.2 From a general arboricultural perspective, new tree, scrub and hedge planting should seek to achieve the following:

- Maintain or increase the overall area of canopy cover.
- Increase species diversity to build future resilience into the local population.
- Plant trees which are appropriate to the Proposed Development which includes those species which will develop into large specimens with the capacity to contribute positively towards the urban forest, provisioning and regulating of ecosystem services, landscape character and public amenity.

6.8.3 The guidance of BS8545:2014 will be followed in relation to the aftercare of the trees to be planted. This will include amongst general irrigation, formative pruning:

- A formal assessment of young tree health and development should be carried out annually.
- This assessment should include foliar appearance (i.e., lack of leaf chlorosis and/or necrosis), leaf size and leaf canopy density, extension growth and incremental girth development.
- Continual assessment on an ad hoc basis should be carried out throughout the year, to inform maintenance requirements.

7. General Tree Protection Guidance

7.1.1 This section outlines general precautionary measures that should be always taken.

7.1.2 Other than those specified in this assessment, no trees will be removed or pruned during demolition and/or construction. Any proposed deviation from the tree removal and retention guidelines outlined in this AIA must be discussed with the appointed Arboricultural Clerk of Works (ACoW) before being implemented.

7.1.3 Arboricultural features that will be removed in accordance with this report and the Proposed Development must be felled prior to the installation of protective barriers.

7.1.4 All tree works will be undertaken to British Standard 3998:2010 'Tree Work - Recommendations'.

General protection measures for retained trees

7.1.5 During construction, retained trees must be adequately protected. Most of the time, this protection will include the installation of mandatory tree protection barriers at the extent of the calculated Root Protection Areas (RPAs) to create construction exclusion zones (CEZ).

7.1.6 The tree-protection measures should adhere to the recommendations in BS5837:2012. The purpose of these measures should be understood and well-considered from the start, as they protect trees to be retained within and adjacent to the Site while allowing adequate access for the implementation of the Proposed Development.

7.1.7 Tree-protection fencing should be robust enough to restrict being breached from the type of construction activity taking place on Site and suitable for the degree and proximity of works to retained trees. Fencing to be installed must be periodically inspected to ensure that they remain fit for purpose and, where required, maintained, or improved throughout the duration of demolition and construction activities on Site.

7.1.8 Tree Protection Fencing should encompass a rigid wire mesh, metal fencing panel (Heras™). In most situations, these panels should be affixed to scaffold poles driven vertically into the ground. To offer additional resistance against impacts where construction activity is anticipated to be more intense, supporting struts; acting as a brace, should also be provided.

7.1.9 Barriers will be erected prior to the start of any demolition and/or construction work unless they already exist. When barriers are installed, the area is designated as a CEZ. Protective barriers will not be removed or altered unless the appointed Project Arboriculturist has been consulted and the acting local authority has agreed.

7.1.10 Site compounds, Portakabins, Containers, and other temporary structures may be used in root protection areas in some cases if prior consent is obtained from the acting local planning authority. Prior to installation, the method for installing the buildings and an assessment of whether temporary ground protection is required must be agreed upon and specified with the project Arboriculturist.

7.1.11 Loads that are wide or tall should not encounter retained trees. Oil, bitumen, cement, or any other potentially hazardous material to trees should not be stacked or discharged within 10 metres of a tree stem. Concrete should not be mixed within 10 metres of a tree.

7.1.12 No fires will be lit where flames are expected to extend to within 5m of tree foliage, branches, or trunk, taking wind direction and fire size into account. Any part of a retained tree should not have notice boards, telephone cables, or other services attached to it.

Ongoing arboricultural monitoring of retained trees

7.1.13 Any trees that are to be retained and have the potential to be impacted by development demolition or construction should be routinely monitored both during and after construction.

7.1.14 The goal of arboricultural monitoring is to ensure that all tree protection measures are fit for purpose, that they are implemented in accordance with any approved details, and that any previously unforeseen arboricultural issues are quickly identified and appropriately addressed. This is particularly relevant where there is public access, as recommended in section 8.8.3 of BS5837:2012 - Post Development Management of Existing Trees, to satisfy the landowner's duty of care.

8. Conclusions

8.1.1 A total of 9no. arboricultural features were surveyed across the wider Site (Arboricultural Study Area, as defined by a dashed blue line on the TCP) comprising 2no. individual trees and 7no. groups of trees. These include 1no. category B, 7no category C and 1 no. category U features.

8.1.2 To implement the Proposed Development, there will be an overall loss of 1no. category C group of trees. A further partial loss of 4no. category C groups of trees is required. The partial removals comprise of a small percentage of the total size of the groups and will have a small impact on the overall arboricultural value of the Site.

8.1.3 The proposed individual tree removals are all confined to category C (low quality) features set within the confines of the Site and which are largely obscured from view beyond the Site boundaries. As such, their removal will have minimal impact on the amenity value and scene of the wider surrounding area.

.

9. Recommendations

9.1.1 The successful retention of those trees that will remain on the Site will be dependent upon the quality and maintenance of any protection system that is put in place.

9.1.2 A Tree Protection Plan has been provided with this AIA.

9.1.3 It is critical that all Tree Protective Fencing is installed and erected, and the Construction Exclusion Zone (CEZ) enforced prior to the commencement of any works on-site. If required by the LPA, following installation of tree protection, a site meeting will be undertaken with the Tree Officer to ensure satisfaction of all parties prior to any on-site works commencing.

