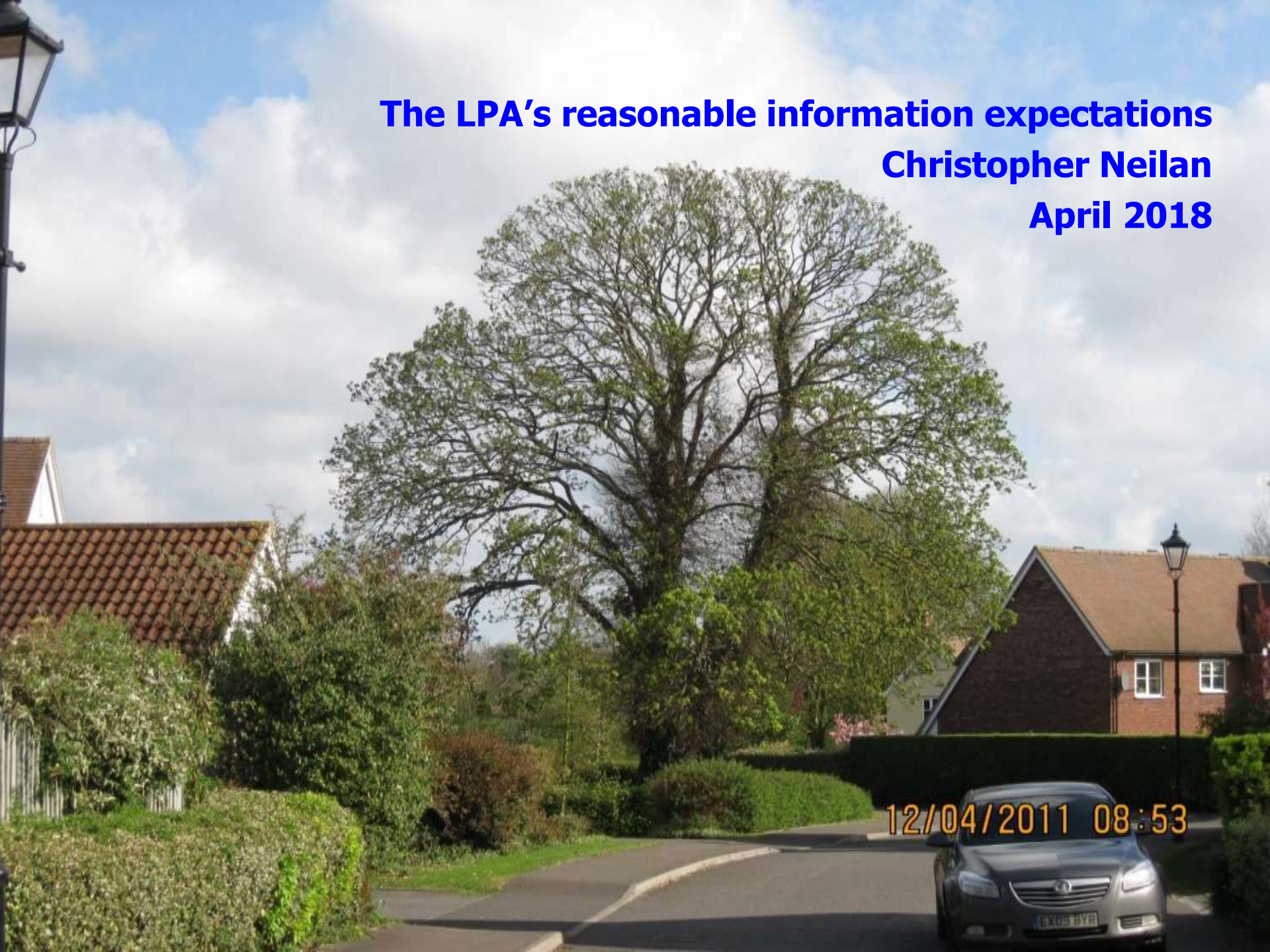


**The LPA's reasonable information expectations**  
**Christopher Neilan**  
**April 2018**



12/04/2011 08:53

And  
why!

A report  
from the  
Epping  
coal-  
face







*THE ELEPHANT AND CASTLE, LONDON*  
Water colour by Thomas Rowlandson, 1756-1827











# Information tests

## 1. In principle, before recommendation for consent:

Is the submitted information sufficient to demonstrate that:

1. The proposal accords with tree and landscape policies?
2. All challenges/ issues/potential harms are capable of being successfully addressed and avoided?
3. All positive outcomes will be successfully delivered?

## 2. In detail, to satisfy the conditions:

Are further details required to demonstrate:

1. how the outcomes will be delivered?
2. How the LPA will be enabled to monitor progress?

# E.F. District Local Plan- Submission version Dec 2017

## Policy DM 5 Green and Blue Infrastructure

**A. Development proposals must demonstrate that they have been designed to:**

- (i) **retain** and where possible **enhance** existing green infrastructure, including trees, hedgerows, woods and meadows, green lanes, wetlands, ponds and watercourses;
- (ii) use **native species** where appropriate and take account of the need for **biosecurity** including control of non-native invasive species, and ensure **all planting stock** is supplied free of pests or disease, and uses **non-invasive species**;
- (iii) incorporate **appropriate provision of new green assets or space**;
- (iv) enhance connectivity and integration by providing access... to existing and proposed **Green Infrastructure networks**; and
- (v) **enhance** the public realm through the **provision and/or retention of trees** and/or designated and undesignated open spaces within built up areas.

