

59360 Trees & Development

I am writing on behalf of a development team operating across Scotland and northern England to seek detailed clarification regarding the Council's routine requests for modifications to tree root protection areas (RPAs) in relation to boundary walls, buildings and similar features.

Firstly, as outlined in BS5837, the RPA is indicative unless it has a material bearing on the proposed development. In most cases, such modifications appear unnecessary when they have no substantive impact on design or construction.

Secondly, it has been observed that the Council's own developments whether for buildings, roads, or other infrastructure do not appear to require such amendments and frequently proceed without the inclusion of a full tree survey. This inconsistency gives the impression of a double standard and coupled with the lack of tree protection measures.

Finally, having worked with numerous local authorities, we note that no other Council adopts this approach. Edinburgh City Council appears unique in requiring these alterations, which often result in additional work and delays without any clear justification.

Please could provide an explanation for these requirements and clarify the rationale behind this policy especially when other better resourced Tree Teams aren't asking for this.

From our perspective, these additional steps seem unnecessary and create avoidable complications in the planning process.

This British Standard (BS 5837) gives recommendations and guidance on the relationship between trees and design, demolition and construction processes. It sets out the principles and procedures to be applied to achieve a harmonious and sustainable relationship between trees and structures. The standard is the default position for any development work which could affect trees and is accepted as such for Councils throughout the UK.

In relation to the RPA (Root Protection Area) attention is drawn to 4.6.2. of the BS 5837 which states,

"The RPA for each tree should initially be plotted as a circle centred on the base of the stem. Where pre-existing site conditions or other factors indicate that rooting has occurred asymmetrically, a polygon of equivalent area should be produced. Modifications to the shape of the RPA should reflect a soundly based arboricultural assessment of likely root distribution."

The standard is based on a broad understanding of the likely rooting morphology of the tree and its rooting environment, that being 12 x the trees stem diameter (as a minimum), this is clarified further at 4.6.3,

"Any deviation in the RPA from the original circular plot should take account of the following factors whilst still providing adequate protection for the root system

- a) the morphology and disposition of the roots, when influenced by past or existing site conditions (e.g. the presence of roads, structures and underground apparatus);*

b) topography and drainage;

c) the soil type and structure;

d) the likely tolerance of the tree to root disturbance or damage, based on factors such as species, age, condition and past management.”

With that in mind, BS 5837 is the accepted industry and Planning standard tool to assess/demonstrate whether a proposed development will impact on the rooting environment and would also be the means (from an applicant) to demonstrate that there is no substantive impact on design or construction. If the standard is not applied correctly, it would not be possible to fully assess all the likely impacts, hence the need to follow the steps laid out within the Standard. It is advised that applicants do not rely on a 'default circle' for RPA's and consider the situation on the ground as shown in 4.6.3 (above) as this is likely to lead to delays and requests for modifications and changes to submitted documents.

- The Council cannot clarify the position of other Councils as this sits outside the scope of the FOISA. You would need to seek clarification from each individual authority as to the means of assessing development applications in relation to trees.
- The Council is unable to clarify the position of Council developments in relation to BS 5837 without further information pertaining to a development(s) but can confirm that the BS 5837 remains the industry standard for assessing development impacts on trees.