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Arboricultural Implications Report

Proposed development at

Kilnwood Apartments

Rocky Lane

Haywards Heath



May 2025

Ref. SJA air 24168-01a

SUMMARY

S1. On the basis of our assessment, we conclude that the arboricultural impact of this scheme is of negligible magnitude, as defined according to the categories set out in **Table 1** of this report.

S2. Our assessment of the impacts of the proposals on the existing trees concludes that no mature, ancient, veteran or notable trees, no category 'A' or 'B' trees, and no trees of high landscape or biodiversity value are to be removed. The proposed removal of trees will represent no alteration to the main arboricultural features of the site, a negligible alteration to the overall arboricultural character of the site and will not have an adverse impact on the arboricultural character and appearance of the local landscape.

S3. None of the trees to be retained require pruning to facilitate the proposals.

S4. There will be no incursions into the Root Protection Areas (RPAs) of any of the trees to be retained.

S5. The proposed apartments will not be shaded by retained trees to the extent that this will interfere with their reasonable use or enjoyment by incoming occupiers, which might otherwise lead to pressure on the Local Planning Authority to permit felling or severe pruning that it could not reasonably resist.

S6. As the proposed development will not result in the removal of trees which contribute to the visual amenity or character of the area, takes account of future growth and provides opportunity for new planting, it complies with Policy DP37 of the Mid Sussex District Council District Plan.

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1. INTRODUCTION AND BACKGROUND INFORMATION

1.1. Instructions

1.1.1. SJAtrees has been instructed by Cross Homes to visit Kilnwood Apartments, Rocky Lane, Haywards Heath and to survey the trees growing on or immediately adjacent to this site.

1.1.2. We are further asked to identify which trees are worthy of retention within a proposed development of the site; to assess the implications of the development proposals on these specimens, and to advise how they should be protected from unacceptable damage during construction.

1.2. Scope of report

1.2.1. This report and its appendices reflect the scope of our instructions, as set out above. It is intended to accompany a planning application to be submitted to Mid Sussex District Council (“the LPA”) and complies with local validation requirements.

1.2.2. It complies also with the recommendations of British Standard BS 5837:2012, *Trees in relation to design, demolition and construction – Recommendations* (‘BS 5837’). However, the British Standard is not a Code of Practice that consists of written rules outlining how actions or decision must be taken and it “should not be quoted as if it were a specification¹”; it is a set of recommendations intended to “assist decision-making with regard to existing and proposed trees in the context of design, demolition and construction²”. As such, it is a material consideration to which weight is likely to be given.

1.2.3. The proposed development comprises six apartments with a new three-storey block situated at the western side of the existing development site.

¹ British Standard BS 5837:2012. *Trees in relation to design, demolition and construction – Recommendations*; Foreword. The British Standards Institution.

² Ibid., p.1, Introduction.

1.2.4. This report summarises and sets out the main conclusions of the baseline data collected during the tree survey and identifies those trees whose removal could result in a significant adverse impact on the character or appearance of the local area (Section 3). It then details and assesses the impacts of the proposed development on individual trees and groups of trees, including those to be removed (Section 4), those to be pruned (Section 5), those which might incur root damage that might threaten their viability (Section 6) and those that might become under pressure for removal after occupation because of shading or apprehension (Section 7). A summary and conclusions, with regard to local planning policy, are presented in Section 8.

1.3. Site inspection

1.3.1. A site visit and tree inspection were undertaken by Will Hovell of SJA trees on Tuesday the 9th April 2024. Weather conditions at the time were overcast with intermittent rain. Deciduous trees were in partial leaf. A re-survey of the site was conducted on the 6th May 2025 by Will Hovell. Weather conditions were clear, dry and bright and deciduous trees were in full leaf.

1.4. Site description

1.4.1. The Kilnwood Apartments site is 0.95ha in size and is located on the north side of Rocky Lane (A272), as shown at **Figure 1** below. The north and south boundaries both abut Rocky Lane, with the larger A272 to the south and a smaller access road to the north. The west boundary adjoins an adjacent railway line and the east boundary abuts the Sandrocks roundabout. The application within this area is situated at the western extent of the site adjacent to the boundary to railway land.



Figure 1: Site location shown on satellite imagery

1.4.2. The application area is on even ground and currently comprises an existing hard surface parking area and a cycle shelter.

1.5. Soil type

1.5.1. The British Geological Survey Solid and Drift Geology map of the area indicates the site overlies a bedrock of Cuckfield Stone Bed - sandstone.

1.5.2. The class of soil in this area is recorded on the Soilscape (England) maps on the Department for Environment, Food & Rural Affairs ('Defra') Magic website as a slightly acid loamy and clayey soil with impeded drainage.

1.5.3. We are not aware of a site investigation or soil analysis having been undertaken; but the class of soil and the indications of the British Geological Survey map suggest that trees may be shallow-rooted and that the soil is likely to be susceptible to compaction.

1.6. Statutory controls

1.6.1. One group of trees adjacent to the site is covered by a tree preservation order (TPO). This is TPO no. TP/15/0009 of 2015 made by Mid Sussex District Council. The map in the TPO is reproduced at **Figure 2** below and the trees protected by it are identified within the tree survey schedule at **Appendix 3**.



Figure 2: Extract from the TPO map, showing area of trees covered by the Order

1.6.2. The site is not within a conservation area, and therefore there are no constraints relating to existing trees in this regard.

1.7. Non-statutory designations

1.7.1. There are no woodlands within or abutting the site that are classified as 'Ancient'. Ancient woodland is defined as "any area that's been wooded continuously since at least 1600 AD" and is considered an important and irreplaceable habitat.

1.7.2. There are no trees within or abutting the site that can be classified as 'Ancient' or 'Veteran'. Ancient and veteran trees are also considered to be irreplaceable habitats, and contribute to a site's biodiversity, cultural and heritage value, and the National Planning Policy Framework (see below) states that development resulting in the loss or deterioration of ancient or veteran trees should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists.

2. PLANNING CONTEXT

2.1. Planning history

2.1.1. A review of the planning history of this site on the planning section of the LPA website reveals three previous applications for development of this part of the site, as listed below:

- App DM/19/4731. Application for five three storey dwellings. Refused.
- App DM/20/3456. Application for nine apartments within a three-storey building. Refused.
- App DM/21/3763. Application for nine apartments within a three-storey building. Refused.