9.1.4 It is recommended that a suitable competent arboriculturist, undertakes the site supervision and monitoring works.

9.1.5 For tree and root protection measures to work effectively all personnel associated with the construction process must be familiar with the Tree Protection Plan.

10. References

British Standard 5837:2012 'Trees in Relation to Design, Demolition and Construction - Recommendation'

British Standard 3998:2010 – Tree Work Recommendations

British Standard 8545:2014 Trees: from nursery to independence in the landscape – Recommendations

Recognition of Ancient, Veteran & Notable Trees – RAVEN (Julian Forbes-Laird, 2018)

Appendix 1

Site Location Plan


Shaw Ln
Ln

Appendix 2

BS5837:2012 Survey and Assessment Methodology

i. The trees on the Site were originally surveyed without reference to site layout as detailed in paragraph 4.4.1.1 of BS5837:2012. However, for the purposes of the Arboricultural Impact Assessment the Proposed Development for the Site has been considered.

ii. The position of each tree was plotted with reference to the supplied ordinance survey plan. Small trees with a stem diameter less the 75mm were generally not surveyed as they would either be easily replaced or relocated.

iii. Each individual tree has been given a tree identification number, the groups and hedges clearly defined for the purpose of this report. Metal tags have not been used for this survey as identification on-site does not require this. The tree numbers associated with each tree are cross referenced within the schedule and plans at Appendix 3 and 4 respectfully.

iv. The tree species have been recorded with both common and botanical names.

v. All tree heights have been assessed using a clinometer and were indicated in groups the height of the tallest tree was measured unless otherwise stated. Tree heights are given in metres.

vi. All stem diameters were measured at 1.5 metres above ground level and are given in millimetre units (unless otherwise stated where "gl" is an abbreviation for ground level where diameter was measured just above root flare, "est" is an estimate and "av" is an average).

vii. The canopy spread is recorded in either the four cardinal points or is given as an average diameter for the crown, especially in groups or where the crown is evenly weighted. Canopy spreads are measured in metres.

viii. The height of the ground clearance is given in metres and is an estimate of the height of the first branch above ground level.

ix. In absence of detailed information on the age the following classification has been used:

Young	Young trees aged less than 1/3 life expectancy.
Semi-Mature	Established specimen approaching 1/3 life expectancy.
Early-Mature	Middle age trees 1/3 – 2/3 life expectancy**.**
Mature	Mature trees over 2/3 life expectancy**.**
Over-Mature	Over-mature – declining or moribund trees of low vigour; and
Veteran	Veteran trees – specimens exhibiting 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.
	N.B. *Age class is indicative and will vary between species.*

x. The structural condition of the trees has been assessed and is summarised as:

Good	Few minor defects of little overall significance.
Fair	A significant defect or several small defects.
Poor	Major defect present or many small defects.

xi. The physiological condition has been recorded to provide an indication of the tree's general health and vitality. The trees have been described thus:

Good	Generally in good health typical of the species.
Fair	Reasonable health with few defects.
Poor	Trees that exhibit significant risk features which are irremediable or moribund tree.
Dead	Tree has died.

xii. Each tree was individually assessed and comments, where appropriate, were recorded for the condition of each tree's roots, main stem, and crown.

xiii. General comments have also been made where appropriate, with recommendations when relatively immediate works are given.

xiv. Estimated remaining contribution has been categorised as: less than 10 years, 10-20 years, 20-40 years or over 40 years, based upon an assessment of the tree's potential safe useful life expectancy. The remaining contribution in years has not always been directly followed in relation to the retention categories of the trees as trees may have a long remaining life however be of little significance in terms of development.

Ancient Woodland, Ancient, Veteran and Notable trees

xv. For this BS5837:2012 survey, the methodology set out by the Recognition of Ancient, Veteran & Notable Trees – RAVEN (Julian Forbes-Laird, 2018) has been adopted to survey and assess potential Ancient, Veteran or Notable trees.

xvi. The Forestry Commission (FC) and Natural England (NE) have published guidance and recommendations to safeguard Ancient Woodland, Ancient, and Veteran trees against development. In summary this guidance advises on the use of semi-natural buffer zones as a means of protection with minimum distances identified as:

- Fifteen metres between any development and ancient woodland.
- Fifteen times the diameter of its stem or 5m from the edge of its canopy, if that's greater, around any ancient or veteran tree.

Appendix 3

BS5837:2012 Tree Schedule

BS5837:2012 Tree Schedule

Client Name: Premier Foods PLC
Site: Premier Foods Bakery, Carlton, South Yorkshire
Ref No: 230724 TS V1

Consultant: C. Throw
Survey Date: July 2023

Measurements	
Height	All tree heights have been assessed using a clinometer. Tree heights are given in metres.
Stem Dia.	Diameter in millimetres (mm) in accordance with BS5837:2012 paragraph 4.6.1, Annex C.
Crown spread	Given as an average diameter or measured using a distometer. North (N), east (E), south (S) and west (W) provided.
Crown Height	Height of ground clearance is given in metres. Estimate of the height of the first branch above ground level.
Species name	The tree species have been recorded with both common and scientific names.
Tag no.	Where present, any metal tags attached to trees have been recorded.

