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Tree Survey, Arboricultural Impact Assessment
Arboricultural Method Statement & Tree Protection Plan
In Accordance with BS 5837:2012

Proj. No **7215**	**McDonalds, Plas Coch Retail Park, Plas Coch Road, Wrexham**		
Client:		McDonalds Restaurants Ltd	
Date of Report:	23/07/2025	Revision:	F

Tree Survey, Arboricultural Impact Assessment, Arboricultural Method Statement & Tree Protection Plan – In Accordance with BS 5837:2012

Summary

The purpose of this report is to provide a consideration of the arboricultural implications created by the proposed development. In accordance with the feasibility and planning sections of BS5837:2012 *"Trees in relation to design, demolition and construction – Recommendations"*, trees deemed to be within the influencing distance of the projected construction have been evaluated for quality, longevity and initial maintenance requirements. Where trees do not have to be removed for health and safety reasons, a detailed and objective assessment has been made of the consequences of the intended layout.

In this circumstance it is intended to construct a new restaurant with an associated side by side drive through, parking, access ramp, substation and landscaping. As a result, twelve individual trees, one group of trees and one hedge were inspected. The arboricultural related implications of the proposal are as follows:

1 In addition to one tree which requires felling irrespective of development (T008), it is necessary to fell two category 'B' trees (T011 and T012) and a small section of one category 'C' hedge (H001) in order to achieve the proposed layout.

2 The alignment of the proposed restaurant does not encroach within the Root Protection Areas (RPA) of any trees that are to be retained. In view of this and as assessed in accordance with BS5837:2012, no specialist foundation designs or construction techniques will be required to prevent damage to tree roots. Specialist foundations may still be required for other reasons, including mitigating the influencing distance of tree roots, subject to expert advice from a Structural Engineer.

3 This report recommends that specialist advice is obtained by expert practitioners in other disciplines. Such input should always be sought prior to the commencement of construction to demonstrate that the techniques and methods hereby proposed are achievable. In this particular circumstance it is necessary to contact the following:

- Structural Engineer (foundation design, item 4.4.1).

4 All trees and landscape features that are to remain as part of the development should suffer no structural damage provided that the findings with this report are complied with in full. This includes ensuring that protective fencing is erected as detailed at items 4.6 and 5.1 of this report.

Given the above, there are no overt or overwhelming arboricultural constraints that can be reasonably cited to preclude the proposed construction.

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Contact Details

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1.0 Introduction

1.1 Terms of Reference

1.1.1 Hayden's Arboricultural Consultants Limited has been commissioned by McDonalds Restaurants Ltd to prepare a Tree Survey, Arboricultural Impact Assessment, Arboricultural Method Statement and Tree Protection Plan for the existing trees at Plas Coch Retail Park, Plas Coch Road, Wrexham.

1.1.2 The site survey was carried out on 8th January 2019. The relevant qualitative and quantitative tree data was recorded to assess the condition of the existing trees, their constraints upon the prospective development and the necessary protection and construction specifications required to allow their retention as a sustainable and integral part of the completed development.

1.1.3 Information is given on condition, age, size and indicative positioning of all the trees, both on and affecting the site. This is in accordance with the British Standard 5837:2012 *Trees in relation to design, demolition and construction - Recommendations.*

1.2 Scope of Works

1.2.1 The survey of the trees and any other factors are of a preliminary nature. The trees were inspected on the basis of the Visual Tree Assessment (VTA) method as developed by Mattheck and Breloer (1994). The trees were inspected from ground level with no climbing inspections undertaken. It is not always possible to access every tree and as such some measurements may have to be estimated. Trees with estimated measurements are highlighted in the schedule of trees. No samples have been removed from the site for analysis. The survey does not cover the arrangements that may be required in connection with the removal of existing underground services.

1.2.2 Whilst this is an arboricultural report, comments relating to non arboricultural matters are given, such as built structures and soil data. Any opinion thus expressed should be viewed as provisional and confirmation from an appropriately qualified professional sought. Such points are clearly identified within the body of the report.

1.2.3 An intrinsic part of tree inspection in relation to development is the assessment of risk associated with trees in close proximity to persons and property. Most human activities involve a degree of risk with such risks being commonly accepted, if the associated benefits are perceived to be commensurate. In general, the risk relating to trees tends to increase with the age of the trees concerned, as do the benefits. It will be deemed to be accepted by the client that the formulation of the recommendations for all tree management will be guided by the cost-benefit analysis (in terms of amenity) of the tree work.

1.3 Documentation

1.3.1 The following documentation was provided prior to the commencement of the production of this report:

- Definition of site boundary – drawing no. 7391-AEW-8104-1002-C
- Topographical survey – drawing no. 8190110/4101
- Proposed site layout – drawing no. 7391-AEW-8104-1004-E

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2.0 The Site

2.1 Overview

2.1.1 The site is Plas Coch Retail Park, Plas Coch Road, Wrexham. The specific area of inspection concentrates on an existing area of designated car parking with allied landscaping surrounding the perimeter. The trees surveyed were found to be of mixed age and condition and they provide a high level of amenity to the locality.

2.2 Soils

2.2.1 The soil type commonly associated with this site are generally freely draining slightly acid loams. They are of low fertility and typically support neutral and acid pastures, and deciduous woodland type habitats. This soil type constitutes approximately 15.5% of the total English land mass.

2.2.2 The data given was obtained from a desk top study which provides indications of likely soil types. By definition, this information is not comprehensive and therefore any decisions taken with regards the management, usage or construction on site should be based on a detailed soil analysis.

2.2.3 Further to item 2.2.2, this report provides no information on soil shrinkability. It may be necessary for practitioners in other disciplines (e.g. engineers considering foundation design) to obtain this data as required.

2.3 Statutory Tree Protection

2.3.1 Tree Preservation Order(s)

The Local Planning Authority (LPA), Wrexham County Borough Council, have deemed it appropriate to provide statutory protection to trees within and neighbouring this site through the serving of Tree Preservation Orders (TPO), ref no. WCBC/69 and WCBC/264. The effect of this on anyone wishing to undertake work on preserved trees is to require them to obtain written permission from Wrexham County Borough Council prior to actioning any tree work. The purpose of this process is to try to ensure that the works are appropriate, proportionate and in keeping with the long-term aims of the TPO. However, given that trees are living organisms and the locality within which they are set is liable to change, it is often the case that LPA decisions relating to TPO applications require regular review to reflect the current situation rather than the historical perspective of the original date of protection.

There are certain circumstances where written permission from the LPA may not be necessary before undertaking works. These include:

- Making a tree safe if it is an imminent threat to people or property.
- Removing deadwood or a dead tree.