2.1.2. None of the reasons for refusal for these applications refers to existing trees on or adjacent to the site. Primarily, each scheme was refused due to the proposals' impact on the character of the area via the obfuscation of views of the South Downs and the lack of space for additional planting to mitigate this.

2.2. Planning policy - national

2.2.1. Under Section 197 of the Town and Country Planning Act 1990, local authorities have a statutory duty to consider the protection and planting of trees when considering planning applications. The effects of proposed development on trees are therefore a material consideration, and this is normally reflected in local planning policies.

2.2.2. The National Planning Policy Framework ('NPPF')³ sets out the Government's planning policies for England and how these should be applied in both plan and decision-making. Paragraph 2 makes it clear that the NPPF is itself a material consideration in the determination of planning application. Paragraph 11 states that **"Plans and decisions should apply a presumption in favour of sustainable development."**

³ The National Planning Policy Framework (NPPF) (December 2024). Department for Levelling Up, Housing & Communities

2.2.3. In paragraph 135, within Section 12 “Achieving well-designed places” the NPPF states: “**Planning policies and decisions should ensure that developments:**

a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.”

2.2.4. Paragraph 136 in this section states: “**Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible. Applicants and local planning authorities should work with highways officers and tree officers to ensure that the right trees are planted in the right places, and solutions are found that are compatible with highways standards and the needs of different users.”**

2.2.5. The section titled **“Meeting the challenge of climate change, flooding and coastal change”** states at paragraph 162: **“Plans should take a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for flood risk, coastal change, water supply, biodiversity and landscapes, and the risk of overheating and drought from rising temperatures . Policies should support appropriate measures to ensure the future health and resilience of communities and infrastructure to climate change impacts, such as providing space for physical protection measures, or making provision for the possible future relocation of vulnerable development and infrastructure.”**

2.2.6. In paragraph 187, within Section 15 **“Conserving and enhancing the natural environment”** the NPPF states: **“Planning policies and decisions should contribute to and enhance the natural and local environment by:**

a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);

b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;

[...] d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs;

e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; [...]

2.2.7. In paragraph 193, under the ‘Habitats and biodiversity’ section, the NPPF states: **“When determining planning applications, local planning authorities should apply the following principles:**

c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists....”

2.3. Local planning policy

2.3.1. Local planning policies are contained in the Mid Sussex District Plan 2014-2031.

2.3.2. Policy DP37 of the District Plan states:

“The District Council will support the protection and enhancement of trees, woodland and hedgerows, and encourage new planting. In particular, ancient woodland and aged or veteran trees will be protected.

Development that will damage or lead to the loss of trees, woodland or hedgerows that contribute, either individually or as part of a group, to the visual amenity value or character of an area, and/ or that have landscape, historic or wildlife importance, will not normally be permitted.

Proposals for new trees, woodland and hedgerows should be of suitable species, usually native, and where required for visual, noise or light screening purposes, trees, woodland and hedgerows should be of a size and species that will achieve this purpose.

Trees, woodland and hedgerows will be protected and enhanced by ensuring development:

- incorporates existing important trees, woodland and hedgerows into the design of new development and its landscape scheme; and**
- prevents damage to root systems and takes account of expected future growth; and**
- where possible, incorporates retained trees, woodland and hedgerows within public open space rather than private space to safeguard their long-term management; and**
- has appropriate protection measures throughout the development process; and**
- takes opportunities to plant new trees, woodland and hedgerows within the new development to enhance on-site green infrastructure and increase resilience to the effects of climate change; and**
- does not sever ecological corridors created by these assets.**

Proposals for works to trees will be considered taking into account:

- the condition and health of the trees; and
- the contribution of the trees to the character and visual amenity of the local area; and
- the amenity and nature conservation value of the trees; and
- the extent and impact of the works; and
- any replanting proposals.

The felling of protected trees will only be permitted if there is no appropriate alternative. Where a protected tree or group of trees is felled, a replacement tree or group of trees, on a minimum of a 1:1 basis and of an appropriate size and type, will normally be required. The replanting should take place as close to the felled tree or trees as possible having regard to the proximity of adjacent properties.

Development should be positioned as far as possible from ancient woodland with a minimum buffer of 15 metres maintained between ancient woodland and the development boundary.”

2.4. Neighbourhood planning policy

2.4.1. The Haywards Heath Neighbourhood Plan 2014-2031 states at Policy E9:

“Developers must demonstrate how their proposal will protect and reinforce the local character within the locality of the site. This will include having regard to the following design elements:

- height, scale, spacing, layout, orientation, design and materials of buildings,
- the scale, design and materials of the development (highways, footways, open space and landscape), and is sympathetic to the setting of any heritage asset,
- respects the natural contours of a site and protects and sensitively incorporates natural features such as trees, hedges and ponds within the site,
- creates safe, accessible and well-connected environments that meet the needs of users,
- Will not result in unacceptable levels of light, noise, air or water pollution,
- Makes best use of the site to accommodate development,
- Car parking is designed and located so that it fits in with the character of the proposed development.”

3. THE TREES

3.1. Survey findings

3.1.1. We surveyed 16 individual trees, two groups of trees and one hedge growing within or immediately adjacent to the site. Their details can be found in the tree survey schedule at **Appendix 2**.

3.1.2. The arboricultural character of the site is largely attributed to the belt of trees along the northern boundary of the recently completed development, which largely consists of semi-mature native specimens. To the north of the proposed apartment block is a small, cluster of trees, visually distinct from the adjacent tree belt which is dominated by a single Norway maple specimen. Along the western boundary of the site is a dense group of 'scrubby' habit that is largely situated on the adjacent Network Rail land with a few small self-seeded trees encroaching into the site. To the south-east of the application area is a collection of young trees recently planted as part of the wider Kilnwood Apartments development.

3.2. Assessment of suitability for retention

3.2.1. As noted above in Section 2.3, local planning policies require the retention of trees that contribute **"to the visual amenity value or character of an area."** The trees within or adjacent to the site, whose attributes we consider meet these criteria, are as follows:

- the belt of trees (no. G1) growing outside the northern boundary of the site.

3.2.2. There is one category 'B' tree and one category 'B' group with the remaining trees, groups and the single hedge being assessed as category 'C', being either of low quality, very limited merit, only low landscape benefits, no material cultural or conservation value, or only limited or short-term potential; or young trees with trunk diameters below 150mm; or a combination of these.

