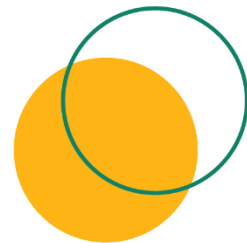




Arboricultural Impact Assessment (AIA) and Method Statement



Paul Vinyard
Dorothy House Hospice Care, Winsley, Bradford on Avon, Wiltshire, BA15 2LE

October 2025

Project Information

Title	Arboricultural Impact Assessment and Method Statement
Project No.	32168
Sector	Environment
Report	EC
Client	Paul Vinyard
Revision	A
Status	Final
Date of Issue	06/08/2025

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1 Introduction

1.1 Overview

Paul Vinyard ('the client') is seeking consent for a proposed development at Dorothy House Hospice Care, Winsley, Bradford on Avon, Wiltshire, BA15 2LE (hereafter referred to as the 'proposed development site'), which is within Wiltshire Council (WC).

The proposal is for a double-storey extension to the Nicholson House building located northwest of Dorothy House (Appendix A).

ACP Consultants Ltd. was instructed by the client to produce an Arboricultural Impact Assessment (AIA) to accompany the planning application to the WC for consent to undertake the proposed work. The survey was conducted on the 4th of September 2025, under suitable weather conditions by Brydie Stacey.

The purpose of the AIA in accordance with BS5837, is to provide guidance on how trees and other vegetation can be integrated into construction and development design schemes. The overall aim is to ensure the protection of trees which are appropriate for retention.

As the proposal relates to development works at site, the advice herein is produced in accordance with the British Standard 5837: 2012 '*Trees in Relation to Design, Demolition and Construction - Recommendations*' (hereafter; BS5837).

Local Authorities are tasked with determining new development and local planning applications against a wide range of social, economic, and environmental criteria. The purpose of this report is to assess whether the development proposal is compliant with the relevant local policies in terms of ecological impact as a result of the proposed commercial development.

This assessment has been carried out in accordance with good practice guidelines, including the National Planning Policy Framework (2024) and applicable local supplementary guidance. Relevant national and local planning policies and legislation can be found in Appendix E.

The remainder of this report is presented in the following order:

- Section 2: Methodology
- Section 3: Results and Evaluation
- Section 4: Discussion and Recommendations
- Section 5: Conclusions

2 Methodology

To achieve the objectives outlined in Section 1.2, Brydie Stacey completed the required work in accordance with BS5837 standards.

2.1 Site Assessment

The site currently comprises a care home, associated areas of hardstanding ground, vegetated gardens and several mature trees.

The site requires consideration from an Arboricultural perspective due to the presence of multiple trees on site; these trees are deemed to be within impacting distance of the potential construction area.

2.2 BS5837 Tree Survey

On the 4th of September 2025, the field survey was completed at the site in order to obtain detailed baseline information regarding the trees present on site.

The tree survey and assessment resulted in the BS5837 quality/retention categories ranging from 'A'-'U' due to the varying contribution to the wider landscape and overall merit. It is also worth noting that the BS5837 circular RPAs are considered to halt at the extents of existing property, driveways and substantial walls.

Trees were generally in reasonable condition. No significant defects were detected, although minor defects such as slight leans that require long-term monitoring and varying degrees of ivy coverage (which had the potential to conceal defects) were noted in T10, T11, T12, T13, T14, T15, T22, T23, T24 and T26-T32 as outlined in Appendix C. For such trees (and other trees), a routine monitoring plan is considered sufficient to ensure the safe retention of the trees.

Further data can be found in Appendix C, alongside the tree locations shown in the Tree Constraints Plan (Appendix B).

2.3 Limitations

This report is valid for one year from the date of inspection. Trees are living organisms, and no responsibility can be accepted by the surveyor for the failure of a tree or part of a tree due to adverse weather conditions, force majeure, or other unpredictable occurrences. It is the responsibility of the tree owner to inspect and maintain their trees on a regular basis.

This document does not contain a comprehensive list of botanical species on site. Only plant species characteristics of each habitat and incidental observations of notable plant species were recorded. In addition, many plant species are only evident at certain times of year and so some plant species may have gone undetected.

Any third party and external data sources used may vary due to the quality and scale, the supporting information used to define locations/boundaries and sensitivity of the data itself. ACP Consultants Ltd. cannot take responsibility for the accuracy of external data sources and as such discrepancies and inaccuracies may occur.

Seasonal limitations also exist in regard to species identification. Where a species cannot be identified in the winter due to leaf shedding or other variables, the species has been marked as deciduous.

No council search/contact has been requested and hence confirmation as to whether any of the trees are protected by Tree Preservation Order was unavailable at the time of writing this advice.

A small number of trees had limited accessibility or had been included in the topographical survey despite being mature shrubs, as outlined in Appendix C. However, such limitations are not considered to be significant.

3 Results and Evaluation

3.1 Survey Conditions

Table 1: Summary of conditions during survey

Abiotic Factor	Survey 1
Survey type	BS5837
Date completed	04.09.25
Temperature	15 degrees Celsius
Precipitation	0
Weather Conditions	Partially cloudy

3.2 General Considerations for Tree Retention/Removal

It is understood from plans provided by the client that all existing trees displayed in the Tree Constraints Plan (Appendix B) are to be retained and that no tree removals are proposed. There are no Tree Preservation Orders (TPOs) present on-site.

Due to existing trees being of high, moderate and unremarkable quality and merit, trees have been categorised as BS5837 Category 'A', 'B' and 'C' (Appendix C) as shown in Figure 1. No significant defects were identified in any of the trees on-site, although varying degrees of vegetation coverage had the potential to conceal defects. Routine monitoring and maintenance has been recommended.

The Tree Constraints Plan (TCP) in Appendix B shows that encroachment into the Root Protection Areas of T16-T19 is expected to occur, meaning further considerations will be required.