**B. Development proposals must be accompanied by sufficient evidence to demonstrate that:**

- (i) **the retention and protection of trees (including veteran trees)**, landscape features or habitats will be successfully implemented in accordance **with relevant guidance and best practice**;
  - (ii) the **provision of new trees**, new landscape and water features or habitat creation/improvement will be implemented in accordance **with relevant guidance and best practice**; and
  - (iii) as a whole the proposals for **Green and Blue Infrastructure** are appropriate and adequate, taking into account the nature and scale of the development, its setting, context and intended use.
- C. In the Garden Town Communities....**

# Information requirements: Trees

## SCN50 - Arboricultural Implications Assessment: *Outline – Pre-commencement Condition*

### Condition:-

- No development shall take place, including demolition or site clearance,
- until an **Arboricultural Implications Assessment** and a **Tree Constraint Plan** have been submitted to the LPA and approved in writing by them.
- They shall be submitted **concurrently with the detailed site layout**, and
- Drawn up in accordance with **BS 5837:2012**, Trees in relation to design, demolition and construction – Recommendations

### Reason:-

- To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990, and
- to enable **proper consideration to be given to the impact of the proposed development on existing trees**,
- so as to **safeguard and enhance the visual amenities** of the area
- And to **ensure a satisfactory appearance to the development**,
- All in accordance with **...National Planning Policy Framework and policy LL10 of the adopted Local Plan and Alterations.**

# Information requirements: Tree Constraint Plan (TCP)

## Purpose of TCP:

- To enable successful integration of trees into a layout which uses the land efficiently
- To help identify significant constraints, e.g.
  - shading,
  - space for future root and crown development and
  - routing for overhead and underground services.

## Contents of TCP:

- Record accurately the positions and dimensions of all tree constraints, on and off site
- Relate to an accurate topographical survey
- With the AIA, inform future tree management, retention and protection, including TPOs.
- Record the crown spreads- measured N/S/E/W
- Root protection areas (RPAs) to indicate both the above and below ground constraints the trees pose.
- Categorize tree quality in accordance with BS5837:2012 and colour-code

## Timing of TCP:

**Before detailed design!**



# Information requirements: Arboricultural Implications Assessment (AIA)

## Purpose of AIA:

To identify and consider:

- the impact a proposal is likely to have on trees, within the site and nearby
- the impact the trees will have on the finished structure and the future well-being of residents/users; and
- To inform decisions as to tree retention, protection, or removal and replacement

It should include:

- a Method Statement for the management and protection of the retained trees

It will be linked to:

- A Tree Constraint Plan

It may also include: consideration of impacts on tree value, including mitigation planting

## Timing of AIA:

With detailed design!







# SCN66 – Tree Protection Measures – *Pre-commencement Condition*

## Condition:-

- No development, including demolition or site clearance, shall take place until a **Tree Protection Plan and Arboricultural Method Statement** in accordance with **BS:5837:2012** (Trees in relation to design, demolition & construction-Recommendations) has been submitted to the Local Planning Authority and approved in writing.
- The development shall be carried out **only in accordance with** the approved Tree Protection Plan and Arboricultural Method Statement unless the Local Planning Authority gives its written consent to any variation.

## Reason:-

- To comply with the duties indicated in Section 197 of the Town & Country Planning Act 1990 so as to ensure
- that the amenity value of the existing trees are safeguarded,
- in accordance with the guidance contained within the National Planning Policy Framework and policy LL10 of the adopted Local Plan and Alterations.



# Tree Protection Plan & Arboricultural Method Statement

The **Tree Protection Plan** will be needed both for the planning process and implementation on site

It should follow the Tree Constraints Plan, showing:

- Retained trees against the finalised site layout
- Root Protection Areas
- Location of protective fencing
- Operations/ construction within RPAs
- Mitigation tree planting, if not covered by landscape scheme
- Any other location based tree information



# Tree Protection Plan & Arboricultural Method Statement



The Arboricultural Method Statement should guide relevant operations on site; it should include:

- Relevant names/ contact details
- Supporting information for TCC, and rationale for proposals
- Details of all tree works, incl. removal pruning & moving
- Relevant construction details and methods of working, within or adjacent to Root Protection Areas
- Supporting discussion, including on sustainability, future maintenance or protection requirements
- Proposals for liaison with LPA





# SCN59 – Hard and Soft landscape proposals– *Pre-commencement Condition (i)*

## Condition:-

- **No development** shall take place, **including site** clearance or other preparatory work
- until **full details of both hard and soft landscape works (including tree planting) and implementation programme** (linked to the development schedule) have been submitted to and **approved in writing by the LPA**. These works **shall be carried out as approved**.
- The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure;...
- ...car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground.
- The details of soft landscape works shall include plans for planting or establishment by any means and
- full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate
- Details shall include proposals for supervision and liaison with the LPA.

# SCN59 – Hard and Soft landscape proposals– *Pre-commencement Condition (ii)*

- If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree, shrub or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation

## Reason:-

- To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990, and
- so as to ensure that the details of the landscaping are complementary,
- And to ensure a satisfactory appearance to the development,
- All in accordance with ...National Planning Policy Framework and policies CP2 and LL11 of the adopted Local Plan and Alterations.

# SCN64A - Submission of a Landscape Management Plan

## Condition:-

- A **Landscape Management Plan**, including long term design objectives, management responsibilities, supervisory and reporting arrangements and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens,
- shall be submitted to and approved by the LPA prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use.
- The landscape management plan shall be carried out as approved.

## Reason:-

- To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990,
- so as to ensure that the amenity to be provided by the new landscaping is achieved and safeguarded,
- and to ensure a satisfactory appearance to the development, in accordance with the guidance contained within the National Planning Policy Framework and policies LL7 and LL11 of the adopted Local Plan and Alterations

Thank you!