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Anyone wishing to undertake work as an exemption to the written permission process **are required** to provide the LPA with 5 days' notice prior to attending to a tree which they deem as being dead or dangerous unless such works are required in an emergency. It is the tree owner's responsibility to provide proof that the tree was indeed dead or dangerous should this exception be challenged; hence, it is advisable always to request an inspection by the LPA prior to carrying out such operations. Furthermore, even in the event of an emergency situation, there is still a duty to notify the LPA that work has been completed including supplying an explanation of the necessity. Failure to comply with the requirements of TPO legislation can lead to a maximum fine of up to £20,000 per tree in the Magistrates Court. Fines in the Crown Court are unlimited.

This information was provided by the LPA. A copy of the TPO schedules and plans which depict the trees protected under the Orders is included in Appendix F.

3.0 Tree Survey

3.1 As part of this survey a total of twelve individual trees, one group of trees and one hedge have been identified. These have been numbered T001 – T012, G001 and H001 within the body of this report and on the attached drawing no. 7215-D-AIA rev. F.

3.2 A topographical survey was provided which showed the position of the trees on site. However, it should be noted that topographical surveys are not always comprehensive and sometimes it is considered appropriate to record details of trees and landscape features omitted from or beyond the scope of the plan. If this circumstance occurs, the location of the individual tree or landscape feature is estimated. The position of each tree is shown on the attached drawing no. 7215-D-AIA rev. F.

3.3 To provide a systematic, consistent and transparent evaluation of the trees included within this survey, they have been assessed and categorised in accordance with the method detailed in item 4.3 of *BS 5837:2012 "Trees in Relation to Design, Demolition and Construction - Recommendations"*. For further information, please see the attached Explanatory Notes.

3.4 The detailed assessment of each tree and its work requirements with priorities are listed in the attached Schedule of Trees.

3.5 Several items would benefit from tree surgery or additional investigation, be it for health and safety, cultural, aesthetic or structural reasons as detailed in the attached Schedule of Trees. Including the trees recommended for felling, the items requiring the **most urgent** intervention are as follows:

Within six months:

T006	Remove redundant stake.
T007	Remove stake and tie.
T008	Fell.
T010	Remove failed hanging branch.
T011	Climbing inspection. Clear epicormic growth and re-inspect.

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3.6 In accordance with item 4.2.4 (c) of BS 5837:2012, the items inspected and detailed within this report have been selected for inclusion due to the likely influence of any proposed development on the trees. However, it must be understood that there may be trees beyond the site and not included in this survey which may exert an influence on the development. Where works for cultural, health and safety, quality of life or development purposes have been recommended on trees outside the ownership of the site, these can only progress with the agreement of the owner except where it involves portions of the trees overhanging the boundary.

4.0 Arboricultural Impact Assessment

4.1 The Proposal

4.1.1 The proposal is to construct a new restaurant with an associated side by side drive through, parking, access ramp, substation and landscaping within the site's curtilage.

4.2 Access

4.2.1 Site access is unencumbered by the RPA of any trees to be retained. From a purely arboricultural perspective, it will therefore not be necessary to install a proprietary temporary load bearing road to protect tree roots.

4.3. Demolition

4.3.1 Removal of existing hard surfacing affects the theoretical RPA of T009. The area where hard surfacing and the existing sub-base is to be removed is identified on the attached drawing no. 7215-D-AIA rev. F by black cross hatching. To ensure there is no damage to the roots of this specimen, work will only be completed by hand within the calculated RPA. This operation will be supervised by the appointed Arboriculturalist and photographs forwarded to the LPA. The original hard surfacing will be retained as ground protection until this work commences.

4.4 Construction

4.4.1 Construction of the restaurant's foundations do not encroach within the RPA of any retained trees. From an arboricultural perspective, no specialised construction or foundation techniques will therefore be required to protect tree roots. However, dependent on the soil type, species and topography, trees may have an influence on the soil beyond their calculated RPA. Given the proximity of the proposed construction to the trees to be retained and planted, it is recommended that a Structural Engineer is consulted to assess the implications of the tree retention and proposed planting on the required foundation design.

4.4.2 Installation of close boarded and post and rail fencing is proposed in close proximity to the RPA of retained trees, as identified on the attached drawing no. 7215-D-AIA rev. F. To ensure any potential impacts are minimised, where foundation pads are located adjacent to the RPA of retained trees these will be excavated by hand. Should roots be exposed these will be cleanly severed with secateurs ensuring the final wounds are as small as possible and free from ragged, torn ends. Following this and prior to being backfilled, each foundation pad will be lined with a non-permeable geotextile membrane to prevent phytotoxic concrete adversely affecting the retained trees' roots.

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4.4.3 Existing hard surfacing within the RPA of T009 is to be returned to soft landscaping, as shown on the attached drawing no. 7215-D-AIA rev. F. Prior to the topsoil being imported, the existing hard surface and sub-base will be removed by hand, as discussed at item 4.3.1. Sharp sand will then be laid over any roots that are exposed, onto which good quality debris free topsoil will be laid. The original hard surfacing will be retained as ground protection until this work commences.

4.5 Implications of Sloping Ground

4.5.1 The arboricultural implications of the proposed structures are based on an assumption that because there are no significant existing slopes on site within the curtilage of the existing car park, level changes will not occur within the RPA of trees that are shown to be retained. If level changes are required and these cannot be excluded from the calculated RPA of retained trees, a reappraisal of the arboricultural implications will be required.

4.6 Requirement for Tree Barrier Fencing

4.6.1 Prior to the commencement of construction and immediately after the completion of the necessary tree work, protective fencing will be erected on site. This must be fit for purpose, in full accordance with the requirements of BS 5837:2012 and positioned as shown on the attached Arboricultural Impact Assessment & Tree Protection drawing no. 7215-D-AIA rev. F.

4.7 Compound

4.7.1 The site provides adequate internal space to locate a construction compound outside the RPA of any trees and landscape features that are to be retained.

4.8 Phasing

4.8.1 The approval involves the integration of a number of aspects that affect tree protection. For this reason, the project must be carefully phased to ensure the highest level of protection for retained trees at all times. Shown on the attached drawing no. 7215-D-AIA rev. F is an in-depth phasing recommendation to cover the salient operations on site as they affect retained trees.

4.9 Monitoring

4.9.1 In accordance with item 6.3 of BS 5837:2012, the site and associated development should be monitored regularly by the Project Arboriculturalist to ensure that the arboricultural aspects of the planning permission are complied with. Shown on the attached drawing no. 7215-D-AIA rev. F and included at Appendix K is an auditable monitoring schedule.

4.10 Access Facilitation Pruning

4.10.1 It is not necessary to undertake access facilitation pruning (AFP) to any retained trees or landscape features to meet the needs of this proposal (e.g. crown lifting, reducing or reshaping).