3.3. Assessment of arboricultural impacts

3.3.1. The arboricultural impacts of the proposed site layout drawing no. DA2401-P-03 have been assessed by overlaying this onto the TCP and are discussed in the following sections of this report and are shown on the tree protection plan (TPP) presented at **Appendix 4**.

3.3.2. The TPP identifies the one group of trees to be partially removed to accommodate the proposed development, either because trees within it are situated within the footprints of proposed structures or surfaces, or because in our judgment they are it is too close to these structures or surfaces to enable them to be retained. These are shown by means of **red dashed lines** on the TPP.

3.3.3. The TPP also shows how trees to be retained will be protected from damage during construction, and the measures identified are set out and described in the outline arboricultural method statement at **Appendix 2** of this report. The implementation of, and adherence to, these measures can readily be secured by the imposition of appropriate planning conditions.

3.3.4. Details of the impacts identified within these categories, and our assessment of their respective significance, are analysed in Sections 4 to 7 below.

3.3.5. Based on these findings, we have assessed the magnitude of the overall arboricultural impact of the proposals according to the categories defined in **Table 1** below.

Impact	Description
High	Total loss of or major alteration to main elements/ features/ characteristics of the baseline, post-development situation fundamentally different
Medium	Partial loss of or alteration to main elements/ features/ characteristics of the baseline, post-development situation will be partially changed
Low	Minor loss of or alteration to main elements/ features/ characteristics of the baseline, post-development changes will be discernible but the underlying situation will remain similar to the baseline
Negligible	Very minor loss of or alteration to main elements/ features/ characteristics of the baseline, post-development changes will be barely discernible, approximating to the 'no change' situation

Table 1: Magnitude of impacts⁴

⁴ Determination of magnitude based on DETR (2000) Guidance on the Methodology for Multi-Modal Studies, as modified and extended.

4. TREES TO BE REMOVED

4.1. Details

4.1.1. To accommodate the proposed development, as shown on the proposed layout plan, one group of trees (G2) is to be partially removed because it is too close to the proposal to enable the section to be retained.

4.1.2. Group G2 is partially off-site and consists of a mixture of sycamore, Norway maple, hawthorn and elder, has a maximum height of 5m and a maximum trunk diameter of 150mm. The group has been assessed as category 'C'.

4.2. Assessment

4.2.1. All of the trees that constitute the main arboricultural features of the site and which make the greatest contribution to the character and appearance of the local landscape, to amenity or to biodiversity, will be retained.

4.2.2. The section of group G2 to be removed consists of small self-seeded specimens, many of which have been reduced to round level in the past and subsequently regenerated. The removal of the proposed section will not have a significant impact on boundary screening as the majority of the group will be retained and will have a scarcely appreciable impact on the character of the site in views from Rocky Lane.

4.2.3. The proposals incorporate considerable scope for replacement tree planting. This will enhance the local landscape and re-establish a framework for the ongoing and long-term character of the site.

4.2.4. In the light of these considerations, and taking account of the numbers, sizes and locations of the trees to be retained, including those that are off-site, the felling of the trees identified for removal will represent no alteration to the main arboricultural features of the site.

5. TREES TO BE PRUNED

5.1. Details

5.1.1. No pruning of trees to be retained is required to facilitate implementation of the proposals.

5.2. Assessment

5.2.1. As no trees are to be pruned, and none of the proposed dwellings will be within 3.5m of the extents of the canopies of trees to be retained, there will be adequate working space for construction close to trees, and a reasonable margin of clearance for future growth.

5.2.2. These trees will continue to grow; but an analysis of the composition of the adjacent collection of trees and the ultimate genetic crown spreads of these specimens shows that only two of them (nos. 8 and 9) are likely to ever need pruning to keep them clear of the proposed apartment block. The average annual growth rate of these two trees is 600mm, so no pruning is likely to be necessary for another five years; and thereafter, this will need only a light reduction of the closest branches by say, between 1m and 2m, meaning that this exercise will not need to be repeated on a timeframe of less than five or six years, which is unlikely to be considered unreasonable.

6. ROOT PROTECTION AREA INCURSIONS

6.1. Details

6.1.1. To ascertain whether the proposals will cause any significant harm to the roots or the rooting environments of the trees to be retained, we have calculated the root protection areas ('RPAs') of these specimens, in accordance with the criteria set out in section 6 of the British Standard BS5837: 2012. The RPA is defined in this document 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".⁵

6.1.2. Consequently, a tree within the RPA of which no disturbance will occur can be regarded as one that will not suffer any significant or long-lasting harm because of the proposals and will therefore remain 'viable'.

6.1.3. No parts of any proposed buildings or associated hard surfacing are within the RPAs of any of the trees to be retained.

6.2. Assessment

6.2.1. As no parts of the proposed apartment block or associated works are within the RPAs of any of the trees to be retained, subject to the implementation of protective measures specified on the TPP, their construction will not cause unacceptable damage to roots or rooting environments as a result of root severance or damage, or compaction or pollution of the soil.

⁵ British Standard BS 5837:2012. Trees in relation to design, demolition and construction – Recommendations; para. 3.7.

7. RELATIONSHIP OF RETAINED TREES TO NEW DWELLINGS

7.1. Shading

7.1.1. As no windows of the main habitable rooms of the proposed apartments lie within the shadow patterns of any retained trees, they will not be shaded by retained trees to the extent that this will interfere with their reasonable use or enjoyment by incoming occupiers; which might otherwise lead to pressure to permit felling or severe pruning that the LPA could not reasonably resist.

7.2. Apprehension

7.2.1. Apprehension in relation to trees occurs normally with residents or occupiers who live beneath or close to the crowns of large trees, and become fearful that branches, stems or even a whole tree could fail and harm them or their property. Consequently, this is most likely to occur if trees are large, particularly in relation to the size or height of the apartment in which the resident lives, if properties are located close to or even beneath their crowns, and if there has been a history of recent failures nearby. Other factors might include the wind exposure of the tree concerned, the orientation of the property in relation to the tree and the prevailing winds, and the noise made by the tree as the wind passes through the crown (there can be significant differences in the type and volume of noise made by wind as it passes through trees).

7.2.2. Trees no. 5-9 are to the north of the proposed apartments; that is, on the leeward side of the prevailing south-westerlies. Consequently, in windy conditions falling leaves and twigs will blow away from the dwellings, making it reasonably foreseeable that if a tree was to fall, it would also fall away from them.

7.2.3. Moreover, once the block is built, these trees will no longer be wind exposed as these structures will partially break the wind. In strong wind conditions, this will reduce significantly the movement of stems and branches, the sound of the wind passing through the crowns, and the incidences of twig, branch or stem failures.