Category and definition	Criteria (including subcategories where appropriate)			Identification on plan
Trees unsuitable for retention (see Note)				
Category U Those in such a condition that they cannot realistically be retained as living trees in the context of the current land use for longer than 10 years	- Trees that have a serious, irremediable, structural defect, such that their early loss is expected due to collapse, including those that will become unviable after removal of other category U trees (e.g. where, for whatever reason, the loss of companion shelter cannot be mitigated by pruning) - Trees that are dead or are showing signs of significant, immediate, and irreversible overall decline - Trees infected with pathogens of significance to the health and/or safety of other trees nearby, or very low quality trees suppressing adjacent trees of better quality <i>NOTE Category U trees can have existing or potential conservation value which it might be desirable to preserve; see 4.5.7.</i>			See Table 2
	1 Mainly arboricultural qualities	2 Mainly landscape qualities	3 Mainly cultural values, including conservation	
Trees to be considered for retention				
Category A Trees of high quality with an estimated remaining life expectancy 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 (e.g. the dominant and/or principal trees within an avenue)	Trees, groups or woodlands of particular visual importance as arboricultural and/or landscape features	Trees, groups or woodlands of significant conservation, historical, commemorative or other value (e.g. veteran trees or wood-pasture)	See Table 2
Category B Trees of moderate quality with an estimated remaining life expectancy of at least 20 years	Trees that might be included in category A, but are downgraded because of impaired condition (e.g. presence of significant though remediable defects, including unsympathetic past management and storm damage), such that they are unlikely to be suitable for retention for beyond 40 years; or trees lacking the special quality necessary to merit the category A designation	Trees present in numbers, usually growing as groups or woodlands, such that they attract a higher collective rating than they might as individuals; or trees occurring as collectives but situated so as to make little visual contribution to the wider locality	Trees with material conservation or other cultural value	See Table 2
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	Unremarkable trees of very limited merit or such impaired condition that they do not qualify in higher categories	Trees present in groups or woodlands, but without this conferring on them significantly greater collective landscape value; and/or trees offering low or only temporary/transient landscape benefits	Trees with no material conservation or other cultural value	See Table 2

Figure 1 – Cascade Chart for Tree Quality Assessments (Source: BS 5837:2012)

3.2.1 Tree Works

Tree works are not recommended for existing trees as these were in reasonable condition, and no significant defects were observed (although varying degrees of vegetation coverage may have prevented significant defects from being observed). Regular monitoring and maintenance is recommended as a good practice measure. Furthermore, it is understood that no tree removals have been proposed.

3.2.2 Tree Crowns

Consideration is required for both existing and newly planted trees whereby the proposed construction should take account of trees reaching their full growth potential. It is always prudent to provide adequate clearance from a tree's current crown for future growth, i.e. to allow a tree adequate space to reach maturity without conflicts with new structures.

Proposed elevations show that the extension is two-storeys, which extends into the Root Protection Areas of T16-T19, which are large mature trees with evenly spread crowns. Therefore, potential conflicts may occur in regard to future growth, although these are not expected to be significant when considering current crown structures and the proximity/extent of RPA encroachment. Therefore, it is considered that minor pruning in accordance with BS3998 is sufficient to mitigate any conflicts.

3.2.3 Root Protection Areas

As a minimum, it would be suitable to consider the outer extents of retained trees' RPAs (up to the previous foundations) as construction exclusion zones and be protected. The RPAs can be seen in the Tree Constraints Plan (TCP) located in Appendix B.

The TCP shows that minimal encroachment into the RPAs of existing retained trees is expected. The RPAs of T16-T19 will be encroached upon in order to accommodate the proposed extension, which will also require digging/excavations. Therefore, further considerations will be required, which a sensitive working scheme required to allow for development to occur within this area without impacting the long-term viability of T16-T19. This has been detailed in Section 5.

3.2.4 Demolition/Excavation Works

No demolition is anticipated to take place within the RPAs of existing trees. However, excavations associated with the proposed extension are anticipated to encroach within the RPAs of T16-T19. Said works should adhere to the RPA restrictions, be undertaken manually with handheld non mechanical tools and ensure that existing ground levels are retained.

3.2.5 Hard Landscape Works

As with previously mentioned arboricultural restrictions to demolition/construction, the proposed works should avoid retained trees' RPAs. However, where ground works are proposed within the RPAs of retained trees, construction methods (for hard surfacing, walls etc.) should retain the existing ground levels, be undertaken sensitively and using a no dig design.

3.2.6 Planting Species and Volume

It is understood from plans submitted by the client that no new tree planting is proposed. As no tree removals are required, additional tree planting to mitigate for the loss of trees is not required.

3.2.7 Additional Details

The surveyed trees have been subject to a detailed inspection and the arboricultural considerations detailed within this advice. The advice herein is intended to guide a suitable design in consideration for the site's valuable amenity assets. Where retained trees are avoided and removed trees are mitigated, the considerations herein may form part of tree related planning conditions.

4 Discussion and Recommendations

4.1.1 Recommended Work

Based on the findings outlined above, no tree works are required (including the management of defects or tree removals), although minor pruning has been recommended where necessary in order to reduce potential crown conflicts (although this is not expected to be significant). As no tree removals are proposed, no additional tree planting for the purposes of mitigation is required.

The vast majority of trees within the wider site are not expected to be impacted by development, meaning the overall arboricultural impact of proposals is not considered to be significant. However, the Tree Constraints Plan (Appendix B) shows encroachment into the Root Protection Areas (RPAs) of T16-T19. As such encroachment is likely to involve excavations that have the potential to impact roots, the potential arboricultural impact on T16-19 may be significant and may impact the long-term viabilities of such trees. Therefore, further considerations are required.

4.1.2 Further Surveys

Further surveys/advice that are required following the BS5837 assessment are as follows:

- Root Protection Areas for retained trees should generally be considered as construction exclusion zones, with RPA restrictions adhered to throughout the development process.
- Due to the unavoidable RPA encroachment of T16-T19 (involving excavations), an Arboricultural Method Statement is required, which must detail how works may proceed in such a manner that minimises any potential impacts on the long-term viability of the trees. This has been undertaken by ACP Consultants Ltd. and is provided in Section 5.

5 Arboricultural Method Statement

5.1 Arboricultural Method Statement (AMS)

The purpose of this Method Statement is to demonstrate how aspects of the proposed development that have potential to result in loss/damage to any retained trees may be implemented and provide an adequate level of protection during the proposed works. A Tree Protection Plan is also provided in Appendix D.

Details of key site personnel, including site/project manager, will be submitted to the Council's Tree Officer prior to the commencement of site works.

No site personnel are to be present and no demolition, site clearance, building work or delivery of materials is to occur until the protective measures are in accordance with this method statement.

