

Our Ref: 37716

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6<sup>th</sup> March 2023

[www.northyorks.gov.uk](http://www.northyorks.gov.uk)

Dear Robert Islip

**PERMISSION TO CONSTRUCT A VEHICULAR CROSSING – SECTION 184 OF THE HIGHWAYS ACT 1980  
FOR CROSSING AT: Vacant Land, Middlewood Lane, Fylingthorpe, Whitby, YO22 4UF.**

I refer to your application to construct a vehicular crossing to the highway at the above location.

I am pleased to inform you that the Highway Authority has granted permission for the crossing to be constructed subject to the following conditions:

Permissions

- All the works shall be carried out by an approved contractor in accordance with the requirements of the County Council.
- The works being completed by an approved contractor within 6 months of this permission being given.
- The works shall be signed and guarded in accordance with Chapter 8 of the traffic Signs manual 2009.
- The completion and return of Contractor Form Part 1 by your appointed approved contractor.
- All other necessary additional permissions have been obtained.

Details of the Access

- **The crossing being constructed in accordance with the County Council's Specification and prescribed Standard Detail E50-A enclosed and the following additional conditions:**
- Provision shall be made to prevent surface water from the site discharging onto the highway. The provisions shall thereafter be maintained to prevent any such discharge.
- Gates on the highway boundary are to open inwards.

Yours faithfully

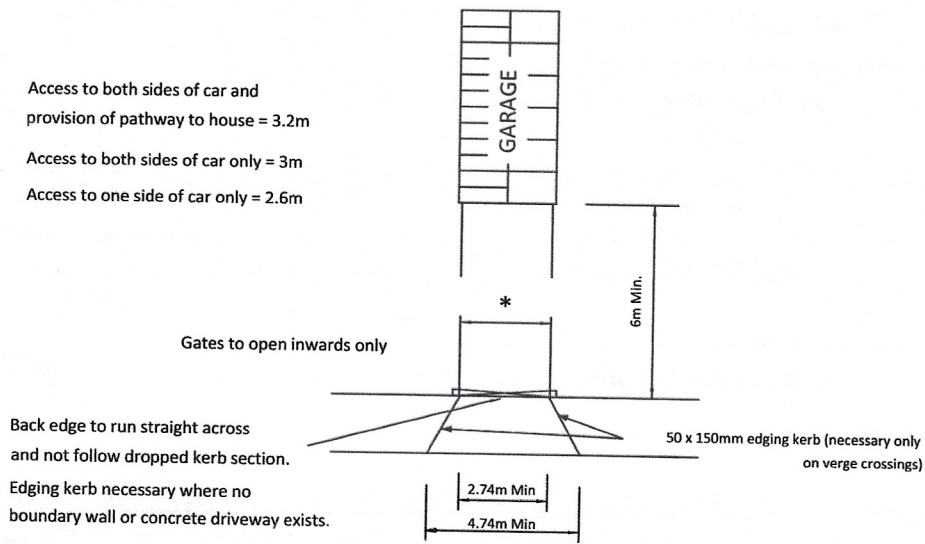
Highway Operations

Business and Environmental Services ■

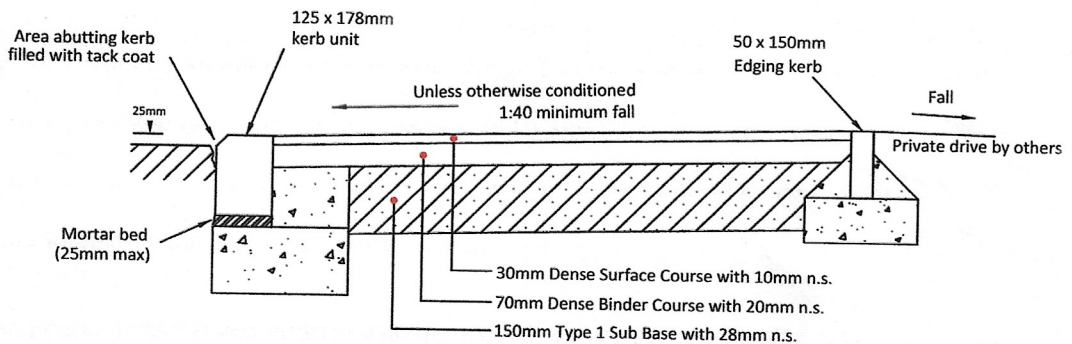
OFFICIAL

**Plan View**

- \* Access to both sides of car and provision of pathway to house = 3.2m
- Access to both sides of car only = 3m
- Access to one side of car only = 2.6m



**Section Through Macadam Crossing**



Do Not Scale



PROJECT:	STANDARD DETAILS	AREA:	-
DRAWING TITLE:	E50 -FOOTWAY CROSSING DETAIL	DATE:	28/08/18
		SCALE:	Not to Scale
			Revision A

NYMNP

31/08/2023



Location:  
**Middlewood Lane,  
Fylingthorpe**

Report Type:  
**Arboricultural Method Statement  
inc. Impact Assessment**

Ref:  
**ARB/CP/2835**

Date:  
**May 2022**



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# 1 Introduction

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1.1 This arboricultural method statement has been prepared by Charles Prowse of Elliott Consultancy Ltd at the request of the client. It will provide details regarding the retention and protection of trees during the proposed construction works at Middlewood Lane, Fylingthorpe.

1.2 **Scope of the report:**

- This method statement provides arboricultural information and advice in relation to the proposed construction works at Middlewood Lane, as detailed within Appendix 4.
- It will outline any trees to be removed prior to development and those to be retained along with any pruning required. Also provided are details of all measures recommended for adequate tree protection including any special construction measures to be utilised.
- It should be used to guide the construction process in order to minimise potential damage to retained trees.
- It will detail, within the Arboricultural Tasks Sequence Table (Appendix 1), a timescale for implementation of these tree works and protective measures in reference to the development period.