7.2.4. The proximity of these trees to the proposed apartments on will, as is already necessary because of their proximity to the existing building to the east, require regular monitoring and maintenance of the trees, so that any defects or decay are noted and acted on to prevent failures; but this is no different to the monitoring and maintenance required of most urban trees. Subject to this occurring, there is no evidence to suggest that requests to fell any of these trees because of apprehension will be likely, or that they will be inevitable; or that, if such circumstances did occur, the LPA would not be able to resist any such requests.

7.2.5. And in any case, the LPA could make a TPO in relation to these trees also, given that the belt of trees immediately to the north-east are already protected in this way..

7.2.6. Consequently, apprehension is most unlikely to be of a degree that might force the LPA to accede to requests to fell any of these trees as a result.

8. CONCLUSIONS

8.1. Summary

8.1.1. Our assessment of the impacts of the proposals on the existing trees concludes that no mature, ancient, veteran or notable trees, no category 'A' or 'B' trees, and no trees of high landscape or biodiversity value are to be removed. The proposed removal of trees will represent no alteration to the main arboricultural features of the site, a negligible alteration to the overall arboricultural character of the site and will not have an adverse impact on the arboricultural character and appearance of the local landscape.

8.1.2. None of the trees to be retained require pruning to facilitate the proposals.

8.1.3. There will be no incursions into the Root Protection Areas (RPAs) of any of the trees to be retained.

8.1.4. The proposed apartments will not be shaded by retained trees to the extent that this will interfere with their reasonable use or enjoyment by incoming occupiers, which might otherwise lead to pressure on the Local Planning Authority to permit felling or severe pruning that it could not reasonably resist.

8.2. Compliance with national planning policy

8.2.1. As the proposals will retain the main arboricultural feature of the site, its arboricultural attractiveness, history and landscape character and setting will be maintained, thereby complying with Paragraph 135 of the National Planning Policy Framework.

8.2.2. Whilst some trees are to be removed, there is no duty in planning policy to retain all existing trees in all circumstances. Paragraph 136 of the NPPF states (*italics added for emphasis*): “**Planning policies and decisions should ensure... that existing trees are retained *wherever possible***”; and thereby recognises circumstances in which it might not be possible to retain every tree. Accordingly, the proposed removal of trees does not mean that this application must thereby be refused; and does not mean it conflicts with this paragraph of the NPPF.

8.2.3. The proposals do not necessitate the removal of any mature trees of large ultimate size, which make the greatest contribution to carbon sequestration and storage, surface water run-off, biodiversity and landscape and air temperature and cleanliness; for all of which, appropriate space for their retention is provided. Accordingly, insofar as this relates to existing trees, the scheme can be seen to have taken a proactive approach to mitigating climate change and thereby complies with Paragraph 162 of the National Planning Policy Framework.

8.2.4. As the proposals will not result in the loss or deterioration of any ancient woodland or any ancient or veteran trees, they comply with paragraph 193 (c) of the NPPF.

8.3. Compliance with local planning policy

8.3.1. As the proposed development will not result in the removal of trees which contribute to the visual amenity or character of the area, takes account of future growth and provides opportunity for new planting, it complies with Policy DP37 of the Mid Sussex District Council District Plan.

8.4. Compliance with neighbourhood planning policy

8.4.1. As the proposed development will not result in the removal of trees which constitute natural features of the area, it complies with Policy E9 of the Haywards Heath Neighbourhood Plan 2014-2031.

8.5. Conclusion

8.5.1. On the basis of our assessment, we conclude that the arboricultural impact of this scheme is of negligible magnitude, as defined according to the categories set out in **Table 1** of this report.

APPENDIX 1

Methodology

A1.1. Tree survey and baseline information

A1.1.1. We surveyed individual trees with trunk diameters of 75mm and above⁶, trees with trunk diameters of 150mm and above growing in groups or woodlands, and shrub masses, hedges and hedgerows⁷ growing within or immediately adjacent to the site; and recorded their locations, species, dimensions, ages, condition, and visual importance in accordance with BS 5837 recommendations.

A1.1.2. The baseline information collected during the site survey was recorded on site using a hand-held digital device. This information was then imported into an Excel spreadsheet and used to produce the tree survey schedule at **Appendix 3**. The numbers assigned to the trees in the tree survey schedule correspond with those shown on the appended tree protection plan.

A1.1.3. We surveyed trees as groups where they have grown together to form cohesive arboricultural features, either aerodynamically (trees that provide companion shelter), visually (e.g., avenues or screens) or culturally⁸. However, where it might be necessary to differentiate between specific trees within these groups, we also surveyed these individually.

A1.1.4. We inspected the trees from the ground only, aided by binoculars as appropriate, but did not climb them. We took no samples of wood, roots or fungi. We did not undertake a full hazard or risk assessment of the trees, and therefore can give no guarantee, either expressed or implied, of their safety or stability.

A1.1.5. Whilst we categorised the trees in accordance with BS 5837 (details of the criteria used for this process can be found in the notes that accompany the tree survey schedule), we assessed the trees' suitability for retention against national, regional and local planning policies. We applied this methodology in line with the NPPF's presumption in favour of sustainable development, giving greater weighting to the contribution of a tree to the character and appearance of the local landscape, to amenity, or to biodiversity, where its removal might have a significant adverse impact on these factors.

A1.2. Tree constraints

A1.2.1. In line with the NPPF's presumption in favour of sustainable development, we assessed whether any trees should be retained in the context of the proposed development / re-development. Our assessment of which trees might have to be retained, and which can be removed, is based on:

6 BS 5837, paragraph 4.2.4 b), recommends that all trees over 75mm stem diameter should be included in a pre-planning land and tree survey.

7 Ibid., 4.4.2.7

8 Ibid., 4.4.2.3

A1.2.2. whether any trees are classed as ‘ancient’ or ‘veteran’, and thereby are designated as ‘irreplaceable habitats’;⁹

A1.2.3. which trees contribute to local character and history, including to the surrounding landscape setting; which trees contribute to biodiversity; and which trees help mitigate and adapt to climate change; and whose removal would thereby be unlikely to comply with national planning policy guidance;

A1.2.4. which trees are significant features of the local landscape, such that their removal would be contrary to local planning policies: specifically, Policy DP37 of the Mid Sussex District Council Plan, as set out above; and

A1.2.5. our assessment of the tree’s’ quality, value and remaining life expectancy, in accordance with BS5837:2012, as summarised in the notes that accompany the tree survey schedule.