Age Class	
Young	Establishing, good vigour, fast growth rates and strong apical dominance; < 1/3rd estimated life expectancy.
Semi-Mature	Established specimen approaching 1/3 life expectancy.
Early-Mature	1/3 – 2/3 life expectancy, vigorous growth rate and increasing in height.
Mature	Over 2/3 life expectancy. Generally good vigour and achieving full height potential with crown still spreading.
Over-Mature	Declining or moribund trees of low vigour.
Veteran	Exhibiting features of biological, cultural, or aesthetic value characteristic of species surviving beyond the typical age range.

Physiological Condition	
Good	Generally in good health typical of the species.
Fair	Reasonable health with few risk features.
Poor	Trees that exhibit significant risk features which are irremediable or moribund tree.
Dead	Tree has died.

Structural Condition	
Good	Few minor risk features of little overall significance.
Fair	A significant risk feature or several small risk features.
Poor	Major risk feature present or many small risk features.
Collapsing	Feature has uprooted or the whole tree, or part of the tree has collapsed.

Abbreviations and Notes

est - Estimated stem diameter
av - Average stem diameter for multiple stems
upto - Maximum stem diameter of a group
erc - Estimated remaining contribution

Root Protection Areas (RPA)

The below ground constraints are generally summarised as the root protection areas (RPA). The RPA is an area equivalent to a circle with a radius 12 times the diameter of the trees measured at 1.5 metres for single stemmed trees. For trees with more than one stem, one of two calculation methods should be used. In all cases, the stem diameter(s) should be measured in accordance with Annex C, and the RPA should be guided from Annex D of BS5837:2012. Both RPA radius in metres from the main stem and total area for the RPA as square metres.

An average stem diameter is provided for tree groups, wooded areas and hedges. Where veteran trees have been identified the RPA has been calculated in accordance with Natural England guidance i.e. 15x the stem diameter or 5m beyond the crown whichever is greater.

General Notes

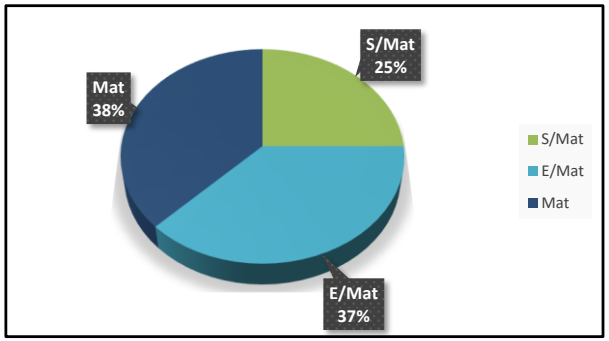
Each tree was individually assessed and comments, where appropriate, were recorded for the condition of each tree's roots, main stem, and crown. The physiological condition has been recorded to provide an indication of the tree's general health and vitality. General comments have also been made where appropriate, with recommendations for tree work given, where applicable.

Each individual tree has been given an identification number. Metal tags have not been used for this survey as identification on-site does not require this. The tree numbers associated with each tree are cross referenced within the schedule and Tree Constraints Plan/s. Small trees with a stem diameter less the 75mm were not surveyed as they would either be easily replaced or relocated.

BS5837:2012 Tree Schedule

Age Distribution of the Tree Population

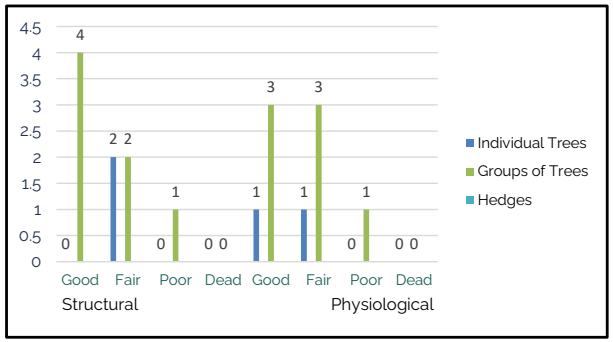




The distribution of age category across the tree population is useful for understanding expected longevity and can be used for determining mitigation, management and replacement.

Distribution of Physiological and Structural Conditions across the Tree Population

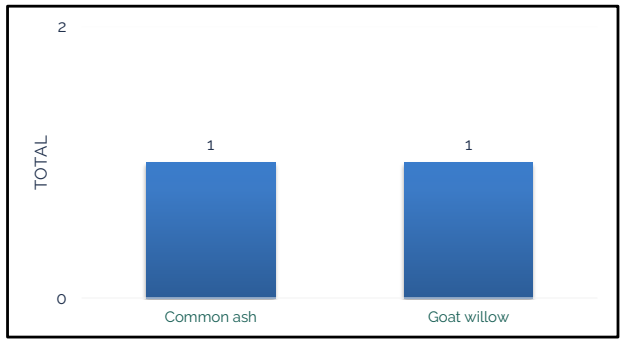




Physiological condition provides an indication of the vitality of the tree. Structural condition is related to the presence of defects that can lead to failures.

Species Composition of the Individual Tree Population





The proportions of any given family, genus, species, and cultivar which make up the total individually recorded tree population across the Site.

Ancient Woodland and Ancient, Veteran and Notable Trees

Ancient Tree - A tree that has passed beyond maturity and is old, or aged, in comparison with trees of the same species. Characterised by biological, cultural, or aesthetic features of interest.

