



Isle of Man
Government

Reillys Ellan Vannin



Making a Planning Application - A Guide for applicants

Supplementary Guidance on Trees

June 2019

Department of Environment, Food and Agriculture

Planning and Building Control Directorate

Purpose of this document

This guide is intended to provide a summary of the issues commonly raised in relation to trees and the information that can be submitted to support a planning application. It is supplementary guidance to that set out within DEFA's publication, "Making a Planning Application A Guide for applicants" (July 2018). It is not a policy document and is not intended to cover all circumstances.

Introduction

A good design cannot be achieved without first recognising the constraints of the site. Where trees are present a professional tree survey can provide a proper understanding of the site and the limitations that may exist due to the presence of important trees.

A good design will ensure that existing trees which are worthy of retention are allowed enough space to flourish and can be retained without the risk of future conflict by, for example, causing damage to buildings and nuisance to new occupants.

Once a good design has been achieved it is important that it is backed up by the technical detail necessary to ensure that construction can occur without causing damage to the trees.

Where trees stand on or adjacent to a proposed development site, the Department invites you to consider the following information, which may help to progress your planning application more smoothly.

Where trees are present, there are 3 key principles to bear in mind when considering development proposals:

- 1. Design, demolition and construction should follow a logical sequence of events that considers trees throughout the process**
- 2. The design should aim to achieve a harmonious relationship between trees and structures that can be sustained in the long term**
- 3. For trees that are to be retained, suitable physical protection from damage to the trees and their environment should be provided at the earliest possible stage**

British Standard 5837:2012 (*Trees in relation to design, demolition and construction- recommendations*) is industry best practice guidance and a useful document that describes what information should be considered at different stages of the design, planning and construction process.

The full process outlined in BS5837:2012 might not apply in all instances; for example, a planning application for a conservatory might not require the level of detail that needs to accompany a planning application for the construction of one or more new dwellings. We recommend that you contact the Agriculture and Lands Directorate for advice on this matter.

Pre-application advice

In relation to trees the aim of pre-application advice is to give you an indication of the value the Department places on the site's trees and whether or not the Agriculture and Lands Directorate might object to your application for tree-related reasons.

Pre-application advice is also a means by which a Tree Officer can help guide applicants through those aspects of BS5837:2012 that need to be considered for their situation.

Pre-application advice is a discretionary service and is currently free, and so demand for the service is quite high.

During pre-application advice the Tree Officer's role is to provide customers with impartial advice in relation to trees and consider the potential impact of a proposal in the context of the wider public interest. The Tree Officer will be able to advise you on the level of information that should be provided to support your application but it will not act as an arboricultural consultant. It may be necessary to employ the services of a suitably qualified and experienced arboricultural consultant to produce some of the information required.

Please note that anybody acting as an arboricultural consultant should have relevant education, training and experience and have gained expertise in the field of trees in relation to construction. The types of further information that may be required are outlined in the sections below.

Relevant Planning Policies – Isle of Man Strategic Plan 2016

Depending on the site's location, character and land-use designation, various planning policies may be relevant. Any proposed scheme should take into account and address the relevant planning policies – particularly General Policy 2c, 2d, 2f, and 2g, and Environment Policies 1, 3 and 42 of the Isle of Man Strategic Plan 2016. If you are submitting an application relying on specialist advice, your planning agent and / or arboricultural consultant should be able to advise you on these policies.

Considering trees in the design process

This section describes the type of information which may be required if there are trees on your application site. Exactly what will be required will be specific to each case.

Stage 1 – Feasibility:

At this stage of the design process you should look at what trees are present on and adjacent to the site, consider which trees it would be appropriate to retain, and identify these in a constraints plan. This can be achieved through a topographical survey and a tree survey. For further details, please refer to the definitions in Appendix 1.