A1.2.6. As trees growing outside the boundaries of the site are in the control of others, we have assumed they will be retained, irrespective of their size, age or condition.

A1.2.7. Whilst we have categorised trees in accordance with BS 5837, we have not used these categorisations as the main criterion of whether specimens might be removed or should be retained. Trees in categories ‘A’, ‘B’ and ‘C’ are all a material consideration in the development process; but the retention of category ‘C’ trees, being of low quality or of only limited or short-term potential, will not normally be considered necessary should they impose a significant constraint on development.

A1.2.8. Furthermore, BS 5837 makes it clear that young trees, even those of good form and vitality, which have the potential to develop into quality specimens when mature **“need not necessarily be a significant constraint on the site’s potential”**¹⁰.

A1.2.9. Moreover, BS 5837 states that **“.... care should be taken to avoid misplaced tree retention; attempts to retain too many or unsuitable trees on a site can result in excessive pressure on the trees during demolition or construction work, or post-completion demands for their removal”**¹¹.

A1.2.10. The ‘Root Protection Areas’ (RPAs)¹² of the trees identified for retention were calculated in accordance with Section 4.6 of BS 5837; and were assessed taking account of factors such as the likely tolerance of a tree to root disturbance or damage, the morphology and disposition of roots as influenced by existing site conditions (including the presence of existing roads or structures), as well as soil type, topography and drainage.

⁹ The National Planning Policy Framework (NPPF) (December 2024). Paragraph 193 (c).

¹⁰ BS 5837, 4.5.10.

¹¹ Ibid., 5.1.1.

¹² Ibid., paragraph 3.7. “The minimum area around a retained 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.”

A1.2.11. To assess whether the trees identified for retention would be in a sustainable relationship with the proposed development (without casting excessive shade or otherwise unreasonably interfering with incoming residents' prospects of enjoying their properties, and thereby leading inevitably to requests for consents to fell), we plotted a segment or "shading arc" from each trunk, with a radius equal to the current height of the tree concerned, from due north-west to due east. This gave an indication of potential direct obstruction of sunlight and the shadow pattern cast through the main part of the day¹³.

A1.2.12. Based on these principles and recommendations, the tree survey and assessment of suitability for retention informed the production of a tree constraints plan (TCP) which indicates the most suitable trees for retention, and their associated below-ground and above-ground constraints.

A1.2.13. As a design tool, the TCP also indicates how close to those trees selected for retention the proposed development could be positioned, in terms of three key criteria:

- a). avoidance of unacceptable root damage;
- b). avoidance of the necessity for unacceptable pruning works; and
- c). avoidance of future felling or pruning works to prevent unacceptable shading or apprehension on behalf of the occupants.

¹³ Ibid., paragraph 5.2.2 Note 1.

APPENDIX 2

Outline Arboricultural Method Statement

A2.1. Tree Protection Plan

A2.1.1. The TPP at Appendix 4 shows the general and specific provisions to be taken during construction of the proposed development, to ensure that no unacceptable damage is caused to the root systems, trunks or crowns of the trees identified for retention. These measures are indicated by coloured notations in areas where construction activities are to occur either within, or in proximity to, retained trees, as described in the relevant panels on the drawing.

A2.2. Pre-start meeting

A2.2.1. Prior to the commencement of any site clearance, ground preparation or construction works the developer will convene a pre-start site meeting. This shall be attended by the developer's contract manager or site manager, the fencing/boarding contractor, the groundwork contractor(s) and the arboricultural consultant. The LPA tree officer will be invited to attend. At that meeting contact numbers will be exchanged, and the methods of tree protection shall be fully discussed, so that all aspects of their implementation and sequencing are made clear to all parties. Any clarifications or modifications to the TPP required as a result of the meeting shall be circulated to all attendees.

A2.3. Site clearance

A2.3.1. No clearance of trees or other vegetation shall be undertaken until after the pre-start meeting and after the erection of the tree protection fencing (see below). If any vegetation clearance is required behind the line of the protection fencing this will be made clear at the pre-start meeting and arrangements will be made to do this prior to the fencing's erection, under the supervision of the arboricultural consultant, who will ensure it doesn't cause any soil compaction or damage to the roots of trees to be retained.

A2.3.2. Except where within the RPAs of trees to be retained, all trees and other vegetation to be removed may be cut down or grubbed out as appropriate; but within the RPAs of trees to be retained, trees and vegetation will be cut by hand to ground level and stumps will be either left in place or ground out with a lightweight self-powered stump grinding machine. No excavators, tractors or other vehicles will enter the RPAs.

A2.4. Ground preparation

A2.4.1. No ground preparation or excavation of any kind, including topsoil stripping or ground levelling, shall be undertaken until after the pre-start meeting and after the erection of the tree protection fencing (see below).

A2.5. Tree protection fencing

A2.5.1. Construction exclusion zones (CEZs) will be formed by erecting protective fencing around the RPAs of all on-site trees to the specification recommended in BS 5837, Section 6.2, prior to the commencement of construction. This will consist of a scaffold framework comprising a vertical and horizontal framework, well braced to resist impacts, with vertical tubes spaced at maximum intervals of 3.5m. Onto this,

welded mesh panels should be securely fixed with wire or scaffold clamps, as shown in **Figure 2** of that document. "**TREE PROTECTION ZONE - KEEP OUT**" or similar notices will be attached with cable ties to every third panel.

A2.5.2. The RPAs of the off-site trees will also be enforced by the erection of protective fencing to the same specification, prior to the commencement of construction, thereby safeguarding them from incursions by plant or machinery, storage and mixing of materials, or other construction-related activities which could have a detrimental effect on their root systems.

A2.5.3. The recommended positions of the protective fencing are shown by **bold blue lines** on the TPP. The precise positioning of the fencing around the trees will be considered in conjunction with any other protective hoarding/fencing which may be required around the site boundary.

A2.5.4. Within the CEZs safeguarded by the protective fencing, there will be no changes in ground levels, **no soil stripping**, and no plant, equipment, or materials will be stored. Oil, bitumen, diesel, and cement will not be stored or discharged within 10m of any trees. Areas for the storage or mixing of such materials will be agreed in advance and be clearly marked. No notice boards, or power or telephone cables, will be attached to any of the trees. No fires will be lit within 10m of any part of any tree.