5.2 Phasing and Monitoring

The following phasing procedures are to protect the trees that are to be retained (all surveyed trees as well as T16-T19, which require further considerations), from the pre-development stage and construction stage to ensure their suitability for retention post development. The order in which the works should commence is as follows:

1. Pre-Commencement Site meeting – This should include a detailed discussion of the exact position of the protective fences, the necessity to ensure adequate supervision at key stages and who is responsible on site for the welfare of the trees.
2. Tree Surgery – Including all tree removals (none recommended at this stage) and pruning works (minor pruning where required to reduce potential crown conflicts).
3. Fencing should be erected prior to any development work commencing on site. No further work should be carried out until the tree officer has approved the deployment of the fencing.

5.3 Root Protection Area

Root Protection Areas (RPAs) have been calculated for every tree using the data shown in Appendix B (and maximum recorded RPAs or typical estimates for inaccessible trees as a precautionary measure). The RPA zone is designed to protect a functional minimum of tree root mass in order to ensure the tree remains healthy. Encroachment into the RPAs of T16-T19 is expected.

It is the responsibility of everyone involved during the development process to adhere to the tree protection measures and observe the necessary precautions within and adjacent to them. For details of the RPA's, please see Appendix C.

5.4 Tree Surgery/Felling

It is recommended that all tree work including any pruning is to be carried out prior to the start of construction. All tree works should be carried out in accordance with current industry best practice, BS3998:2010 Tree Work – Recommendations and should be undertaken by fully qualified competent contractors such as Arboricultural Association Approved Contractors.

All operations should be carefully carried out to avoid damage to the trees being worked on and adjacent trees. No trees to be retained shall be used for anchorage or winching purposes.

5.5 Tree Protection Fencing

It is recommended that tree protection fencing is used for existing retained trees to the extent of their RPAs as shown in the Tree Protection Plan (Appendix D) in order to protect the roots during any excavations or construction required.

As discussed in Section 3.2.3, RPA encroachment is expected for T16-T19. In order to accommodate for said works, tree protection fencing may be moved back when required (and should be moved only the required distance).

The tree protection fencing shall be erected prior to any of the following taking place:

- Plant and Material delivery,
- Soil stripping,
- Construction works,
- Utility installation,
- Landscaping.

When trees are near boundaries the RPA may extend into adjacent land, it is not necessary to install fencing on adjacent land unless this is being used for access.

Once installed, the barriers should be inspected by the Supervising Arboriculturist to ensure it is in the correct location and suitable for purpose. The fencing should also be inspected by the site supervisor on a regular basis and any concerns should be raised with the supervising Arboriculturist.

The tree protection fencing should be suitable for purpose to protect the tree from vehicle and machinery damage throughout construction. An example of the type of tree protection fencing as recommended in BS5837:2012 is attached with this report (Figures 2 and 3). The fencing should have attached signs informing that access into these areas is not permitted without written authority from the supervising Arboriculturist.

5.6 Restrictions within the Tree Protection Areas

Works are proposed inside the RPAs of T16-T19. Any excavations within this area must be non-mechanical with handheld tools and greater attention to root protection. Inside these Tree Protection Areas the following shall apply;

- No mechanical excavation whatsoever.
- No excavation by other means without a detailed method statement being agreed by Supervising Arboriculturist. This will include hand-digging or air-spade excavation where roots may be present.
- Any roots must be exposed carefully; all roots >25mm diameter must be retained where possible. If roots >25mm must be cut, this must only be done under arboricultural supervision and roots must be cut back to sound tissue with sharp tools (not ripped/fragmented). Roots must be covered immediately with damp hessian/polythene to prevent desiccation until backfilling.
- No lowering of the levels for any purposes.
- No storage of plant or materials.
- No storage or handling of any chemicals
- No vehicle access without ground protection and agreement from the supervising Arboriculturist.

5.7 Avoiding Damage to Retained Trees

Care should be taken to ensure no damage occurs to the retained trees throughout the development process.

Any pruning work required to allow access for high vehicle access should be carried out at the tree surgery stage in accordance with BS3998:2010 and done by suitably qualified specialist staff.

Special care will be required when using cranes to avoid contact with the canopies of the trees. Provision may be required for special measure if outriggers need to be used close to or within the RPA. Advice should be sought from the Supervising Arboriculturist.

5.8 Temporary Ground Protection within RPA's

Appendix D shows the proposed location of the tree protection fencing for retained trees (the extents of their RPAs). To allow access and space for construction the fence will, in certain places, need to be moved back. To ensure no damage occurs to the roots or soil, temporary ground protection measures will be used in the areas.

The type of ground protection required will depend on the size and weight of the equipment and machinery to be used. The temporary ground protection should be capable of supporting any traffic entering or using the site without being distorted or causing compaction of underlying soil. For example, as stated in BS 5837:2012;

- *'For pedestrian movements only, a single thickness of scaffold boards placed either on top of a driven scaffold frame, so as to form a suspended walkway, or on top of a compression-resistant layer (e.g. 100mm depth of woodchip), laid onto a geotextile membrane.*
- *For pedestrian-operated plant up to a gross weight of 2t, proprietary, interlinked ground protection boards placed on top of a compression-resistant layer (e.g. 150mm depth of woodchip), laid onto a geotextile membrane.*
- *For wheeled or tracked construction traffic exceeding 2t gross weight, an alternative system (e.g. proprietary systems or pre-cast reinforced concrete slabs) to an engineering specification designed in conjunction with arboricultural advice, to accommodate the likely loading to which it will be subjected.'*

The details of the type of temporary ground to be used should be included in the construction method statement.