Ancient Woodland - Any wooded area that has been continuously wooded since 1600 AD

Veteran Tree - Exhibiting features of biological, cultural, or aesthetic value characteristic of species surviving beyond the typical age range.

Notable Tree - mature trees which may stand out in the local environment because they are large in comparison with other trees around them.

Forestry Commission and Natural England Guidance for the protection of ancient woodland, ancient trees and veteran trees from development and the use of semi-natural buffer zones:

- Fifteen metres between any development and ancient woodland.
- Fifteen times the diameter of its stem or 5m from the edge of its canopy, if that's greater, around any ancient or veteran tree.

Ancient Woodlands	Ancient Trees	Veteran Trees	Notable Trees
0	0	0	0

BS5837:2012 Tree Schedule

CATEGORY A	CATEGORY B	CATEGORY C	CATEGORY U
Trees with an estimated remaining contribution of at least 40 years. 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.	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 or trees lacking the special quality necessary to merit the category A designation.	Trees with an estimated remaining life expectancy of at least 10 years, or young trees with a stem diameter below 150mm. Unremarkable trees of very limited merit or such impaired condition that they do not qualify in higher categories.	Trees 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.
Sub-categories	Mainly arboricultural value **1**	Mainly landscape value **2**	Mainly cultural or conservation value **3**

Summary of Individual trees, Groups, Woodlands and Hedges			
	T1	T2 G1, G2, G4, G5, G6, G7	G3
0	**1**	**7**	**1**

Estimated Remaining Contribution (ERC)			
> 40 years	**> 20 years**	**< 20 years**	**< 10 years**

Breakdown of Arboricultural Features for each BS5837:2012 Category							
Trees	**0**	Trees	**1**	Trees	**1**	Trees	**0**
Groups	**0**	Groups	**0**	Groups	**6**	Groups	**1**
Woodlands	**0**	Woodlands	**0**	Woodlands	**0**	Woodlands	**0**
Hedgerows	**0**	Hedgerows	**0**	Hedgerows	**0**	Hedgerows	**0**
Percentage of tree population	**0.0%**	Percentage of tree population	**11.1%**	Percentage of tree population	**77.8%**	Percentage of tree population	**11.1%**

In assigning the BS5837:2012 Category, particular consideration has been given to the presence of any structural defects for each feature, the size and form of each feature, its suitability within the context of a proposed development, and the location of each feature relative to existing site features e.g. its screening value or landscape amenity value.

BS5837:2012 Tree Schedule

Tree No.	Tag No.	Species (Common Name)	Species (Scientific Name)	Height (m)	Stem Dia (mm)	Crown Spread (m) N	E	S	W	Height of Crown Clearance (m)	Age Class	Phys Con	Struc Con	Additional notes	Estimated remaining contribution (erc)	Ret Cat	RPA (m^2)	RPA Radius (m)
INDIVIDUAL TREES																		
T1	No Tag	Common ash	*Fraxinus excelsior*	15	720	7.5	7.5	7.5	8.5	3.5	Mat	Fair	Good	Single stemmed ash to c.3.5m (crown break). Open and spreading, balanced form. Crown houses several large diameter and small diameter branches. Lower lateral removed, unsympathetic pruning - resulting stub is not a correct target prune. On the southern aspect is 2no. laterals which have fused, at 2.5m above ground level. Lowest section of the fused limb has been unsympathetically removed. Several laterals are resting on top of the boundary chain link fence. Remove cut stubs and prune back to main stem or sub laterals using correct pruning techniques.	0	**B1**	238	8.7
T2	No Tag	Goat willow	*Salix caprea*	10	960	7	7	6	6	1.5	Mat	Fair	Fair	Characteristic of a large, mature willow. Central bole shoes sign of decay, with stems splitting/collapsing resulting in a layered form. The resulting layered stems now comprise upright, regenerative leaders. Branch socket cavities and dead wood observed. Ground around the tree set to rubble and	0	**C1**	408	11.4