Stage 2 – Conception and Design:

The constraints identified at the feasibility stage should inform (not necessarily completely determine) the site layout. The RPAs and other relevant constraints of trees to be retained (e.g. shade cast or obstruction to construction access) should be plotted on relevant drawings submitted as part of your planning application. The working and access space needed for construction and infrastructure requirements (e.g. sight lines, lighting etc.) should be carefully considered.

The proposed end use of the area adjacent to trees should also be considered. For example, if the space is going to be a garden how will the presence of the tree(s) affect the use of this space? For domestic dwellings a realistic assessment of the probable impact of the retained trees on the 'liveability' of the property needs to be conducted. For example, will the shading of buildings and gardens, the perception of risk to people and property, and/or the nuisance caused by seasonal debris be such that there is likely to be future pressure for the removal of trees? The future growth and maintenance requirements of trees should also be considered; will the trees get much bigger than they are now?

All of this can be addressed in an arboricultural impact assessment and tree protection plan. For further details, please refer to the definitions in Appendix 1.

Stage 3 – Technical Design:

On certain sites, some construction near trees will be unavoidable. Hard surfaces or structures may be positioned near retained trees when absolutely necessary. You will need to demonstrate in your application that (i) all other reasonable alternatives have been discounted and (ii) that the design can be implemented without having a detrimental impact on the tree(s). The latter can be achieved through the submission of an Arboricultural Method Statement. This can address a number of potential issues and states in more detail how trees will be protected during specific construction activities.

New tree planting

New tree planting proposals are an essential consideration in the layout, design and future use of a development site because they have a long lasting impact upon the local landscape character and the surroundings. As trees generally form the dominant elements of the long-term landscape structure of a site, careful consideration needs to be given to their ultimate height and spread, form, habit and colour, density of foliage and the maintenance implications.

Trees, either individually or as formal or informal groups, perform a variety of roles, including:

- contributing to green infrastructure networks, of particular importance in built-up areas;
- providing attractive landscape features;
- screening undesirable views and providing privacy;
- articulating and defining of spaces;
- differentiating between private and public land;
- defining and directing routes and views;
- introducing natural character and seasonal change that can relieve or complement artificial environments;
- providing local landscape character and a sense of place, sometimes as significant landmarks, and
- controlling soil erosion, the attenuation of surface water run-off and mitigating flood risks.

The purpose and implications of new tree-planting should be clear from the start of the design process so that long-term effects are understood and so that appropriate locations and species chosen. Advice on detailed design and how this would integrate with proposed development infrastructure should be sought from a landscape architect or other competent person.

Proposals for landscape planting should:

- consider the purpose of the planting and its objectives;
- ensure adequate space is allowed for future growth;
- ensure that site constraints above and below ground are properly considered;
- ensure species selections meet the planting objectives and suit the constraints of the site;
- ensure that the risk of subsidence on shrinkable soils is accounted for, and
- account for the obstruction of light and views, the creation of shade and the likely extent and density of tree crowns when fully grown.

For further guidance on planting trees please refer to British Standard 8545:2012 (*Trees: from nursery to independence in the landscape – recommendations*).

The above guidance is a brief overview of the recommendations of BS5837:2012 (*Trees in relation to design, demolition and construction – recommendations*). For further detail, please refer to this document. For pre-application advice in relation to trees, please contact the Agriculture and Lands Directorate at DEFA:

Telephone: 01624 695701

Email: forestry@gov.im

Post: Thie Slieau Whallian, Foxdale Road, St. Johns, Isle of Man, IM4 3AS

Appendix 1 - Definitions

A topographical survey – In relation to trees, this should include:

- the position of all trees within the site with a stem diameter of 75mm or more, measured at 1.5m above the highest adjacent ground level. In the case of woodlands or substantial tree groups, only individual trees with stem diameters greater than 150mm usually need be plotted;
- the position of trees with an estimated stem diameter of 75mm or more that overhang the site or are located beyond the site boundaries within a distance of up to 12 times their estimated stem diameter;
- spot levels at the base of all individually plotted trees;
- for individual trees, the crown spread taken at four cardinal points; for woodlands or substantial tree groups, the overall extent of the canopy, and
- the extent, basal ground levels and height of shrub masses, hedges and hedgerows.