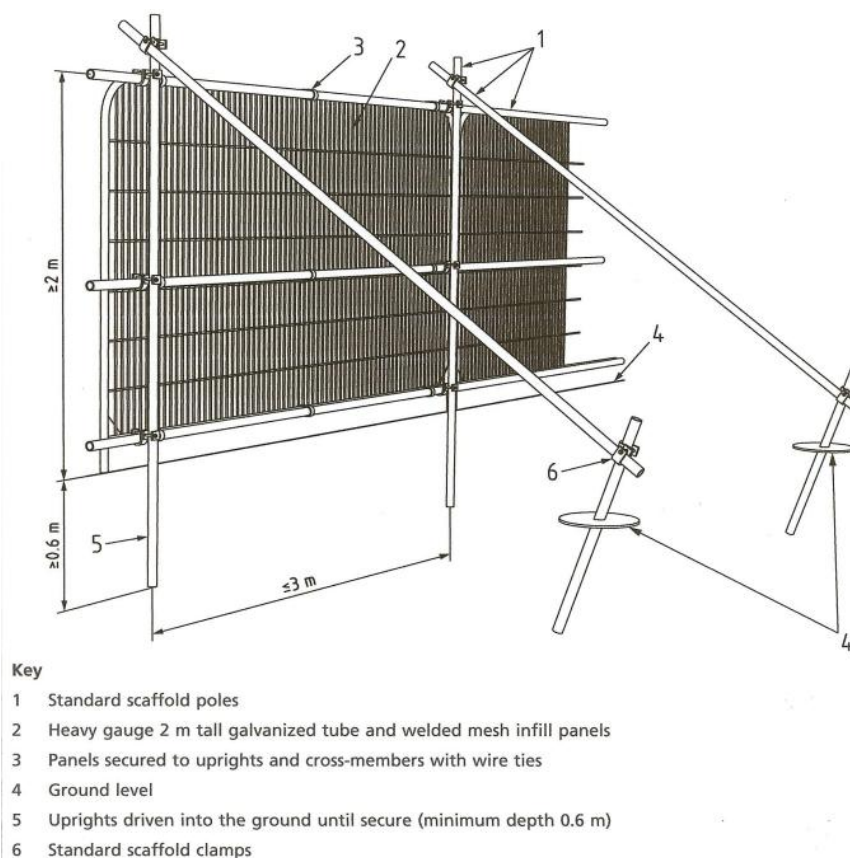


Figure 2 – Default specification for protective barriers.

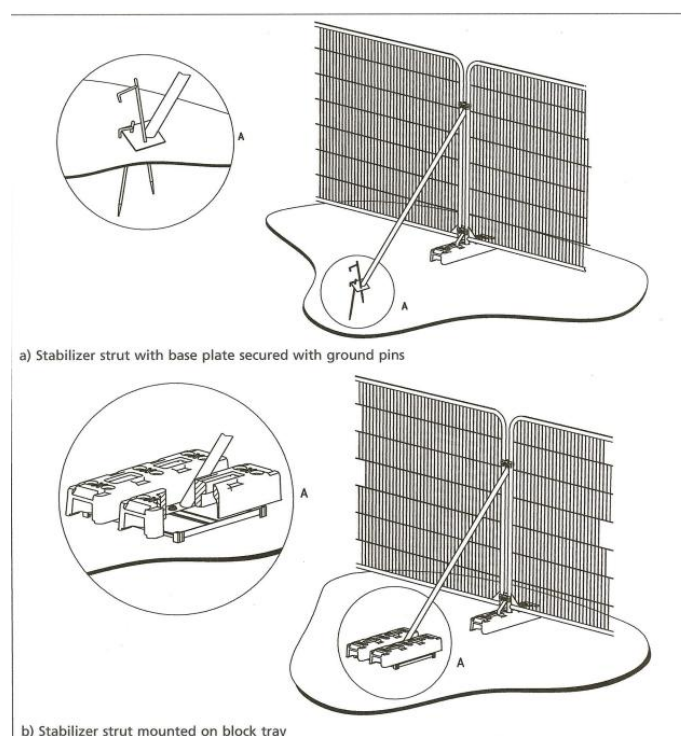


Figure 3 – Examples of Above-ground stabilising systems.

5.9 Foundations within Root Protection Areas

The proposed extension will necessitate foundation construction within the Root Protection Areas of T16-T19. Therefore, excavation methodology outlined in Section 5.6 must be adhered to, with any resulting foundation design then being undertaken in a manner that will minimise root disturbance.

To reduce the extent of below-ground disturbance, alternative foundation solutions will be adopted as appropriate to site conditions and engineering requirements. These may include, but are not limited to:

- Pile and beam foundations to bridge over significant roots;
- Raft or cantilevered foundations to spread loads above root zones;
- Mini-piles or screw piles where excavation depth must be minimised.

The final foundation type will be dependent on the root structure uncovered during excavations and must be tailored to ensure minimal impact on T16-T19. Foundation methodology will be selected in consultation between the project engineer and the project arboriculturist, to ensure that tree retention and structural stability are achieved.

Further precautions also apply:

- Excavations will be backfilled as soon as practicable with appropriate inert subsoil/topsoil, avoiding compaction. No cementitious materials, fuels, or other contaminants will be stored or mixed within 10m of RPAs.
- Arboricultural supervision will be required during all excavation and foundation works within RPAs, with records kept in a site monitoring log.

Providing that the correct excavation methodology is applied to minimise root disturbance, it is expected that works will be able to proceed using a tailored foundation design. Moreover, the RPAs of T16-T19 are relatively large, with the majority of the RPA area (and therefore root structure) unaffected by the proposed extension.

6 Conclusions

This report provides an assessment of the trees on and adjacent to the proposed development at Dorothy House Hospice Care, Winsley, Bradford on Avon, Wiltshire, BA15 2LE. BS5837 methodology was used in order to complete the survey and produce an Arboricultural Impact Assessment. A Tree Constraints Plan (TCP), showing the RPA zones, has also been produced (Appendix B) alongside a Tree Protection Plan (Appendix D).

Trees on-site and adjacent have been classed as BS8537 Category 'A' - 'U' due to their varying merit (Figure 3.1). Recommendations regarding tree works and monitoring/maintenance have been made in Section 4.2.1. It is understood that no tree removals are required to facilitate the proposals, meaning no mitigation planting is required.

Encroachment into the RPAs of T16-T19 is anticipated to occur, although providing that excavations are carried out sensitively (adhering to measures set out in Section 5.6), works can proceed using a tailored foundation design that protects any major roots discovered. The Arboricultural Method Statement (Section 5) should be adhered to throughout the development process in relation to tree protection measures and works within RPAs of T16-T19.