BS5837:2012 Tree Schedule

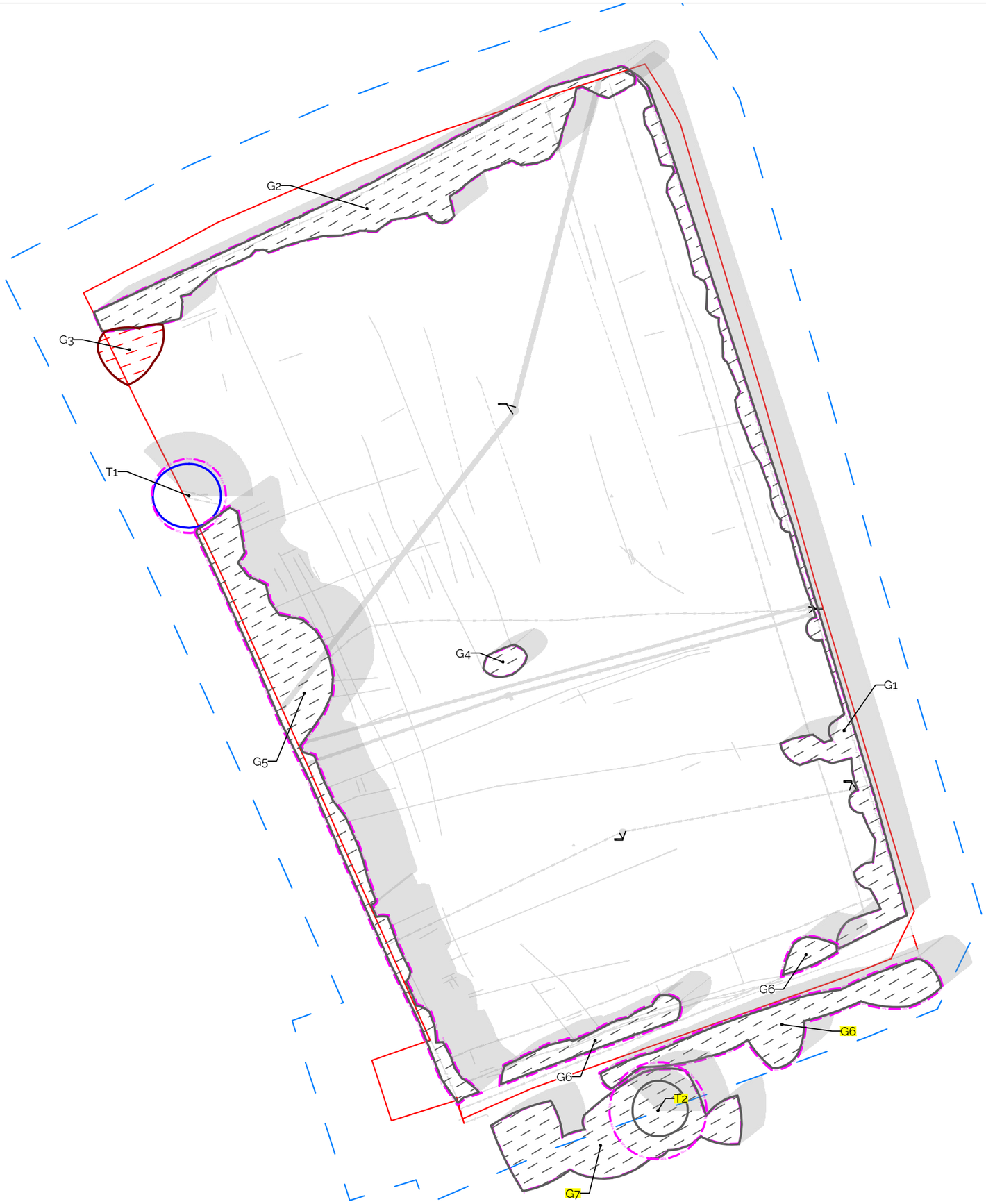
Tree No.	Tag No.	Species (Common Name)	Species (Scientific Name)	Height (m)	Stem Dia (mm)	Crown Spread (m) N	E	S	W	Height of Crown Clearance (m)	Age Class	Phys Con	Struc Con	Additional notes	Estimated remaining contribution	Ret Cat	RPA (m^2)	RPA Radius (m)
TREE GROUPS																		
G1	No Tag	Common hawthorn, Wild cherry, Blackthorn	*Crataegus monogyna, Prunus avium, Prunus spinosa*	1 - 6.5	50 - 110	2	2	2	2	0.5	E/Mat	Good	Good	Unmanaged, establishing vegetation along boundary of the site. Hawthorn predominant species with several isolated cherry along the boundary. No obvious major defects. Gaps	20 to 40 years	**C2**	5	1.2
G2	No Tag	Common hawthorn, Common apple, Wild cherry, Blackthorn, Crack willow, Elder	*Crataegus monogyna, Malus domestica, Prunus avium, Prunus spinosa, Salix fragilis, Sambucus nigra*	1.5 - 8	50 - 230	2.5	2.5	2.5	2.5	0.5	E/Mat	Fair	Fair	Unmanaged, establishing vegetation along boundary of the site. Hawthorn and elder predominant species with several isolated cherry along the boundary, of more mature proportions. No obvious major defects. Gaps present. Elder and hawthorn dying back, sparse crowns and evidence of leaf	20 to 40 years	**C2**	23	2.7
G3	No Tag	Elder	*Sambucus nigra*	3 - 5	100 - 220	2.5	2.5	2.5	2.5	0.5	Mat	Poor	Poor	Dense undergrowth restricted access to trees. Appears to be 3-5 trees, each dying back and composed of sparse and thinning	<10 years	**U**	23	2.7
G4	No Tag	Common hawthorn	*Crataegus monogyna*	2.5 - 3.5	30 - 60	2	2	2	2	0.5	S/Mat	Good	Good	Self-set hawthorn	10 to 20 years	**C1**	1	0.6
G5	No Tag	Silver birch, Common hawthorn, Raywood ash, Wild cherry, Blackthorn, Goat willow, Elder	*Betula pendula, Crataegus monogyna, Fraxinus angustifolia 'Raywood', Prunus avium, Prunus spinosa, Salix caprea, Sambucus nigra*	2.5 - 10	50 - 200	2	2	2	2	0.2	E/Mat	Good	Good	Characteristic of species. Self-set and establishing trees, resulting from lack of formal management. Majority of the trees are growing along the boundary chain link fence. Limited value beyond biodiversity.	20 to 40 years	**C2**	18	2.4
G6	No Tag	Common hawthorn, Common ash	*Crataegus monogyna, Fraxinus excelsior*	2 - 6.5	50 - 200	2	2	2	2	0.5	0	Good	Fair		20 to 40 years	**C2**	18	2.4
G7	No Tag	Silver birch, Common hawthorn, Goat willow,	*Betula pendula, Crataegus monogyna, Salix caprea,*	2 - 5	50 - 100	2	2	2	2	0.5	S/Mat	Fair	Fair	Sporadic, self -set trees established around an area of existing hardstanding (concrete pad). Limited future potential.	10 to 20 years	**C2**	5	1.2