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4.11 Landscape Implications

4.11.1 In addition to one tree (T008) necessitating removal for health and safety reasons, as detailed in the attached Schedule of Works - Irrespective of Development, the items listed in the table below require felling to permit the proposed development to proceed: -

Feature No	Reason for Removal	BS Category*	Visual Amenity Assessment*
H001 (section)	To facilitate construction of the widened access and drive through.	C	Moderate
T011	To facilitate construction of the drive through and reconfiguration of the parking layout.	B	High
T012	To facilitate construction of the access ramp.	B	High

* Please see definitions in the Explanatory Notes attached to this report.

4.11.2 Subsequent to the initial scheme being submitted proactive discussions with the LPA Tree Officer have taken place. It was confirmed the retention of the perimeter trees was the desired outcome and that the removal of Sycamore (T011) would be looked upon favourably if this was achieved. Additional planting would also be required to mitigate for the loss of T011.

4.11.3 Subsequent to these discussions, the latest proposal has been designed to ensure the retention and safeguarding of the perimeter vegetation. A detailed landscaping scheme has been prepared by Vector Landscape Designers, ref. 17229-VL-McD-L01 rev. C in addition to a further drawing, ref: 17729-VL-McD-D01 rev. A, which provides details of the engineered tree-pit to be installed within the car park where T011's replacement is proposed. The landscape drawings are included for reference at Appendix I and J respectively.

4.12 Post Development Implications

4.12.1 No adverse arboricultural implications are considered reasonably foreseeable for the trees that remain provided that the recommendations of this report are complied with in full.

4.12.2 Due to the dynamic nature of trees and their interaction with the environment, their health and structural integrity is liable to change over time. It is therefore that all trees on or adjacent to the site be inspected on an annual basis.

4.12.3 As stated in BS 5837:2012, regular maintenance of newly planted trees is of particular importance for at least three years during the critical post-planting period and might, where required by site conditions, planning requirements or legal agreement, be necessary for five years or more. The designer of the new landscaping should therefore, in conjunction with the landscape design proposals, prepare a detailed maintenance schedule covering this period and appropriate arrangements made for its implementation.

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5.0 Design Advice, Arboricultural Method Statement & Tree Protection Plan

5.1 Securing of Tree Structure and Root Protection Areas (RPA)

5.1.1 The trees to be retained will be protected by the use of stout barrier fencing erected in the positions indicated on the attached Arboricultural Impact Assessment & Tree Protection drawing no. 7215-D-AIA rev. F. This fencing will be in accordance with the requirements of BS 5837:2012.

5.1.2 All fencing provided for the safeguarding of trees will be erected prior development commencing on the site, therefore ensuring the maximum protection. This fencing, which must have all weather notices attached stating "Construction Exclusion Zone – No Access" will be regarded as sacrosanct and once erected will not be removed, or altered, without the prior consent of the LPA.

5.2 Location of Site Office, Compound and Parking

5.2.1 The position of the office, compound and parking will be agreed in writing with the LPA prior to commencement of any permitted development works. Any proposed re-location of these items through the various phases of development will be agreed prior to re-siting with the LPA.

5.3 On Site Storage of Spoil and Building Materials

5.3.1 Prior to and during all construction works on site, no spoil or construction materials will be stored within the RPA of any tree on, or adjacent to the site, even if the proposed development is to be within the RPA. This is to reduce to a minimum the compaction of the roots of the trees. Details of the RPA for each tree where no spoil or building materials will be stored are indicated on the attached Arboricultural Impact Assessment & Tree Protection drawing no. 7215-D-AIA rev. F.

5.3.2 Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bund compound shall be at least equivalent to the capacity of the tank plus 10%. If there is a multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and sight glasses shall be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets shall be detailed to discharge downwards into the bund.

5.3.3 All material storage facilities and work areas must consider the effects of sloping ground on the movement of potentially harmful liquid spillages towards or into protected areas.

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5.4 Programme of Works

5.4.1 All tree surgery works, once approved by the LPA, will be carried out prior to any other site works. Once completed, the proposed protective fencing will be erected along the lines indicated above. All of this will be carried out prior to the commencement of any development works on the site. Outline details of the proposed programme are given in the Design and Construction and Tree Care flow chart attached (Appendix G-1).

5.5 Tree Surgery

5.5.1 All tree work will be agreed with the LPA and will be carried out, where appropriate, in line with BS 3998:2010 (Recommendations for Tree Works). Any alterations to the proposed schedule of works will be agreed with the LPA prior to commencement of works.

5.6 Levels

5.6.1 Other than for any specific exception which may be referred to at item 4.0, no alterations to soil levels within the RPA of retained trees are proposed.

5.7 Services

5.7.1 At the time of writing this report, final details on proposed services were not available. However, it is proposed that all new underground service runs will be placed outside the RPA of the retained trees.

5.7.2 If this is not possible, the proposed length infringing the RPA will be hand dug 'broken trenches' (NJUG 4 paragraph 4) to ensure the maximum protection of the trees' roots. The trenches may also be excavated using an air spade, or trenchless technology can be employed if this methodology is considered appropriate by the relevant service company (thus allowing services to pass below and through the roots without the need for traditional excavation). If it is necessary to cut any small roots as part of any of these processes, they should be severed in such a way as to ensure that the final wound is as small as possible and free from ragged, torn ends.

5.7.3 All service providers (Statutory Authorities) will be consulted prior to commencement of works with the aim of minimising the number of service runs on the site.

5.7.4 All service runs/trenches where they encroach within the RPA of retained trees will be agreed with the LPA prior to commencement of works.

5.8 Reporting and Monitoring Procedures

5.8.1 In accordance with item 6.3 of BS 5837:2012, the site and associated development should be monitored regularly by the Project Arboriculturalist to ensure that the arboricultural aspects of the planning permission (e.g. the installation and maintenance of protective measures and the supervision of specialist working techniques) are implemented. Furthermore, regular contact between the Site Manager and the Arboriculturalist allows them to effectively deal with and advise on any tree related problems that may occur during the development process. This system should be auditable. Should any issues arise during the arboricultural monitoring of the development the Project Arboriculturalist will contact the LPA and appropriate action taken only with the prior permission of McDonalds Restaurants Ltd and the LPA.

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6.0 Recommendations

6.1 It is recommended that the measures detailed in this report are implemented in full to provide retained trees with the highest level of protection during the process of construction.

6.2 It is recommended that in view of the siting and design of the layout that has been planned to incorporate the important trees on and associated with the site, together with the detailed tree protection measures listed in this report, the trees should not be considered a constraint on the proposed development.

6.3 Tree surgery should be completed as detailed in the Schedule of Trees. Where this has been identified for reasons other than to permit development, this work should be completed within the advised timescales irrespective of any development proposals.

6.4 The tree surgery works proposed as part of this survey are recommended to mitigate any identified problems that may be caused by trees in close proximity to the proposed development. To this end, should these recommendations be overruled, this survey stands as the opinion of Hayden's Arboricultural Consultants Limited, and therefore any damage or injury caused by trees recommended by this practice for felling or tree surgery works, to which the proposed schedule of works has been altered or the tree has been requested to be retained by the LPA, cannot be the responsibility of this practice.