All work should adhere to RPA restrictions and with non-mechanical tools if nearby anticipated rooting areas of any retained trees in order to ensure existing ground levels remain unchanged. The overall advice for all retained trees is summarised below:

- Removal of all agreed trees and any agreed pruning works prior to works commencing by a suitably qualified arboricultural contractor.
- Induction of construction personnel regarding the exclusion of works (including access and storage) from the retained trees' RPAs.
- Secure temporary barrier fencing around the site to exclude the retained tree's crowns and RPAs from the working site.
- The storage of materials clear of all retained trees and conditions to ensure no contamination/run-off into soils in proximity to trees or on higher ground.
- For the removal of existing structures and/or hard surfaces from RPAs the works to be undertaken separate to construction, manually and sensitively.

Appendices

Appendix A: Site Plans

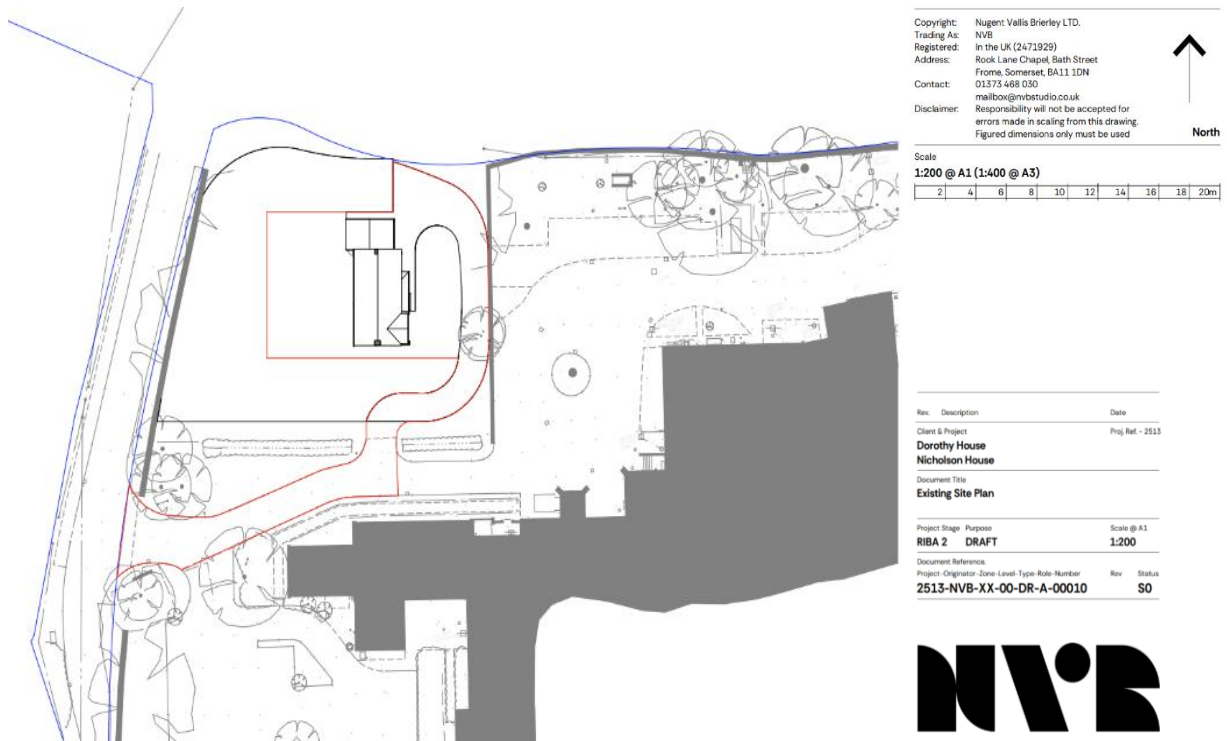
Appendix B: Tree Constraints Plan (TCP)