Appendix 4

Tree Constraints Plan

Tree Retention and Removal Plan

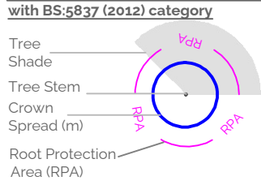
Tree Protection Plan



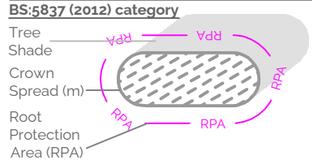
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N

Individual Trees - Crown colour in accordance with BS:5837 (2012) category



Groups and Hedgerows - Crown colour in accordance with BS:5837 (2012) category



BS:5837 (2012) Category Colours

Category B
Category C
Category U

Additional Attributes

Redline Boundary
Arboricultural Study Area
Trees plotted without topographical reference T23

Tree locations are based on the topographical survey provided.

This TCP is created as a design tool and does not make an assessment of the impacts or subsequent effects of the Proposed Development to trees. Therefore, the TCP must not be submitted solely to inform the planning application. An Arboricultural Impact Assessment or similar report will be required to inform the planning application which the TCP may form part of.

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Drawing Status:
S2 - Information / Reference

Date: July 2023 Drawn: MN Checked: CTT

Client: Premier Foods PLC

Project: Premier Foods Bakery, Carlton, South Yorkshire

Title: Tree Constraints Plan

Drawing file reference	DWG No
230724 1532 TCP V1	1 of 1

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Natural Infrastructure Consultants

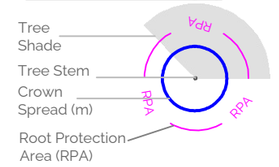
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www.wnic.co.uk

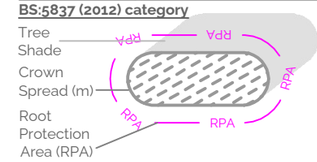


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Individual Trees - Crown colour in accordance with BS:5837 (2012) category



Groups and Hedgerows - Crown colour in accordance with BS:5837 (2012) category



Arboricultural feature to be ***removed*** to facilitate the development

BS:5837 (2012) Category Colours

Category B

Category C

Additional Attributes

Redline Boundary

Arboricultural Study Area

Trees plotted without topographical reference T23

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Drawing Status:
S2 - Information / Reference

Date: August 2023 Drawn: MN Checked: CT

Client: Premier Foods PLC

Project: Premier Foods Bakery, Carlton, South Yorkshire

Title: Tree Retention and Removal Plan

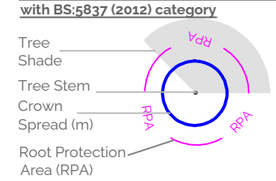
Drawing file reference	DWG No
230817 1532 TRRP V1	1 of 1

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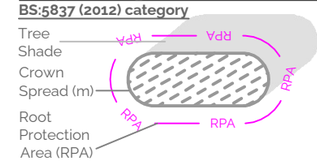
Scale: 1:1000 @ A3

N

Individual Trees - Crown colour in accordance with BS:5837 (2012) category



Groups and Hedgerows - Crown colour in accordance with BS:5837 (2012) category



BS:5837 (2012) Category Colours

Category B

Category C

Additional Attributes

Redline Boundary

Arboricultural Study Area

Tree Protection Measures

Tree Protection Fencing TPF

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Drawing Status:
S2 - Information / Reference

Date: August 2023 Drawn: MN Checked: CT

Client: Premier Foods PLC

Project: Premier Foods Bakery, Carlton, South Yorkshire

Title: Tree Protection Plan

Drawing file reference	DWG No
230817 1532 TPP V1	1 of 1

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Appendix 5

Glossary of Terms

Term	Acronym	Definition
Amenity Clearance Zone	ACZ	An ACZ is used to consider the impact of the proximity of retained trees to structures. The ACZ is defined as an area surrounding the tree that enables a satisfactory relationship to exist between the property and the tree, and as such is equal to two-thirds of the tree's expected mature height. The ACZ is a combination of factors such as shading, future pressure for removal and seasonal nuisance.
Ancient Tree	-	A tree that has passed beyond maturity and is old, or "aged", in comparison with trees of the same species. Characterised by biological, cultural, or aesthetic features of interest.
Ancient Woodland	AW	Any wooded area that has been continuously wooded since 1600 AD.
Arboricultural Clerk of Works	ACoW	The ACoW is a competent arboriculturist that is employed to oversee all construction matters relating to trees. Typical site monitoring tasks include but not limited to: checking tree protection fencing is installed and positioned correctly, oversee excavation works that are within the RPA of trees and deliver toolbox talks.
Arboricultural Impact Assessment	AIA	An element of the British Standard 5837:2012 *'Trees in Relation to Design, Demolition and Construction - Recommendation'*. An AIA is a report intended to inform the Local Planning Authority of the impacts of a proposed development to the surrounding trees. The report acknowledges the direct and indirect impacts that the development will (or may, in relation to outline applications) have on the trees and conversely, the trees on the development. The aim is to establish if the trees can co-exist in harmony with the development and continue to contribute to the site for many years.
Arboriculturist	-	A person who has, through relevant education, training, and experience, gained professional expertise in the field and study of trees.
British Standard 5837:2012	BS5837:2012	The nationally recognised British Standard for the integration of trees and development, providing guidance