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7.0 Limitations & Qualifications

Tree inspection reports are subject to the following limitations and qualifications.

General exclusions

Unless specifically mentioned, the report will only be concerned with above ground inspections. No below ground inspections will be carried out without the prior confirmation from the client that such works should be undertaken.

The validity, accuracy and findings of this report will be directly related to the accuracy of the information made available prior to and during the inspection process. No checking of independent third-party data will be undertaken. Hayden's Arboricultural Consultants Limited will not be responsible for the recommendations within this report where essential data are not made available or are inaccurate.

This report will remain valid for one year from the date of inspection but will become invalid if any building works are carried out upon the property, soil levels altered in any way close to the property, or tree work undertaken. It must also be appreciated that recommendations proposed within this report may be superseded by extreme weather, or any other unreasonably foreseeable events.

If alterations to the property or soil levels are carried out, or tree work undertaken, it is strongly recommended that a new tree inspection be carried out.

It will be appreciated, and deemed to be accepted by the client and their insurers, that the formulation of the recommendations for the management of trees will be guided by the following: -

1. The need to avoid reasonably foreseeable damage.
2. The arboricultural considerations - tree safety, good arboricultural practice (tree work) and aesthetics.

The client and their insurers are deemed to have accepted the limitation placed on the recommendations by the sources quoted in the attached report. Where sources are limited by time constraints or the client, this may lead to an incomplete quantification of the risk.

Signed:



July 2025
For and on Behalf of Hayden's Arboricultural Consultants Limited

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8.0 References

British Standards Institute. (2010). *Recommendations for Tree Work BS 3998:2010* BSI, London.

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NJUG 4 Guidelines for the planning, installation and maintenance of utility apparatus in proximity to trees. Issued 16 November 2007.

Forestry Commission (2007). *Tree Felling – Getting Permission.* Country Services Division, Forestry Commission, Edinburgh.

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9.0 Appendices

Appendix	**A**	Species List & Tree Problems
Appendix	**B**	Schedule of Trees
Appendix	**C**	Schedule of Works - Irrespective of Development
Appendix	**D**	Schedule of Works to Allow Development
Appendix	**E**	Explanatory Notes
Appendix	**F**	Tree Preservation Orders – WCBC/69 and WCBC/264
Appendix	**G**	Advisory Information & Sample Specifications

1. BS 5837:2012 Figure 1 - Flow Chart – Design and Construction & Tree Care
2. European Protected Species and Woodland Operations Checklist (v.4)
3. BS 5837:2012 Figure 2 - Default specification for protective barrier
4. BS 5837:2012 Figure 3 - Examples of above-ground stabilizing systems
5. Figure 4 Detail of protective barrier where construction encroaches within BS5837:2012 Root Protection Area

Appendix	**H**	Drawing no. 7215-D-AIA rev. F
Appendix	**I**	Drawing no. 17229-VL-McD-L01 rev. C
Appendix	**J**	Drawing no. 17229-VL-McD-D01 rev. A
Appendix	**K**	Arboricultural Monitoring Statement4

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Appendix A - Species List & Tree Problems

Species List:

Ash	*Fraxinus sp*
Elder	*Sambucus sp*
London Plane	*Platanus sp*
Sycamore	*Acer sp*

Tree Problems:

This gives a brief description of the problems identified in the attached Tree Survey.

Name: **Deadwood**	
Symptoms/Damage Type:	This relates to dead branches in the crown of the tree. In most cases this is caused by the natural ageing process of the tree or shading due to its close proximity to neighbouring trees. However, in some situations it may be related to fungal, bacterial or viral infection.
Consequence:	Depending upon the location and mass of dead wood removal of the affected tissue may be necessary to prevent harm to persons or property as the wood will become unstable as it decays and in some circumstances is likely to fall from the tree with little or no warning.
Control Measures:	Detailed monitoring should be undertaken on those trees showing signs of excessive deadwood production to identify the underlying cause.

Name: **Epicormic growth**	
Symptoms/Damage Type:	This is the production of numerous shoots on the main stem and branches of the tree. They are produced by the bursting into life of otherwise dormant buds. It is commonly associated with elevated levels of stress on the tree.
Consequence:	Whilst epicormic growth is usually symptomatic of an issue elsewhere within the tree heavy proliferation can cause the trees resources to become depleted or may mask significant structural weaknesses within the framework of the tree.
Control Measures:	Pruning off epicormic growth may be necessary to improve the visual amenity of the tree or prevent the development of a hazard or obstruction. No direct means of prevention are available other than therapeutic measures to alleviate stresses on the tree.

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Appendix B

Schedule of Trees

SCHEDULE OF TREES (AIA) McDonalds, Plas Coch Retail Park, Wrexham,

Surveyed By: Nick Hayden Date: 09/01/2019
Managed By: Nick Hayden

TreeNo	Species	DBH	Height		Visual	Crown Spread	Problems / Comments	BS Cat	Work Required (TS)	Priority (TS)	Work Required (AIA)	Priority (AIA)
		Min Dist	Crown Base	Lowest Branch	Age	Water Demand						
On site		RPA (m^2)	Aspect	Aspect	SULE	Ground Cover						
G001	9x Pine	150	6.5		Medium	N2, E2, S2, W2	Group of closely spaced Pines. At current dimensions trees are considered to pose little risk. Consideration should be given to thinning out the group to promote the future growth of the two largest specimens.	C1	Thin group to leave largest two specimens.	3		
		1.8	0-2		Y	Moderate						
Yes		10.2			10+ years	Shrub bed						
H001	Beech / Mixed Sp.	100	2.5		Medium	N1, E1, S1, W1	Well maintained boundary hedge.	C2	No work required.	4	Fell small section shown on drawing no. 7215-D-AIA rev. F to permit development.	0
		1.2	0-2		Y	Moderate						
Yes		4.5			10+ years	Bare earth						
T001	Ash	80	5.5		Medium	N1, E1, S1, W1	Located in maintained hedge / shrub border. Detailed inspection of base and stem impeded. No obvious indicators of disease or decay. At current dimensions tree is considered to pose little risk. Access road to west, parking to east.	C1	No work required.	4		
		0.96	2.1-4		Y	Moderate						
Yes		2.9			10+ years	Shrub bed						
T002	Ash	80	5.5		Medium	N1, E1.5, S1.5, W2	Located in maintained hedge / shrub border. Detailed inspection of base and stem impeded. No obvious indicators of disease or decay. At current dimensions tree is considered to pose little risk. Access road to west, parking to east.	C1	No work required.	4		
		0.96	2.1-4		Y	Moderate						
Yes		2.9			10+ years	Mixed soft/hard surface						
T003	Ash	80	4		Medium	N1.5, E1.5, S1.5, W1.5	Located in maintained hedge / shrub border. Detailed inspection of base and stem impeded. No obvious indicators of disease or decay. At current dimensions tree is considered to pose little risk. Access road to west, parking to east.	C1	No work required.	4		
		0.96	2.1-4		Y	Moderate						
Yes		2.9			10+ years	Mixed soft/hard surface						
T004	Ash	70	3.5		Medium	N1.5, E1, S1, W1	Located in maintained hedge / shrub border. Detailed inspection of base and stem impeded. Lost leader at circa. 3m above ground level. No obvious indicators of disease or decay. At current dimensions tree is considered to pose little risk. Retaining wall and access road to west, parking to east.	C1	No work required.	4		
		0.84	0-2		Y	Moderate						
Yes		2.2			10+ years	Shrub bed						