A2.6. Ground protection

A2.6.1. To allow space for construction and protection from soil compaction where proposed structures are in close proximity to RPAs of trees to be retained, the ground between the protective fencing and the footprints of the proposed structures will be covered by appropriate ground boarding, in accordance with the guidelines of Section 6.2.3.3 of BS 5837. The locations where these measures will be required are marked by **pink hatching** on the TPP.

A2.6.2. For purely pedestrian traffic, scaffold boards (or similar) will be used. Scaffold boards will comply with British Standard BS 2482: 2009 *Specification for timber scaffold boards* and be at least 225mm in width and 38mm thickness; they will be butted up and attached to each other with wooden battens or metal tie straps, and laid either on an above-ground scaffold framework, or secured to the ground with steel pins above a compressible material (a 75mm deep layer of woodchips may be appropriate) laid on top of a geotextile membrane of an appropriate specification.

APPENDIX 3

Tree Survey Schedule



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(Operations)

Preliminary Tree Survey Schedule

Rocky Lane, Haywards Heath, West Sussex

May 2025

SJA tss 24168-01a

Tree Survey Schedule: Explanatory Notes

Rocky Lane, Haywards Heath, West Sussex

This schedule is based on a tree inspection undertaken by Will Hovell of SJA trees (the trading name of Simon Jones Associates Ltd.), on Tuesday the 9th April 2024. Weather conditions at the time were overcast with intermittent rain. Deciduous trees were in partial leaf. A second visit was conducted by Will Hovell on the 6th May 2025.

The information contained in this schedule covers only those trees that were examined, and reflects the condition of these specimens at the time of inspection. We did not have access to the trees from any adjacent properties; observations are thus confined to what was visible from within the site and from surrounding public areas.

The trees were inspected from the ground only and were not climbed, and no samples of wood, roots or fungi were taken. A full hazard or risk assessment of the trees was not undertaken, and therefore no guarantee, either expressed or implied, of their safety or stability can be given.

Trees are dynamic organisms and are subject to continual growth and change; therefore the dimensions and assessments presented in this schedule should not be relied upon in relation to any development of the site for more than twelve months from the survey date.

1. Tree no.

Given in sequential order, commencing at "1".

2. TPO no.

Number assigned to tree in the Mid Sussex District Council Tree Preservation Order no. TP/15/0009, as shown in the TPO schedule and plan.

3. Species.

'Common names' are given, taken from MITCHELL, A. (1978) A Field Guide to the Trees of Britain and Northern Europe.

4. Height.

Estimated with the aid of a hypsometer, given in metres.

5. Trunk diameter.

Trunk diameter measured at approx. 1.5m above ground level; or where the trunk forks into separate stems between ground level and 1.5m, measured at the narrowest point beneath the fork. Given in millimetres.

6. Radial crown spread.

The linear extent of branches from the base of the trunk to the main cardinal points, rounded up to the closest half metre, unless shown otherwise. For small trees with reasonably symmetrical crowns, a single averaged figure is quoted.

7. Crown break.

Height above ground and direction of growth of first significant

8. Crown clearance.

Distance from adjacent ground level to lowest part of lowest branch, in metres.

9. Age class.

Young: Seedling, sapling or recently planted tree; not yet producing flowers or seeds; strong apical dominance.

Semi-mature: Trunk often still smooth-barked; producing flowers and/or seeds; strong apical dominance, not yet achieved ultimate height.

Mature: Apical dominance lost, tree close to ultimate height.

Over-mature: Mature, but in decline, no crown retrenchment

Veteran: Mature, with a large trunk diameter for species; but showing signs of veteranisation, irrespective of actual age, with decay or hollowing, a crown showing retrenchment and a structure characteristic of the latter stages of life.

Ancient: Beyond typical age range and with a very large trunk diameter for species; with extensive decay or hollowing, a crown that has undergone retrenchment and a structure characteristic of the latter stages of life.

10. Physiology.

Health, condition and function of the tree, in comparison to a normal specimen of its species and age.

11. Structure.

Structural condition of the tree – based on both the structure of its roots, trunk and major stems and branches, and on the presence of any structural defects or decay.

Good: No significant morphological or structural defects, and an upright and reasonably symmetrical structure.

Moderate: No significant pathological defects, but a slightly impaired morphological structure; however, not to the extent that the tree is at immediate or early risk of collapse.

Indifferent: Significant morphological or pathological defects; but these are either remediable or do not put the tree at immediate or early risk of collapse.

Poor: Significant and irreparable morphological or pathological defects, such that there may be a risk of failure or collapse.

Hazardous: Significant and irreparable morphological or pathological defects, with a risk of imminent collapse.

12. Comments.

Where appropriate comments have been made relating to:

- Health and condition
- Safety, particularly close to areas of public access
- Structure and form
- Estimated life expectancy or potential
- Visibility and impact in the local landscape

13. Category.

Based on the British Standard "Trees in relation to design, demolition and construction - Recommendations", BS 5837: 2012; adjusted to give a greater weighting to trees that contribute to the character and appearance of the local landscape, to amenity, or to arboricultural biodiversity.

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

(1) Trees that have a serious, irreparable, structural defect, such that their early loss is expected due to collapse, including those that will become unviable after removal of other category 'U' trees (e.g. where, for whatever reason, the loss of companion shelter cannot be mitigated by pruning).

(2) Trees that are dead or are showing signs of significant, immediate, and irreversible overall decline.

(3) Trees infected with pathogens of significance to the health and/or safety of other trees nearby, or very low quality trees suppressing adjacent trees of better quality.

Category A: Trees of high quality with an estimated remaining life expectancy of at least 40 years.

(1) Trees that are particularly good examples of their species, especially if rare or unusual.

(2) Trees, groups or woodlands of particular visual importance as arboricultural and/or landscape features.

(3) Trees, groups or woodlands of significant conservation, historical, commemorative or other value.

Category B: Trees of moderate quality with an estimated remaining life expectancy of at least 20 years.

(1) Trees that might be included in category 'A', but are downgraded because of impaired condition (e.g. presence of significant though remediable defects including unsympathetic past management and minor storm damage) such that they are unlikely to be suitable for retention for beyond 40 years; or trees lacking the special quality necessary to merit the category 'A' designation.

(2) Trees present in numbers, usually growing as groups or woodlands, such that they form distinct landscape features, thereby attracting a higher collective rating than they might as individuals; or trees present in numbers but situated so as to make little visual contribution to the wider locality.

(3) Trees with material conservation or other cultural value.