Term	Acronym	Definition
		and recommendations on the relationship between trees and design, demolition, and construction processes. It sets out principles and procedures to be applied to achieve a harmonious and sustainable relationship between trees and structures and is to be interpreted by an arboriculturist.
Construction Exclusion Zone	CEZ	The CEZ is a designated area decided by the project arboriculturist. It is where pedestrians, storage of materials and vehicular movement is prohibited during the construction period. This is identified on a tree protection plan, where lines are annotated onto the site plan, indicating where fencing must be installed onsite to form an exclusion zone.
Root Protection Area	RPA	The RPA provides the minimum amount of space deemed sufficient to sustain a trees viability. This area is typically calculated by measuring the diameter of a trees stem at 1.5m from ground level in millimetres and multiplied by 12. This equals the radius in metres and is used to create a circular radius centred off the stem. There are external factors that means there are sometimes variations to this method.
Tree Constraints Plan	TCP	The initial stage of a BS5837:2012 tree survey. A site assessment of all trees on or within influencing distance of the site, trees are denoted on a plan overlaid with the existing context of the site, often in the form of a topographical survey or OS map. Trees are superimposed onto the plan to show their reference number (e.g., T1), canopy spread, retention categorisation and RPA.
Tree Retention and Removals Plan	TRRP	A plan denoting which trees will be lost because of the development and the trees that can viably be retained within the proposed setting. Trees are often denoted in green and red, for retention and removal.
Tree Protection Plan	TPP	A plan showing the retained trees will be protected through construction of the proposed development. Various annotations are added to demonstrate what mitigation and protection is required; pre, during and post development.

Term	Acronym	Definition
Veteran Tree	-	Trees exhibiting 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.

Appendix 6

Legislation and Policies

Legislation

Town and Country Planning Act 1990	Section 197 places a duty on the local planning authority to ensure that, where appropriate, planning conditions are imposed which require the preservation or planting of trees. Section 198 provides local planning authorities with the powers to impose Tree Preservation Orders where it is expedient in the interests of amenity. The role of a TPO is to protect specific trees, groups of trees and woodlands for the purpose of amenity. In the Secretary of State's view *'Orders should be used to protect trees and woodlands if their removal would have a significant negative impact on the local environment and its enjoyment by the public'.*
Town and Country Planning (Tree Preservation) (England) Regulations 2012	These Regulations govern the administration of Tree Preservation Orders. They make it a statutory offence to undertake specified activities without the formal consent of the local planning authority. **Prohibited activities include:** • cutting down; • topping; • lopping; • uprooting; • wilfully damaging; and, • wilfully destroying. **Exemptions for the need to obtain formal consent include, but are not limited to:** • Dead trees. • The removal of dead branches. • Works necessary to remove a risk of serious harm. • Works necessary to implement a planning permission (excluding outline planning permission) or where permission is granted under the *Town and Country Planning (General permitted Development Order 1995)(as amended).*

Legislation

Forestry Act 1967	Tree felling is also restricted under the Forestry Act 1967. Under this act, there is an exemption from the need for a felling licence for "Felling trees immediately required for the purpose of carrying out development authorised by planning permission (granted under the Town and Country Planning Act 1990) ..." If full planning permission is granted, then any trees which require felling to implement the approved plans are exempt from this statutory protection. Outline planning permission does not provide an exemption to the regulations that control tree felling in the Forestry Act 1967. If permission is granted on the reserved matters application, then any trees which require felling to implement the approved plans are exempt from this statutory protection. Outline planning permission does not provide an exemption to the regulations that control tree felling in the Forestry Act 1967.
The Wildlife and Countryside Act 1981 (as amended) and the Conservation of Species and Habitat Regulations 2017 (as amended)	Provides statutory protection of birds, bats and other species that can inhabit trees. The Natural Environment and Rural Communities Act 2006 (Section 41 England and Section 42 Wales) also places a duty on Local Planning Authorities to consider biodiversity when carrying out their duties. The Conservation of Habitats and Species Regulations 2017 specifically provides safeguards for European Protected Sites and Species (as listed in the Habitats Directive). This has recently been amended by the Conservation of Habitats and Species Regulations (Amendment) (EU Exit) Regulations 2019 which continue the same provision for European protected species, licensing requirements, and protected areas now that the UK has left the European Union. Great care is required to avoid an offence under the above legislation, and consideration should be given to the potential presence of protected species within a tree subject to future works. Where the presence of protected species is suspected, the project ecologist or Natural England should be contacted for advice before works proceed.

National Planning Policy

National Planning Policy Framework (NPPF) (July 2021)

When determining planning applications, Local Planning Authority's (LPA) should apply the following principles from the NPPF:

Paragraph 131

"Trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly planted trees, and that existing trees are retained wherever possible."

Paragraph 174 (B & D)

"Planning policies and decisions should contribute to and enhance the natural and local environment by:

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;

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."

Paragraph 180 (A, C & D)

"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;

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 reasons63 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."