TreeNo	Species	DBH	Height		Visual	Crown Spread	Problems / Comments	BS Cat	Work Required (TS)	Priority (TS)	Work Required (AIA)	Priority (AIA)
		Min Dist	Crown Base	Lowest Branch	Age	Water Demand						
On site		RPA (m^2)	Aspect	Aspect	SULE	Ground Cover						
T005	Ash	90	4		Medium	N2, E1.5, S1.5, W1.5	Located in maintained hedge / shrub border. Detailed inspection of base and stem impeded. Lost leader at circa. 2m above ground level. No obvious indicators of disease or decay. At current dimensions tree is considered to pose little risk. Retaining wall and access road to west, parking to east.	C1	No work required.	4		
		1.08	2.1-4		Y	Moderate						
Yes		3.7			10+ years	Shrub bed						
T006	London Plane	170	10		High	N3, E4.5, S4, W3	Redundant stake rubbing stem. Lower branches vandalised / torn. Crown displays reasonable vigour. No obvious indicators of disease or decay. Highway and lamp column to east.	B1	Remove redundant stake.	2		
		2.04	2.1-4		SM	Moderate						
Yes		13.1			20+ years	Shrub bed						
T007	London Plane	160	8.5		High	N3, E3, S2.5, W2.5	Stake and tie attached to stem. Damaged lower branches. Bifurcates at circa. 3.5m above ground level, union appears stable. Slight crown asymmetry on south western aspect. No obvious indicators of disease or decay. Highway to east.	B1	Remove stake and tie.	2		
		1.92	2.1-4		SM	Moderate						
Yes		11.6			20+ years	Shrub bed						
T008	London Plane	350	12		High	N5, E5, S5, W5	Dense shrubs and hedging impeded a detailed inspection of base and stem. Multi-stemmed from circa. 3m above ground level. Significant stem failure at circa. 6m - most likely included union failure. Large tear wound circa. 2m in length on stem, with central crown lost and remaining crown exposed. Whilst not considered to pose an imminent risk, it's SULE is limited. .	U	Fell.	2		
		4.2	2.1-4		EM	Moderate						
Yes		55.4			<10 years	Shrub bed						
T009	London Plane	180	11		High	N3, E3, S3.5, W4.5	1m high retaining wall to south. Tie cut. Vandalised / torn lower branches. No obvious indicators of disease or decay. Lamp column to north. Highway to south east.	B1	No work required.	4		
		2.16	2.1-4		SM	Moderate						
Yes		14.7			20+ years	Shrub bed						
T010	London Plane	180	10		High	N3, E3.5, S3.5, W3.5	Torn, hanging branch. Crown displays reasonable vigour. No obvious indicators of disease or decay. Highway to south / south east.	B1	Remove failed, hanging branch.	2		
		2.16	0-2		SM	Moderate						
Yes		14.7			20+ years	Bare earth, hrub bed						

TreeNo	Species	DBH	Height		Visual	Crown Spread	Problems / Comments	BS Cat	Work Required (TS)	Priority (TS)	Work Required (AIA)	Priority (AIA)
		Min Dist	Crown Base	Lowest Branch	Age	Water Demand						
On site		RPA (m^2)	Aspect	Aspect	SULE	Ground Cover						
T011	Sycamore	730	14.5		High	N7, E6.5, S6, W6.5	Restricted rooting environment. Service hatches in RPA. Curb edging slightly distorted to north. Dense epicormic growth partially impeded a detailed inspection of base. Small wound at ground level and circa. 0.5m above ground level on north / north western aspect. Probing revealed wound not significant, i.e. <10cm in depth, width and height. No evidence of fungal fruiting bodies. Slight stem swelling, mainly where old wire fencing embedded in stem. Trifurcates at circa. 3.5m above ground level, unions appear stable. Small Elder growing from cavity on western aspect of union. Storm damaged branches. Minor deadwood. Two small cavities at circa. 6.5m above ground level on southern stem but these do not appear significant from ground level. Cavity on north western extending stem, circa. 2.5m from fork. Further cavity present beyond this. Extension growth small but to be expected given rooting environment and tree's age. Little dieback / branchtip dysfunction evident throughout crown. Bird nest.	B1	Climbing inspection (cavities). Clear epicormic growth and re-inspect.	2	Fell to permit development.	0
		8.76	2.1-4		M	Moderate						
Yes		241.1			20+ years	Mixed soft/hard surface						
T012	London Plane	180	10		High	N3, E3.5, S3.5, W3.5	Crown displays reasonable vigour. No obvious indicators of disease or decay. Highway to south / south east.	B1	No work required.	4	Fell to permit development.	0
		2.16	0-2m		SM	Moderate						
Yes		14.7			20+ years	Bare earth, shrub bed						

Appendix C

Schedule of Works - Irrespective of Development

SCHEDULE OF WORK IRRESPECTIVE OF DEVELOPMENT

McDonalds, Plas Coch Retail Park, Wrexham,

Surveyed By: Nick Hayden
Surveyed: 09/01/2019
Managed By: Nick Hayden

Tree No.	Species	Work required	Priority
T006	London Plane	Remove redundant stake.	**2**
T007	London Plane	Remove stake and tie.	**2**
T008	London Plane	Fell.	**2**
T010	London Plane	Remove failed, hanging branch.	**2**
T011	Sycamore	Climbing inspection (cavities). Clear epicormic growth and re-inspect.	**2**
G001	9x Pine	Thin group to leave largest two specimens.	**3**

Appendix D

Schedule of Works to Allow Development

SCHEDULE OF WORKS (AIA)

McDonalds, Plas Coch Retail Park, Wrexham,

Surveyed By: Nick Hayden
Surveyed: 09/01/2019
Managed By: Nick Hayden

Tree No.	Species	Work required	Priority
H001	Beech / Mixed Sp.	Fell small section shown on drawing no. 7215-D-AIA rev. F to permit development.	**0**
T011	Sycamore	Fell to permit development.	**0**
T012	London Plane	Fell to permit development.	**0**

Appendix E

Explanatory Notes

Explanatory Notes

HAYDEN'S Arboricultural Consultants

Categories

Below is an explanation of the categories used in the attached Tree Survey.