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

(1) Unremarkable trees of very limited merit or of such impaired condition that they do not qualify in higher categories.

(2) Trees present in groups or woodlands, but without this conferring on them significantly greater collective landscape value, and/or trees offering low or only temporary landscape benefits.

(3) Trees with no material limited conservation or other cultural value.

TREE SURVEY SCHEDULE

Rocky Lane, Haywards Heath, West Sussex

No.	TPO no.	Species	Height	Trunk diameter	Radial crown spread	Crown break	Crown clearance	Age class	Physiology	Structure	Comments	Category
1		Silver birch	6m	90mm	1.75m	1.5m	1.5m	Young	Average	Moderate	Young tree with stem diameter below 150mm; recently planted and readily replaceable; stake strap occluding into trunk; of moderate quality, but currently of low value due to small size; inessential component of the landscape.	C (1)
2		Norway maple	5.5m	110mm	N 4.5m E 2m S 1m W 2m	2m	2.5m	Young	Average	Indifferent	Part of small cluster of trees adjacent to car park; young tree with stem diameter below 150mm; significant phototropic lean N; suppressed crown as overtopped by adjacent specimens; visible in narrow views from Rocky Lane to N but mostly obscured by larger specimens; of short-term potential; inessential component of the group in which it stands.	C (12)
3		Field maple	5m	260mm	N 4m E 3.25m S 3.5m W 4m	2m	S 2m	Semi-mature	Average	Indifferent	Part of small cluster of trees adjacent to car park; acute main unions with external features suggesting included bark; small, squat specimen with deadwood in upper crown suggestive of historic suppression; of low quality and limited arboricultural value; of short-term potential; inessential component of the group in which it stands.	C (12)
4		Sycamore	8m	180mm	N 4.75m E 2m S 1m W 3m	3m	3m	Semi-mature	Average	Poor	Part of small cluster of trees adjacent to car park; base extends from underneath base of adjacent Norway Maple, obscured by ivy; severe lean N correcting upwards at 1.25m; asymmetrical crown as suppressed by adjacent specimens; stem failure at 8m resulting in 100mm diameter deadwood at apex; of low quality and limited arboricultural value; visible in narrow views from Rocky Lane to N but mostly obscured by larger specimens; of short-term potential; inessential component of the group in which it stands.	C (12)
5		Norway maple	13m	270mm	N 4.5m E 2m S 2.75m W 3m	3m	4m	Semi-mature	Average	Indifferent	Part of small cluster of trees adjacent to car park; prominent buttress roots; single trunk; drawn-up and mutually suppressed; asymmetrical crown as suppressed by adjacent specimens; part of aerodynamic group with meshing crowns providing companion shelter; visible in narrow views from Rocky Lane to N and S but mostly obscured by larger specimens; of short-term potential; significant component of group in which it stands.	C (12)
6		Field maple	10m	180mm	N 4m E 1m S 1m W 2.5m	2.5m	N 2.5m	Semi-mature	Average	Indifferent	Part of small cluster of trees adjacent to car park; base occluding into base of larger adjacent specimen; single trunk; drawn-up and suppressed; asymmetrical crown as suppressed by adjacent specimens; suppressed crown as overtopped by adjacent specimens; of low quality and limited arboricultural value; visible in narrow views from Rocky Lane to N but mostly obscured by larger specimens; of short-term potential; inessential component of the group in which it stands.	C (12)

No.	TPO no.	Species	Height	Trunk diameter	Radial crown spread	Crown break	Crown clearance	Age class	Physiology	Structure	Comments	Category
7		Norway maple	14.5m	320mm ivy	N 6.25m E 4.75m S 2.5m W 1m	3m	N 3m	Semi-mature	Average	Indifferent	Part of small cluster of trees adjacent to car park; historic root severance 1m E of base, up to 100mm diameter; single trunk; drawn-up and mutually suppressed; tensile main unions; asymmetrical crown as suppressed by adjacent specimens; part of aerodynamic group with meshing crowns providing companion shelter; visible in narrow views from Rocky Lane to N and but mostly obscured by larger specimens; of short-term potential; significant component of group in which it stands.	C (12)
8		Norway maple	16m	580mm	N 2m E 8.5m SE 7m S 4.5m W 4m	6m	SE 6m	Mature	Below average	Indifferent	Part of small cluster of trees adjacent to car park; prominent buttress roots; twin-stemmed from 1.75m showing tensile union; multiple recent pruning wounds on lower trunk consistent with crown raising up to 6m; deadwood up to 100mm in E side of crown; slightly sparse crown; asymmetrical crown as suppressed by adjacent specimens; part of aerodynamic group with meshing crowns providing companion shelter; crown visible for 100m stretch of Rocky Lane to S; of short-term potential; essential component of the group in which it stands.	B (2)
9		Sycamore	15m	300mm	N 3.75m E 1.5m S 3.25m W 3m	3m	S 3m	Semi-mature	Below average	Indifferent	Part of small cluster of trees adjacent to car park; single trunk; drawn-up and mutually suppressed; narrow crown; asymmetrical crown as suppressed by adjacent specimens; part of aerodynamic group with meshing crowns providing companion shelter; minor dieback at branch tips in upper crown; crown visible for short stretch of Rocky Lane to S; of short-term potential; significant component of group in which it stands.	C (12)
10		Norway maple	5m	90mm	N 2m E 1m S 1.5m W 3m	1.75m	2m	Young	Average	Indifferent	Swept stem; young tree with stem diameter below 150mm; unremarkable tree of very limited merit.	C (1)
11		Hawthorn	3.5m	130mm	N 3m E 1m S 2m W 3m	1m	1m	Young	Average	Poor	Young tree with stem diameter below 150mm; small shrub habit specimen; stem failure in upper crown; unremarkable tree of very limited merit.	C (1)
12-16		English oak, hornbeam and field maple	2m	50mm	1m	1m	1m	Young	Average	Indifferent	Collection of 16 trees; young trees with stem diameters below 150mm; recently planted and readily replaceable; visible for 100m stretch of Rocky Lane to S; of low value due to small size.	C (1)