A tree survey – This should include all trees recorded in the topographical survey and assess the quality and benefits of individuals and/or groups of trees to identify which trees merit retention (using the BS5837 categorisation method). It should then identify the above and below-ground constraints that arise from these trees, including the Root Protection Areas (RPAs). The following information should be recorded:

- sequential reference number (to be recorded on a 'tree survey plan');
- species;
- height;
- stem diameter;
- branch spread, taken as a minimum at the four cardinal points, to derive an accurate representation of the crown (to be plotted on a 'tree survey plan');
- existing height clearance above ground level measured from the lowest branch (to inform on ground clearance, crown/stem ratio and shading);
- life stage (e.g. young, semi-mature, early mature, mature, over-mature);
- general observations, particularly of structural and / or physiological condition (e.g. the presence of any decay and physical defect), and / or preliminary management recommendations;
- estimated remaining contribution, in years (<10, 10+, 20+, 40+), and
- category U or A to C grading (see section 4.5 of the BS5837 for further detail).

NOTE: It is not always practical or necessary to record the branch spread for every tree within a group or woodland. In some cases, layout design might be aided by the arboriculturist providing data on future tree height and crown spread. The measurement conventions should be as follows:

- *height, crown spread and crown clearance should be recorded to the nearest half metre (crown spread should be rounded up) for dimensions up to 10 m and the nearest whole metre for dimensions over 10 m stem diameter should be recorded in millimetres, rounded to the nearest 10 mm (0.01 m)*
- *estimated dimensions (e.g. for off-site or otherwise inaccessible trees where accurate data cannot be recovered) should be clearly identified as such e.g. suffixed with a "#"*

An arboricultural impact assessment - This should be done by a suitably qualified arboriculturist and evaluate the direct and indirect effects of the proposed design, considering:

- the tree loss required to implement the design;
- potentially damaging activities in the vicinity of retained trees;
- the installation of hard surfaces and services;
- the location and dimensions of all the proposed excavations and changes in ground level, and
- the 'buildability' of the development – for example, adequate access, working space, provision for the storage of materials, etc.

A tree constraints plan – Superimposed on a site layout plan the root protection areas ('RPAs') and any other relevant constraints should be plotted around each tree to be retained.

NOTE: RPAs represent below-ground constraints. Above-ground constraints might arise from the current and ultimate height and spread of the tree or specific species characteristics (e.g. evergreen or deciduous, density of foliage, and factors such as susceptibility to honeydew drip, branch drop, fruit fall, etc.). These attributes can significantly affect potential land use or living conditions, including the effect of the tree on daylight and sunlight. Whilst either shade or sunlight might be desirable, depending on the potential use of the area affected, the design should avoid unreasonable obstruction of light. An indication of potential direct obstruction of sunlight can be illustrated by plotting a segment, with a radius from the centre of the stem equal to the height of the tree, drawn from due north-west to due east, indicating the shadow pattern through the main part of the day. Computer software is available that can assist with the calculation and plotting of tree shadow extent.

A tree protection plan – Superimposed on a site layout plan, this should:

- clearly indicate where a construction exclusion zone ('CEZ') will be implemented around trees and identify the precise location of the protective barriers that will be erected to form its boundary;
- show the extent and type of ground protection and any additional physical measures, such as tree protection boxes, that will need to be installed to safeguard vulnerable sections of trees and their RPAs;
- provide detailed specifications for all the different types of protective measures to be implemented;
- clearly show where construction activity cannot/will not be excluded from a RPA, and

NOTE: In the placement of protective barriers, it is important to consider the abovementioned 'buildability' issues.