No Identifies the tree on the drawing.

Species Common names are given to aid understanding for the wider audience.

BS 5837 Main Category Using this assessment (BS 5837:2012, Table 1), trees can be divided into one of the following simplified categories, and are differentiated by cross-hatching and by colour on the attached drawing:

Category A - Those of high quality with an estimated remaining life expectancy of at least 40 years;

Category B - Those of moderate quality with an estimated remaining life expectancy of at least 20 years;

Category C - Those of low quality with an estimated remaining life expectancy of at least 10 years, or young trees with a stem diameter below 150 mm;

Category U - Those trees in such condition that they cannot realistically be retained as living trees in the context of the current land use for longer than 10 years.

BS 5837 Sub Category Table 1 of BS 5837:2012 also requires a sub category to be applied to the A, B, C, and U assessments. This allows for a further understanding of the determining classification as follows:

Sub Category 1 - Mainly arboricultural qualities;

Sub Category 2 - Mainly landscape qualities;

Sub Category 3 - Mainly cultural values, including conservation .

Please note that a specimen or landscape feature may fulfil the requirements of more than one Sub Category.

DBH (mm) Diameter of main stem in millimetres at 1.5 metres from ground level. Where the tree is a multi-stem, the diameter is calculated in accordance with item 4.6.1 of BS 5837:2012.

Age Recorded as one of seven categories:

Y Young. Recently planted or establishing tree that could be transplanted without specialist equipment, i.e. less than 150 mm DBH.

S/M Semi-mature. An established tree, but one which has not reached its prospective ultimate height.

E/M Early-mature. A tree that is reaching its ultimate potential height, whose growth rate is slowing down but if healthy, will still increase in stem diameter and crown spread.

M Mature. A mature specimen with limited potential for any significant increase in size, even if healthy.

O/M Over-mature. A senescent or moribund specimen with a limited safe useful life expectancy. Possibly also containing sufficient structural defects with attendant safety and/or duty of care implications.

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D Dead.

Height	Recorded in metres, measured from the base of the tree.
Crown Base	Recorded in metres, the distance from ground and aspect of the lowest branch material.
Lowest Branch	Recorded in metres, the distance from ground and aspect of the emergence point of the lowest significant branch.
Life Expectancy	Relates to the prospective life expectancy of the tree and is given as 4 categories: 1 = 40 years+; 2 = 20 years+; 3 = 10 years+; 4 = less than 10 years.
Crown Spread	Indicates the radius of the crown from the base of the tree in each of the northern, eastern, southern and western aspects.
Minimum Distance	This is a distance equal to 12 times the diameter of the tree measured at 1.5 metres above ground level for single stemmed trees and 12 times the average diameter of the tree measured at 1.5 metres above ground level tree for multi stemmed specimens. (BS 5837:2012, section 4.6).
RPA	This is the Root Protection Area, measured in square metres and defined in BS5837:2012 as “a layout design tool indicating the minimum area around a tree deemed to contain sufficient roots and rooting volume to maintain the tree’s viability, and where the protection of the roots and soil structure is treated as a priority”. The RPA is shown on the drawing.. Ideally this is an area around the tree that must be kept clear of construction, level changes of construction operations. Some methods of construction can be carried out within the RPA of a retained tree but only if approved by the Local Planning Authority’s tree officer.
Water Demand	This gives the water demand of the species of tree when mature, as given in the NHBC Standards Chapter 4.2 “Building Near Trees”.
Visual Amenity	Concerns the planning and landscape contribution to the development site made by the tree, hedge or tree group, in terms of its amenity value and prominence on the skyline along with functional criteria such as the screening value, shelter provision and wildlife significance. The usual definitions are as follows: Low — An inconsequential landscape feature. Moderate — Of some note within the immediate vicinity, but not significant in the wider context. High — Item of high visual importance.
Problems/ Comments	May include general comments about growth characteristic, how it is affected by other trees and any previous surgery work; also, specific problems such as deadwood, pests, diseases, broken limbs, etc.
Work Required (TS)	Identifies the necessary tree work to mitigate anticipated problems and deal with existing problems identified in the “Problems/comments” category.

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Work Required (AIA)	Identifies the tree work specifically necessary to allow a proposed development to proceed.
Priority	This gives a priority rating to each tree allowing the client to prioritise necessary tree works identified within the Tree Survey. **1** Urgent – works required immediately; **2** Works required within 6 months; **3** Works required within 1 year; **4** Re-inspect in 12 months, **0** Remedial works as part of implementation of planning consent.

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BS 5837:2012 Terms and Definitions

Access Facilitation Pruning	One-off tree pruning operation, the nature and effects of which are without significant adverse impact on tree physiology or amenity value, which is directly necessary to provide access for operations on site.
Arboricultural Method Statement	Methodology for the implementation of any aspect of development that is within the root protection area, or has the potential to result in loss of or damage to a tree to be retained.
Arboriculturist	Person who has, through relevant education, training and experience, gained expertise in the field of trees in relation to construction.
Competent Person	Person who has training and experience relevant to the matter being addressed and an understanding of the requirements of the particular task being approached. *NOTE - a competent person is expected to be able to advise on the best means by which the recommendations of this British Standard may be implemented.*
Construction	Site-based operations with the potential to affect existing trees.
Construction Exclusion Zone	Area based on the root protection area from which access is prohibited for the duration of a project.
Root Protection Area (RPA)	Layout design tool indicating the minimum area around a tree deemed to contain sufficient roots and rooting volume to maintain the tree's viability, and where the protection of the roots and soil structure is treated as a priority.
Service	Any above or below ground structure or apparatus required for utility provision. **NOTE** - examples include drainage, gas supplies, ground source heat pumps, CCTV and satellite communications.
Stem	Principal above ground structural component(s) of a tree that supports its branches.
Structure	Manufactured object, such as a building, carriageway, path, wall, service run, and built or excavated earthwork.
Tree Protection Plan	Scale drawing, informed by descriptive text where necessary, based upon the finalized proposals, showing trees for retention and illustrating the tree and landscape protection measures.
Veteran Tree	Tree that, by recognized criteria, shows 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. **NOTE** - these characteristics might typically include a large girth, signs of crown retrenchment and hollowing of the stem.

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Appendix F

TPO Orders – WCBC/69 and WCBC/264

Gabrielle Justesen

From: Jon Brewin <Jon.Brewin@wrexham.gov.uk>
Sent: 02 October 2019 09:44
To: Gabrielle Justesen
Subject: FW: TPO Enquiry - Plas Coch Retail Park, Wrexham
Attachments: Plas Coch Retail Park.jpg; TPO WCBC 264-2016_CONFIRMED ORDER_JB_0417.pdf

Hello Gabby,

Thank you for your enquiry. Please find attached a copy of the TPO which affects the area identified within the site map you provided.