No.	TPO no.	Species	Height	Trunk diameter	Radial crown spread	Crown break	Crown clearance	Age class	Physiology	Structure	Comments	Category
G1	G1 TP/15 /0009	Various	Max 17m Avg 14m	Max 690mm Avg 225mm	4m	1m	1m	Semi-mature	Average	Indifferent	Group consisting of sycamore, Norway maple, English oak, beech, goat willow, ash, hawthorn and yew; dense belt of drawn up specimens with sparse understory; smaller, lower quality specimens towards W edge with larger, established specimens to E edge; lower quality individuals conferring greater value as part of a group; forms green feature along Rocky Lane to N; provides significant screening; of moderate potential; upper crowns partially visible from Rocky Lane to S.	B (2)
G2		Various	Max 5m Avg 3m	Max 150mm Avg 100mm	2m	0.5m	0.5	Young	Average	Indifferent	Group consisting of sycamore, Norway maple, hawthorn and elder; predominantly off-site with few scattered specimens situated within the site; dense, self-seeded group situated along boundary to adjacent railway line; contributes to boundary screening but otherwise of low quality and limited landscape value.	C (2)
H1		Hawthorn and field maple	1.75m	Max 75mm Avg 50mm	0.5m	0m	0m	Young	Average	Indifferent	Small hedge situated between Rocky Lane and apartment blocks providing low level screen; maintained to 1.75m in height; recently planted and readily replaceable; visible for 100m stretch of Rocky Lane to S but of limited landscape contribution; of limited arboricultural value; of short-term potential.	C (12)

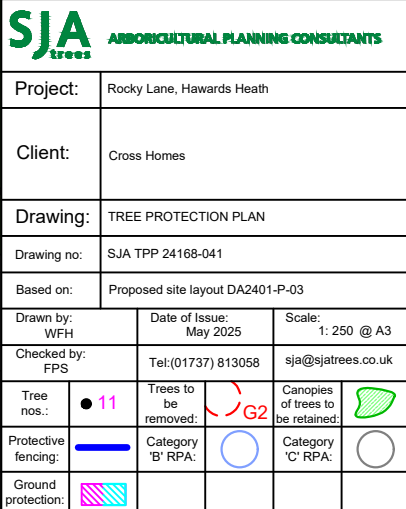
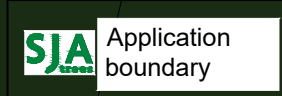
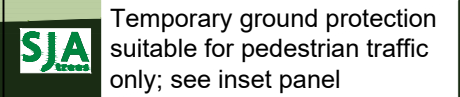
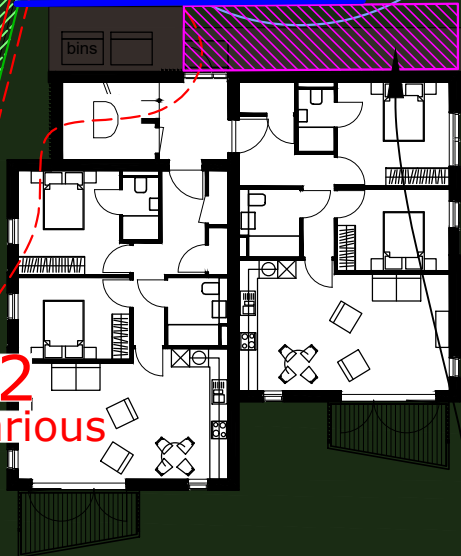
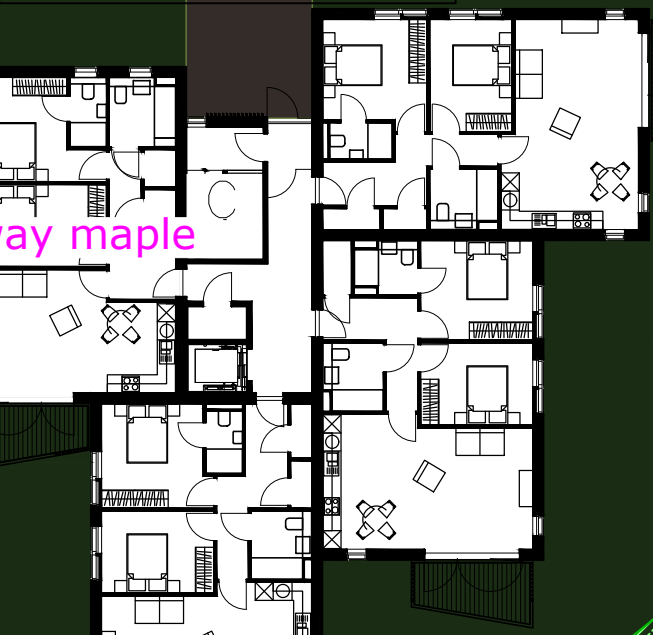
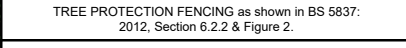
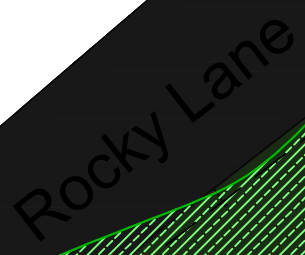
Root Protection Areas (RPAs)

Root Protection Areas have been calculated in accordance with paragraph 4.6.1 of the British Standard 'Trees in relation to design, demolition and construction – Recommendations', BS 5837:2012. This is the minimum area which should be left undisturbed around each retained tree. RPAs are portrayed initially as a circle of a fixed radius from the centre of the trunk; but where there appear to be restrictions to root growth the circle is modified to reflect more accurately the likely distribution of roots.

<i>Tree No.</i>	<i>Species</i>	<i>RPA</i>	<i>RPA Radius</i>
1	Silver birch	3.7m ²	1.1m
2	Norway maple	5.5m ²	1.3m
3	Field maple	30.6m ²	3.1m
4	Sycamore	14.7m ²	2.2m
5	Norway maple	33.0m ²	3.2m
6	Field maple	14.7m ²	2.2m
7	Norway maple	46.3m ²	3.8m
8	Norway maple	152.2m ²	7.0m
9	Sycamore	40.7m ²	3.6m
10	Norway maple	3.7m ²	1.1m
11	Hawthorn	7.6m ²	1.6m
12-16	English oak, hornbeam and field maple	2.5m ²	0.9m
G1	Various	215.4m ²	8.3m
G2	Various	10.2m ²	1.8m
H1	Hawthorn and field maple	2.5m ²	0.9m

APPENDIX 4

Tree Protection Plan



For further information refer to the SJAREes True Survey Schedule.
Do not scale from this drawing, please check all dimensions on site, and notify us of any discrepancies. SJAREes (the trading name of Simon Jones Associates Ltd.) cannot be held responsible for any errors or omissions. This is a topographical plan on which this drawing is based.
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