Appendix C: BS5837 Data Table

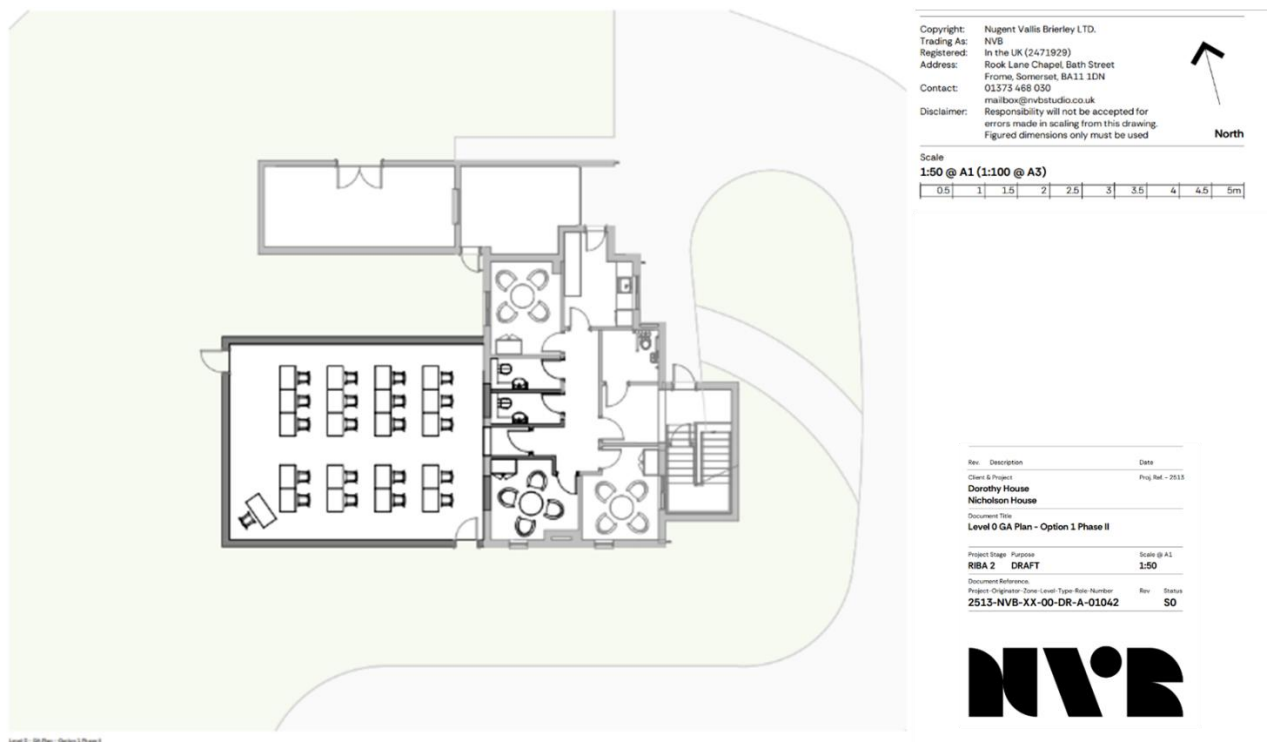
Appendix D: Tree Protection Plan

Appendix E: Planning Policy & Legislation

Appendix A: Site Plans

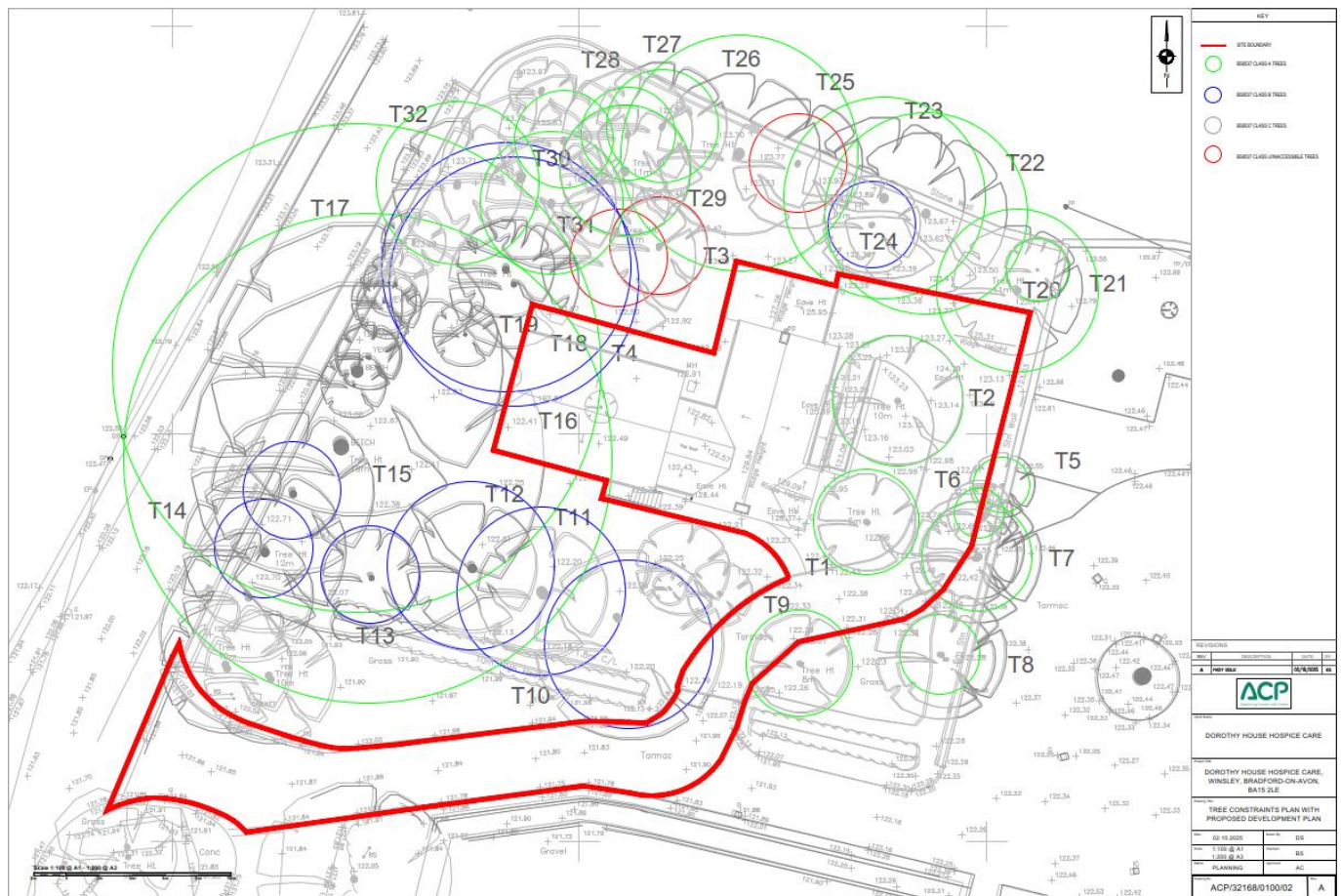


Existing Plans (Source: Client)



Proposed Plans (Source: Client)

Appendix B: Tree Constraints Plan (TCP)