Plas Coch Retail Park is not located within a designated Conservation Area.

Please do not hesitate to contact me directly should you require any further assistance

Regards

Jon Brewin

Arboricultural Officer (Planning) / Swyddog Caedyddiaeth (Chynllunio)

Environment and Planning / Amgylchedd a Chynllunio

01978 298763

16 Lord Street, Wrexham, LL11 1LG

16 Stryt yr Arglwydd, Wrecsam, LL11 1LG

wrexham.gov.uk | wrecsam.gov.uk

twitter.com/wrexhamcbc | twitter.com/cbswrecsam

facebook.com/wrexhamcouncil | facebook.com/cyngorwrecsam

For further information regarding Wrexham's trees visit www.wrexham.gov.uk/trees

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From: Cerys Jones
Sent: 01 October 2019 09:37
To: Jon Brewin
Subject: FW: TPO Enquiry - Plas Coch Retail Park, Wrexham

Jon

The email below has been received in the shared inbox.

Thank you Cerys

Cerys Jones
Cynorthwyydd Cymorth Busnes / Business Support Assistant
Cynllunio a Rheoleiddio / Planning and Regulatory

01978 298741
Neuadd y Dref, Wrecsam, LL11 1AY
Guildhall, Wrexham, LL11 1AY
wrecsam.gov.uk wrexham.gov.uk
twitter.com/cbswrecsam twitter.com/wrexhamcbc
facebook.com/cyngorwrecsam facebook.com/wrexhamcouncil

I wneud taliad ar gyfer Gwasanaeth Cynllunio os gwelwch yn dda cliciwch ar y ddolen isod: -
www.wrecsam.gov.uk/ffioeddcynllunio

To make a payment for a Planning Service please click on the link below:-
www.wrexham.gov.uk/planningfees

From: Gabrielle Justesen [mailto:Gabby@treesurveys.co.uk]
Sent: 01 October 2019 09:26
To: planning
Subject: TPO Enquiry - Plas Coch Retail Park, Wrexham

Dear Sir or Madam,

Could you please advise if the above mentioned site and adjacent areas are covered by TPO or located within a Conservation Area?

I have attached a map for your use.

I look forward to hearing from you.

Kind regards

Gabby Justesen
Office Manager – South West Office

(Please note my working hours are 9am – 3pm)

HAYDEN'S
Arboricultural Consultants

Homebase

6

Town and Country Planning Act 1990 Confirmed

Insert title of Order (including year)

WREXHAM COUNTY BOROUGH COUNCIL (COMMUNITY OF RHOSDDU)

TREE PRESERVATION ORDER, No 69. 2002

Insert name of Council

Insert name of appropriate authority

The WREXHAM COUNTY BOROUGH COUNCIL in exercise of the powers conferred on them by sections 198 [, 201[a]] [and] 203 [~~and 300~~] of the Town and Country Planning Act 1990[b], [~~and with the consent of the~~]

hereby make the following Order:—

Citation

Insert title of Order (including year)

1. This Order may be cited as WREXHAM COUNTY BOROUGH COUNCIL (COMMUNITY OF RHOSDDU) TREE PRESERVATION ORDER NO. 69

Interpretation

Name of Council making the Order

2. In this Order "the authority" means the Wrexham County Borough Council and unless the context otherwise requires, any reference in this Order to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990.

[Application of section 201

Insert date

3. The authority hereby direct that section 201 (provisional tree preservation orders) shall apply to this Order and, accordingly, this Order shall take effect provisionally on 13 February 2002.

Prohibited acts in relation to trees

4. Without prejudice to subsections (6) and (7) of section 198 (power to make tree preservation orders)[c] [~~or subsection (3) of section 200 (orders affecting land where Forestry Commissioners interested)~~], and subject to article 5, no person shall—

(a) cut down, top, lop, uproot, wilfully damage or wilfully destroy; or

(b) cause or permit the cutting down, topping, lopping, uprooting, wilful damage or wilful destruction of,

any tree specified in Schedule 1 to this Order or comprised in a group of trees or in a woodland so specified, except with the consent of the authority and, where such consent is given subject to conditions, in accordance with those conditions.

Exemptions

5. (1) Nothing in article 4 shall prevent—

(a) the cutting down, topping, lopping or uprooting of a tree by or at the request of a statutory undertaker, where the land on which the tree is situated is operational land[d] of the statutory undertaker and the work is necessary—

(a) Under section 199(1), tree preservation orders generally do not take effect until confirmed, but a direction may be given under section 201 for an order to take provisional effect immediately.

(b) Where the Order is to be made under the sections cited *and* section 300 of the Town and Country Planning Act 1990, all those provisions should be cited, as should the fact of the consent of the appropriate authority. As to the circumstances in which the consent of the Forestry Commission is required (and should be cited) *see* section 200(1) of that Act.

(c) Subsection (6) of section 198 exempts from the application of tree preservation orders the cutting down, uprooting, topping or lopping of trees which are dying, dead or have become dangerous, or the undertaking of those acts in compliance with obligations imposed by or under an Act of Parliament or so far as may be necessary for the prevention or abatement of a nuisance. Subsection (7) of that section makes section 198 subject to section 39(2) of the Housing and Planning Act 1986 (c.63) (saving for effect of section 2(4) of the Opencast Coal Act 1958 on land affected by a tree preservation order despite its repeal) and section 15 of the Forestry Act 1967 (c.10) (licences under that Act to fell trees comprised in a tree preservation order).

(d) *See* section 263 of the Town and Country Planning Act 1990.

(e) S.I. 1995/418.

(i) in the interests of the safe operation of the undertaking;
(ii) in connection with the inspection, repair or renewal of any sewers, mains, pipes, cables or other apparatus of the statutory undertaker; or
(iii) to enable the statutory undertaker to carry out development permitted by or under the Town and Country Planning (General Permitted Development) Order 1995[e];

(b) the cutting down, topping, lopping or uprooting of a tree cultivated for the production of fruit in the course of a business or trade where such work is in the interests of that business or trade;

(c) the pruning, in accordance with good horticultural practice, of any tree cultivated for the production of fruit;

(d) the cutting down, topping, lopping or uprooting of a tree where that work is required to enable a person to implement a planning permission (other than an outline planning permission or, without prejudice to paragraph (a)(iii), a permission granted by or under the Town and Country Planning (General Permitted Development) Order 1995) granted on an application under Part III of the Act, or deemed to have been granted (whether for the purposes of that Part or otherwise);

(e) the cutting down, topping, lopping or uprooting of a tree by or at the request of the Environment Agency to enable the Agency to carry out development permitted by or under the Town and Country Planning (General Permitted Development) Order 1995;

(f) the cutting down, topping, lopping or uprooting of a tree by or at the request of a drainage body where that tree interferes, or is likely to interfere, with the exercise of any of the functions of that body in relation to the maintenance, improvement or construction of watercourses or of drainage works, and for this purpose "drainage body" and "drainage" have the same meanings as in the Land Drainage Act 1991[a]; or

(g) without prejudice to section 198(6)(b), the felling or lopping of a tree or the cutting back of its roots by or at the request of, or in accordance with a notice served by, a licence holder under paragraph 9 of Schedule 4 to the Electricity Act 1989[b].