NOTE: If trees on or adjacent to a site have been identified within the tree protection plan for protective measures, an auditable system of arboricultural site monitoring may be required.

Appendix 2 - Example maintenance and aftercare schedule for new tree planting, with timescales (3 year cycle)

	Month/Year/Period	Operation	Completed Y/N Date Comments
1st Dormant Season			
1	November – March	Procure 5 silver birch according to specification contained in BS8545:2014 Mitigation Planting Plan (Appendix 1) contained in BS5837 Tree Report relating to this site.	
2	November – March	Plant trees in positions indicated in BS8545 Mitigation Planting Plan (Appendix 2) and according to guidelines in Section 10.	
1st Growing Season			
3	March – October	Assess tree losses. Schedule replacements.	
4	March – October	Replenish mulch (BS3998 S6.2). Alleviate soil compaction around trees (aeration) (BS3998 S6.3). Check for moisture stress/waterlogging and take any necessary action (3998 S6.5). Conduct foliage assessment to determine nutrient availability (BS 3998 S6.6). Check chafing (tree/stake) and secure/adjust stakes/ties. Incorporate top dressing of slow release fertilizer as required. Carry out Year 1 formative pruning and shaping (BS3998 S7.4).	
5	May - August	Remove weeds and unwanted vegetation from around the bases of trees.	
6	July/August	Check for pests and diseases (foliar diseases, bark/cambium, vascular wilt diseases) and disorders. Schedule treatment.	
7	October/November	Inspect trees for health and damage. Check protective guards/stakes/ties are secure and fit for purpose at end of the 1 st growing season.	
2nd Dormant Season			
8	November – March	Replace losses following BS8545 Mitigation Report Section 10.	
9	November – March	Inspect trees for winter damage and repair as necessary.	
2nd Growing Season			
10	March – October	Replenish mulch (BS3998 S6.2). Alleviate soil compaction around trees (aeration) (BS3998 S6.3). Check for moisture stress/waterlogging and take any necessary action (3998 S6.5). Conduct foliage assessment to determine nutrient availability (BS 3998 S6.6). Check chafing (tree/stake) and secure/adjust stakes/ties. Incorporate top dressing of slow release fertilizer as required. Carry out Year 2 formative	

		pruning and shaping (BS3998 S7.4).	
11	May – August	Remove weeds and unwanted vegetation from around the bases of trees.	
12	July/August	Assess tree health and disorders (pests, diseases, nutrient availability). Schedule treatment as required.	
	October/November 2018	Inspect trees for health and damage. Check protective guards/stakes/ties are secure and fit for purpose at end of the 2 nd growing season.	
13	October 2018	Assess site for second season losses. Schedule replacement.	
3rd Dormant Season			
14	November – March 2018/19	Replace losses following BS8545 Mitigation Report Section 10.	
15	November – March 2018/19	Inspect trees for winter damage and repair as necessary.	
3rd Growing Season			
16	March – September 2019	Assess tree losses. Schedule replacements for October.	
17	March – October 2019	Replenish mulch (BS3998 S6.2). Alleviate soil compaction around trees (aeration) (BS3998 S6.3). Check for moisture stress/waterlogging and take any necessary action (3998 S6.5). Conduct foliage assessment to determine nutrient availability (BS 3998 S6.6). Check chafing (tree/stake) and secure/adjust stakes/ties. Incorporate top dressing of slow release fertilizer as required. Carry out Year 3 formative pruning and shaping (BS3998 S7.4).	
18	May - August 2019	Remove weeds and unwanted vegetation from around the bases of trees.	
19	July/August 2019	Assess trees for pests, diseases and disorders. Schedule treatment for September/October 2019	
20	October 2019	Final check of stakes, protective guards. Adjust or remove stakes if trees self-supporting. Final check on tree health, shape and overall well-being.	
21	November 2019	Relinquish maintenance and aftercare responsibilities.	