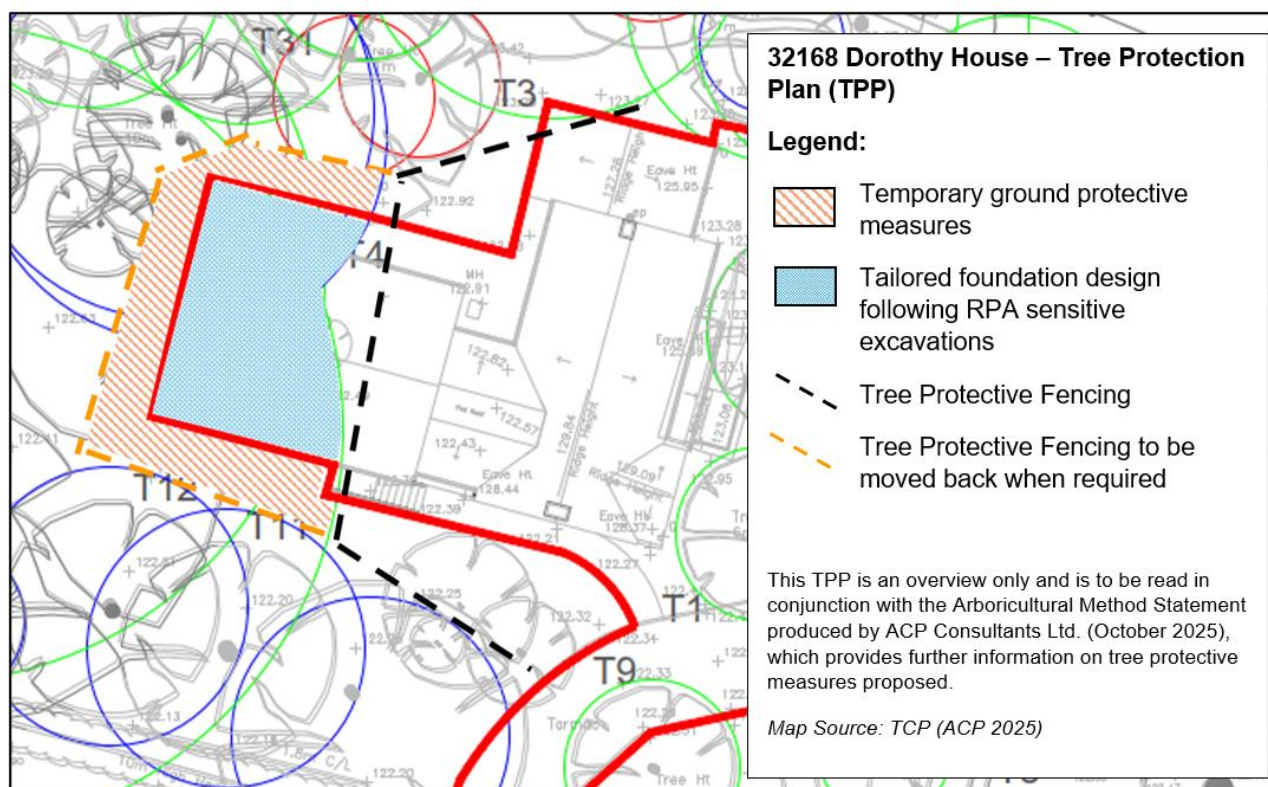
Appendix C: BS5837 Data Table

Tree/Gro up No.	Species	Height (m)	Stem diameter at BH (mm)*	Root Protectio n Area radius (cm)	BS5837 Class	Age Class	Notes on Condition (physio/st ructure) and Recomm endation s	Estimated useful life (yrs)
T1	Silver Birch	Data Not requested	7m	85cm	M	Currently in reasonable condition – regular monitoring should occur.	A	3.25
T2	Pear	Data not requested	12m	105cm	M	Currently in reasonable condition – regular monitoring should occur.	A	4.01
T3	Coppiced shrub	Data not requested	8m	N/A	N/A	N/A	N/A	Inaccessible
T4	Coppiced shrub - firethorne	Data not requested	8m	N/A	N/A	N/A	N/A	Inaccessible
T5	Holly	Data not requested	7m	45cm	M	Currently in reasonable condition – regular monitoring should occur.	A	1.72
T6	Ash	Data not requested	8m	40	M	Currently in reasonable condition – regular monitoring should occur.	A	1.53
T7	Sycamore	Data not requested	9m	75 75	M	Currently in reasonable condition – regular monitoring should occur.	A	3.38
T8	Cherry	Data not requested	7m	70 32	M	Currently in reasonable condition – regular monitoring should occur.	A	2.45

T9	Cherry	Data not requested	6m	90 50	M	Currently in reasonable condition – regular monitoring should occur.	A	3.28
T10	Cherry	Data not requested	11m	135	M	The tree has a slight lean that should be monitored. Ivy coverage also has the potential to conceal further defects.	B	5.16
T11	Yew	Data not requested	12m	20+ stems	M	Ivy coverage has the potential to conceal defects.	B	5.16
T12	Yew	Data not requested	11m	20+ stems	M	Ivy coverage has the potential to conceal defects.	B	5.16
T13-15	Yew	Data not requested	5-10m	IA	M	Ivy coverage has the potential to conceal defects.	B	Inaccessible
T16-17	beech	Data not requested	16m	200	M	Currently in reasonable condition – regular monitoring should occur.	A	15
T18-19	Sycamore	Data not requested	6m	50	S/M	Currently in reasonable condition – regular monitoring should occur.	B	Approx 7.64
T20	Holly	Data not requested	10m	50	M	Currently in reasonable condition – regular monitoring should occur.	A	1.91
T21	Yew	Data not requested	12m	130	M	Currently in reasonable condition – regular monitoring should occur.	A	4.97
T22	Yew	Data not requested	12m	135	M	Ivy coverage has the potential to conceal defects.	A	6.19
T23	Yew	Data not requested	12m	140	M	Ivy coverage has the potential to	A	6.19

						conceal defects.		
T24	Sycamore	Data not requested	9m	70	S/M	The tree has a slight lean that should be monitored.	B	2.67
T25	Box	Data not requested	9m	50 80	M	Dead tree.	C/U	3
T26	Yew	Data not requested	14m	190+	M	Ivy coverage has the potential to conceal defects.	A	7.26
T27	yew	Data not requested	7-15m	90	M	Ivy coverage has the potential to conceal defects.	A	3.44
T28	Yew	Data not requested	7-15m	75	M	Ivy coverage has the potential to conceal defects.	A	2.86
T29	Yew	Data not requested	7-15m	105	M	Ivy coverage has the potential to conceal defects.	A	4.01
T30	Yew	Data not requested	7-15m	I/A	M	Ivy coverage has the potential to conceal defects.	A	Inaccessible
T31	Yew	Data not requested	7-15m	115	M	Ivy coverage has the potential to conceal defects.	A	4.39
T32	Yew	Data not requested	7-15m	130	M	Ivy coverage has the potential to conceal defects.	A	4.97

Appendix D: Tree Protection Plan



Appendix E: Planning Policy & Legislation

This section summarises the relevant National and Local legislative and policy background, statutory and non-statutory guidelines relevant to the potential commercial development.

National Policy

National Planning Policy (December 2024)

The principal national planning policy guidance with respect to the potential development is the National Planning Policy Framework (NPPF). The most recent update of the NPPF was published in December 2024 by the Ministry of Housing, Communities and Local Government. This guidance sets out the Government's planning policies for England and how they are expected to be applied. Three dimensions to sustainable development have been identified in the NPPF: economic, social, and environmental.

The NPPF Section 187 states that:

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

- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);*
- b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;*
- c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;*
- d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs;*
- e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and*
- f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate."*

Section 188 states that:

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

Section 189 states that:

"Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and National Landscapes, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas and should be given great weight in National Parks and the Broads⁶³. The scale and extent of development within these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas."