(2) In paragraph (1), "statutory undertaker" means any of the following –

a person authorised by any enactment to carry on any railway, light railway, tramway, road transport, water transport, canal, inland navigation, dock, harbour pier or lighthouse undertaking, or any undertaking for the supply of hydraulic power,

a relevant airport operator (within the meaning of Part V of the Airports Act 1986)[c],

the holder of a licence under section 6 of the Electricity Act 1989,

a public gas transporter,

the holder of a licence under section 7 of the Telecommunications Act 1984[d] to whom the telecommunications code (within the meaning of that Act) is applied,

a water or sewerage undertaker,

the Civil Aviation Authority or a body acting on behalf of that Authority,

the Post Office.

Applications for consent under the Order

6. An application for consent for the cutting down, topping, lopping or uprooting of any tree in respect of which his Order is for the time being in force shall be made in writing to the authority and shall–

(a) identify the tree or trees to which it relates (if necessary, by reference to a plan);
(b) specify the work for which consent is sought; and
(c) contain a statement of the applicant's reasons for making the application.

Application of provisions of the Town and Country Planning Act 1990

7. (1) The provisions of the Town and Country Planning Act 1990 relating to registers, applications, permissions and appeals mentioned in column (1) of Part I of Schedule 2 to this Order shall have effect, in relation to consents under this Order and applications for such consent, subject to the adaptations and modifications mentioned in column (2)

(a) 1991 c.59, *see* section 72.
(b) 1989 c.29.
(c) 1986 c.31.
(d) 1984 c.12.

(2) The provisions referred to in paragraph (1), as so adapted and modified, are set out in Part II of that Schedule.

Directions as to replanting

8. (1) Where consent is granted under this Order for the felling in the course of forestry operations of any part of a woodland area, the authority may give to the owner of the land on which that part is situated ("the relevant land") a direction in writing specifying the manner in which and the time within which he shall replant the relevant land.

(2) Where a direction is given under paragraph (1) and trees on the relevant land are felled (pursuant to the consent), the owner of that land shall replant it in accordance with the direction.

(3) A direction under paragraph (1) may include requirements as to–

(a) species;

(b) number of trees per hectare;

(c) the preparation of the relevant land prior to the replanting; and

(d) the erection of fencing necessary for the protection of the newly planted trees.

Compensation

9. (1) If, on a claim under this article, a person establishes that loss or damage has been caused or incurred in consequence of–

(a) the refusal of any consent required under this Order; or

(b) the grant of any such consent subject to conditions,

he shall, subject to paragraphs (3) and (4), be entitled to compensation from the authority.

(2) No claim, other than a claim made under paragraph (3), may be made under this article–

(a) if more than 12 months have elapsed since the date of the authority's decision or, where such a decision is the subject of an appeal to the Secretary of State, the date of the final determination of the appeal; or

(b) if the amount in respect of which the claim would otherwise have been made is less than £500.

(3) Where the authority refuse consent under this Order for the felling in the course of forestry operations of any part of a woodland area, they shall not be required to pay compensation to any person other than the owner of the land and such compensation shall be limited to an amount equal to any depreciation in the value of the trees which is attributable to deterioration in the quality of the timber in consequence of the refusal.

(4) In any other case, no compensation shall be payable to a person –

(a) for loss of development value or other diminution in the value of the land;

(b) for loss or damage which, having regard to the statement of reasons submitted in accordance with article 6(c) and any documents or other evidence submitted in support of any such statement, was not reasonably foreseeable when consent was refused or was granted subject to conditions;

(c) for loss or damage reasonably foreseeable by that person and attributable to his failure to take reasonable steps to avert the loss or damage or to mitigate its extent; or

(d) for costs incurred in appealing to the Secretary of State against the refusal of any consent required under this Order or the grant of any such consent subject to conditions.

(5) Subsections (3) to (5) of section 11 (terms of compensation on refusal of licence) of the Forestry Act 1967 shall apply to the assessment of compensation under paragraph (3) as it applies to the assessment of compensation where a felling licence is refused under section 10 (application for felling licence and decision of Commissioners thereon) of that Act as if for any reference to a felling licence there were substituted a reference to a consent required under this Order and for the reference to the Commissioners there were substituted a reference to the authority.

(6) In this article–

"development value" means an increase in value atrributable to the prospect of development; and, in relation to any land, the development of it shall include the clearing of it; and

"owner" has the meaning given to it by section 34 of the Forestry Act 1967.

[Application to trees to be planted pursuant to a condition

10. In relation to the tree[s] identified in the first column of Schedule 1 by the letter "C", being [a tree] [trees] to be planted pursuant to a condition (being a condition imposed under paragraph (a) of section 197 (planning permission to include approriate provision for preservation and planting of trees)), this Order takes effect as from the time when [that tree is planted] [those trees are planted].]

[Orders made by virtue of section 300

11. ~~This Order takes effect in accordance with subsection (3) of section 300 (tree preservation orders in anticipation of disposal of Crown land).~~]

Dated this 13 day of February 2002 *(month and year)*

(if the Council's Standing Orders require the sealing of such documents:)

[The Common Seal of the *(name of Council)* WREXHAM COUNTY BOROUGH COUNCIL was hereunto affixed in the presence of—

Chief Legal and Administration Officer

(if the Council's Standing Orders do not require the sealing of such documents:)

[Signed on behalf of the *(name of Council)*

.....

Authorised by the Council to sign in that behalf]

[CONFIRMATION OF ORDER

[This Order was confirmed by the *(name of Council)* Wrexham County Borough Council
without modification on the 17 day of May 2002 *(month and year)*] OR

[This Order was confirmed by the *(name of Council)*
subject to the modifications indicated by *(state how indicated)*

on the day of

.....

Authorised by the Council to sign in that behalf]

Director Corporate Services

[DECISION NOT TO CONFIRM ORDER

A decision not to confirm this Order was taken by the *(name of Council)*
on the day of

.....

Authorised by the Council to sign in that behalf]

[VARIATION OF ORDER

This Order was varied by the *(name of Council)*
on the day of *(month and year)* under the reference number

.....

Authorised by the Council to sign in that behalf]

[REVOCATION OF ORDER

This Order was revoked by the *(name of Council)*
on the day of *(month and year)* under the reference number

.....

Authorised by the Council to sign in that behalf]