Local Planning Policy

Barnsley Local Plan	The Barnsley Local Plan is issued as informal planning guidance. Policy GD1 General Development Proposals for development will be approved if: Existing trees that are to remain on site are considered in the layout in order to avoid overshadowing. Policy BIO1 Biodiversity and Geodiversity Development will be expected to conserve and enhance the biodiversity and geological features of the borough by: Protecting and improving habitats, species, sites of ecological value and sites of geological value with particular regard to designated wildlife and geological sites of international, national and local significance, ancient woodland and species and habitats of principal importance identified via Section 41 of the Natural Environment & Rural Communities Act 2006 (for list of the species and habitats of principal importance) and in the Barnsley Biodiversity Action Plan.

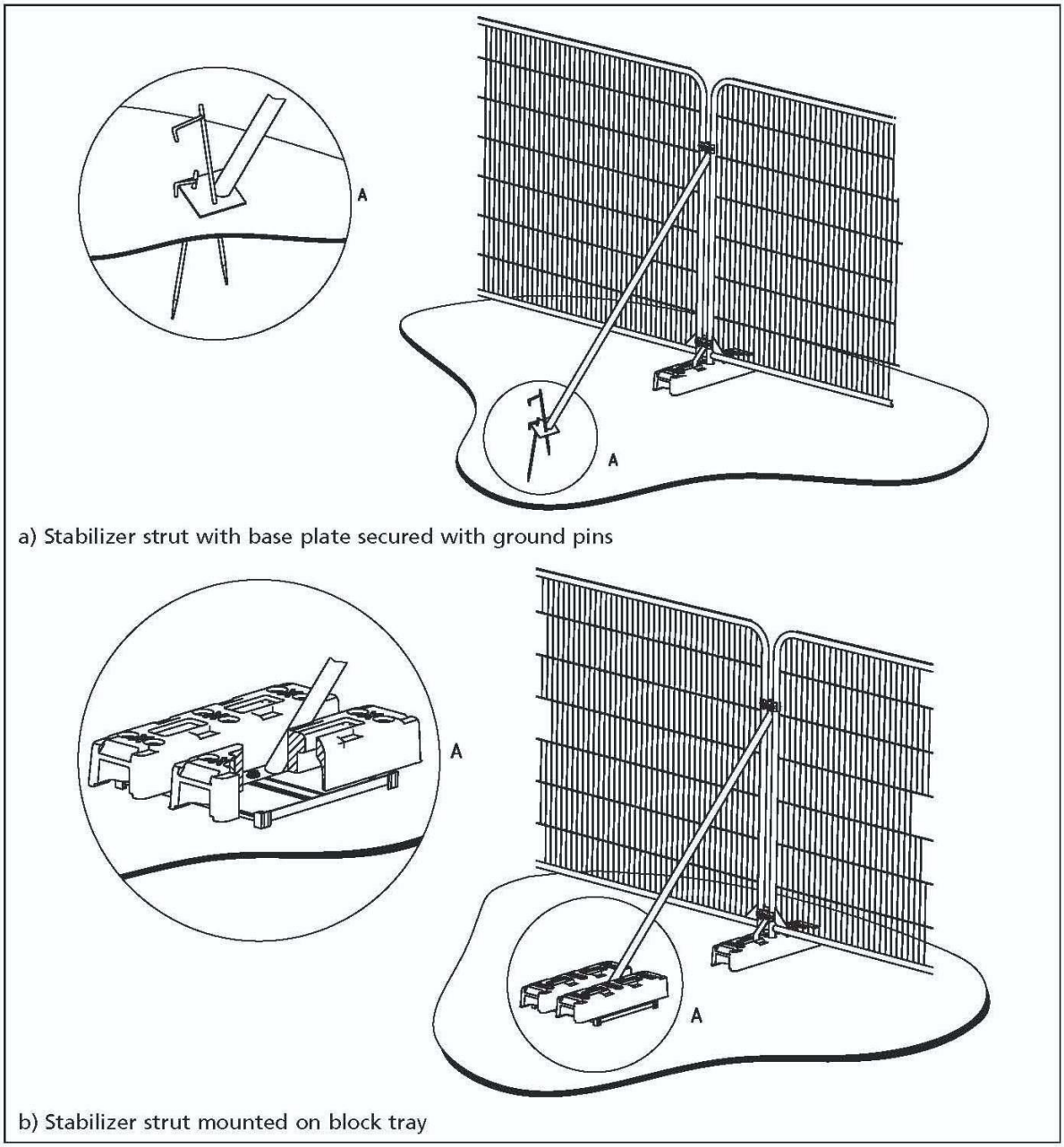
Guidance

Forestry Commission and Natural England, Ancient woodland, ancient trees, and veteran trees: protecting them from development (2018)	The Forestry Commission and Natural England published guidance giving information for the protection of ancient woodland, ancient trees and veteran trees from development. In summary this guidance advises on the use of semi-natural buffer zones as a means of protection with minimum distances identified as: • Fifteen metres between any development and ancient woodland. • Fifteen times the diameter of its stem or 5m from the edge of its canopy, if that's greater, around any ancient or veteran tree. Further guidance is provided on the compensation measures which may be applied should adverse impacts arise.

Appendix 7

Tree Protective Fencing Specification

Figure 3 **Examples of above-ground stabilizing systems**



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