Section 190 states that:

“When considering applications for development within National Parks, the Broads and National Landscapes, permission should be refused for major development⁶⁴ other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:

- a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;*
- b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and*
- c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.”*

Section 192 states that:

“To protect and enhance biodiversity and geodiversity, plans should:

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

Section 193 states that:

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

- a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;*
- b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;*
- c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons 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.”*

Section 194 states that:

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

6.1.1 Relevant National Planning Practice Guidance (NPPG, 2016)

NPPG is a web-based resource which brings together planning guidance on various topics into one place. It was launched in March 2014 and coincided with the cancelling of the majority of Government Circulars which had previously given guidance on many aspects of planning.

The guidance note on 'Natural Environment' explains key issues in implementing policy to protect and enhance the natural environment, including local requirements. This has been referred to when preparing this report. It states that:

"Planning authorities need to consider the potential impacts of development on protected and priority species, and the scope to avoid or mitigate any impacts when considering site allocations or planning applications. Guidance on the law affecting Habitats Sites, protected species and SSSIs.

Natural England has issued standing advice on protected species. A protected species mitigation licence from Natural England may be required before any work can start."

The PPG also states that:

"Information on biodiversity and geodiversity impacts and opportunities needs to inform all stages of development (including site selection and design, pre-application consultation and the application itself). An ecological survey will be necessary in advance of a planning application if the type and location of development could have a significant impact on biodiversity and existing information is lacking or inadequate. Pre-application discussions can help to scope whether this is the case and, if so, the survey work required.

Even where an Environmental Impact Assessment is not needed, it might still be appropriate to undertake an ecological survey, for example, where protected species may be present or where biodiverse habitats may be lost.

As with other supporting information, local planning authorities should require ecological surveys only where clearly justified. Assessments should be proportionate to the nature and scale of development proposed and the likely impact on biodiversity. Further guidance on information requirements is set out in making an application."

Biodiversity net gain is mentioned in the PPG and states that:

"The National Planning Policy Framework encourages net gains for biodiversity to be sought through planning policies and decisions. Biodiversity net gain delivers measurable improvements for biodiversity by creating or enhancing habitats in association with development. Biodiversity net gain can be achieved on-site, off-site or through a combination of on-site and off-site measures. It may help local authorities to meet their duty under Section 40 of the Natural Environment and Rural Communities Act 2006."

Species and Habitats Legislation

The Conservation of Habitats and Species Regulations 2017 (as amended)

The Conservation of Habitats and Species Regulations 2017 (as amended) consolidates all various amendments made to The Conservation (Natural Habitats & c.) Regulations 1994, in respect of England and Wales. The 1994 Regulations transposed the EC Habitats Directive 1992 (Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora) into national law.

Annexes I and II of the Habitats Directive list (respectively) habitats and species for which member states are required to establish and monitor SACs. The EC Birds Directive provides a similar network of sites (SPAs) for all rare or vulnerable species listed in Annex I and all regularly occurring migratory species, with particular focus on wetlands of international importance.

Together with SACs, SPAs form a network of pan-European protected areas known as 'NATURA 2000' sites.

The Habitats Regulations also make it an offence (subject to exceptions) to deliberately capture, kill, disturb, or trade on the animals listed in Schedule 2, or pick, cut, uproot, destroy or trade in the plants listed in Schedule 4.

This legislation was amended in January 2021: The main changes to the 2017 Regulations are:

- “the creation of a national site network within the UK territory comprising the protected sites already designated under the Nature Directives, and any further sites designated under these Regulations
- the establishment of management objectives for the national site network (the ‘network objectives’)
- a duty for appropriate authorities to manage and where necessary adapt the national site network as a whole to achieve the network objectives
- an amended process for the designation of Special Areas of Conservation (SACs)
- arrangements for reporting on the implementation of the Regulations, given that the UK no longer provides reports to the European Commission
- arrangements replacing the European Commission’s functions with regard to the imperative reasons of overriding public interest (IROPI) test where a plan or project affects a priority habitat or species
- arrangements for amending the schedules to the Regulations and the annexes to the Nature Directives that apply to the UK.”

The Convention on Conservation of European Wildlife and Natural Habitats (Bern Convention 1979)

The Convention on Conservation of European Wildlife and Natural Habitats (Bern Convention 1979) aims to ensure conservation and protection of all wild plant and animal species and their natural habitats (listed in Appendices I and II of the Convention), to increase cooperation between contracting parties, and to afford special protection to the most vulnerable or threatened species (including migratory species).

The Wildlife and Countryside Act 1981 (as amended) (WCA 1981)

The WCA is the primary UK mechanism for statutory site designation (Sites of Special Scientific Interest [SSSIs]) and the protection of individual species listed under Schedule 1,2,5 and 8 of the Act, each subject to varying levels of protection.

The Countryside and Rights of Way Act 2000

This legislation strengthens the provision of the 1981 WCA (as amended), both in respect of statutory sites such as SSSIs and protected species. It also places a statutory obligation on Local Authorities and other public bodies to further conservation of biodiversity in the exercise of their functions, thus providing a statutory basis to the Biodiversity Action Plan (BAP) process, which began in 1994. Section 74 of the Act lists the habitat types and species of principal importance in England. The UK Biodiversity action Plan has now been superseded by the ‘UK Post-2010 Biodiversity Framework’ (July 2012), however, many of the species and habitats in the UK and local BAPs have not been updated and are still considered relevant to date.

A Bill to amend the Countryside and Rights of Way Act 2000 to extend the right of public access to the countryside, including to woodlands, the Green Belt, waters and more grasslands; and for connected purposes is currently in second reading in the House of Commons (November 2022).

Local Policy – Wiltshire Council

Development proposals in Wiltshire must comply with the adopted Wiltshire Core Strategy. The following policies are of particular relevance to trees and development:

- Core Policy 50: Biodiversity and Geodiversity – requires development to protect and enhance biodiversity and geodiversity, including features such as trees, woodlands and hedgerows.
- Core Policy 51: Landscape – requires development to protect, conserve and where possible enhance landscape character, ensuring that natural features such as trees are retained and appropriately integrated into design.
- Core Policy 52: Green Infrastructure – seeks to retain and enhance existing green infrastructure, including trees, and secure long term management and connectivity.
- Core Policy 57: Ensuring High Quality Design and Place Shaping – requires development to integrate important natural features, including mature trees and hedgerows, into the overall design to reinforce local character and contribute to biodiversity.

These policies collectively require that trees of landscape, ecological or amenity value are retained and protected during development, that encroachment into root protection areas is minimised, and that appropriate mitigation, enhancement and long term management are secured where impacts are unavoidable.