1.3 **Prior to site works commencing, especially ground preparation, this Arboricultural Method Statement needs to be given to the site manager and used as reference during the development period, with particular attention paid Sections 5-7, and Appendices 1, 2, 4-8.**

## 2 Site Information

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- 2.1 The area surveyed and the extent of which covered by this method statement is within the site located off Middlewood Lane, Fylingthorpe. Figure 1 shows the extent of the area.

Figure 1: **Area Covered (highlighted)**



Map data ©Google Imagery

- 2.2 The survey area, which measures approximately 0.1ha, is small paddock immediately to the south of an existing caravan park. The paddock is bounded by trees and hedgerows to the east, south and west.

### 3 Tree Category Evaluation

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- 3.1 The criteria used for evaluating how suitable each tree is for retention within a development is that suggested within BS5837:2012.
- 3.2 BS5837:2012 notes that all trees apart from those with stem diameters <150mm or classified as Category U should be considered for retention and viewed as a potential site constraint. When inspected, each tree and or group feature is assigned one of four categories that signify how suitable that tree/group would be for retention within any development proposals, and therefore the degree to which it should constrain the site. The four categories are as follows:
- 3.2.1 **Category A** (coloured green) trees are those of high quality and value, and of a condition whereby they could make a substantial contribution to the site. The retention of Category A trees should be considered during the design phase and afforded adequate physical protection during the construction phase in accordance with BS 5837:2012 where retained. This means keeping proposed features and alterations to ground levels outside of root protection areas and crown spreads so as to ensure that the tree remains in an adequate condition post-development. Root protection areas and crown spreads are displayed upon the Tree Constraints Plan, Appendix 3. None of the trees were classified as Category A.
- 3.2.2 **Category B** (coloured blue) trees are those of moderate quality and value, and of a condition that they make a substantial contribution to the site. The retention of Category B trees should be considered during the design phase and afforded adequate physical protection during the construction phase in accordance with BS 5837:2012 where retained. Two groups of trees were classified as Category B.
- 3.2.3 **Category C** (coloured grey) trees are considered to be of low quality and value, but of an adequate condition to remain in the short-term. Trees with a stem diameter of less than 150mm (measured at 1.5m above ground level) are classified as Category C; these trees should also be retained where possible but where they form a significant constraint to development their removal should be permitted. Where they are to be retained they should be afforded adequate consideration during the design phase and physical protection during the construction phase in accordance with BS 5837:2012.

One individually surveyed tree, one group of trees and one hedgerow were classified as Category C.

3.2.4 **Category U** (coloured red) trees are of such a condition that any existing value would be lost within 10 years. As a result it is recommended that Category U trees are not considered a constraint for development and are removed prior to construction commencing. None of the trees were classified as Category U.

3.2.5 In addition to the four main categories explained above, each tree/group is assigned a sub-category which signifies its overriding value as determined by the surveyor, which is noted by adding a suffix of 1, 2 or 3 alongside the category letter. 1 signifies that the trees/groups main value is arboricultural e.g. it may be a particularly good example or may be rare. 2 signifies that the overriding factor was due to the landscape value that the tree/group provides e.g. it may be part of a group feature such as a screen. 3 indicates that a cultural factor was the overriding value e.g. it may have historical or commemorative importance.

Summary of Categories Awarded			
Category	Tree Numbers	Group Numbers	Hedgerow Numbers
A			
B		1, 3	
C	1	2	1
U			



## 4 Design Proposals Arboricultural Impact

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- 4.1 This section concentrates on the proposed development and how it relates to the current tree population within the site. Any conflict issues between the proposed layout and existing trees are discussed and remedial options, where possible, suggested.
- 4.2 As displayed within Figure 2 it is proposed that a small development of two holiday let cabins with supporting infrastructure will be constructed within the site. It should be possible to construct the proposed layout with removing any trees but some pruning will be required.



Figure 2: Proposed Layout

### 4.3 Conflict 1: Contractor access within Root Protection Areas

Access by building contractors will be required within the root protection areas of Tree 1 and Groups 1 and 3.

**Mitigation / Justification:** Operations that require assistance from heavy plant will not be permissible within the root protection areas but pedestrian access can be accounted for by installing ground protection that avoids damage to the roots and soil

structure. A specification for ground protection is provided within Appendix 6 and should be installed within the areas indicated upon Appendix 4.

**4.4 Potential Conflict 2: Location of utilities runs with Root Protection Areas.**

Damage can be caused to root tissue during the installation of utilities runs.

**Mitigation / Countermeasure:** No new utility runs must be located within any of the retained trees root protection areas. Any works to existing utilities will be undertaken with regard for the retained tree cover and will be in accordance with NJUG (National Joint Utility Groups) guidelines.

**4.5 Potential Conflict 3: Damage to trees within site during construction.**

Trees may be damaged due to a variety of reasons during a development process.

**Mitigation / Countermeasure:** A physical demarcation will be created between the retained trees and development areas to ensure that the trees and the medium within which they are rooting are protected from damage. The actual method of creating the demarcation might vary, where appropriate, but will typically be a physical barrier. The location for the barrier is detailed upon Appendix 4 with a specification within Appendix 5.

**4.6 Potential Conflict 4: Pruning trees to create clearance to structures.**

Tree 1 and those within the groups surrounding the site will require pruning operations in order to clear the proposed Units and provide sufficient construction access.

**Mitigation / Countermeasure:** The pruning requirements are specified within Appendix 2 and should be undertaken in accordance with BS 3998:2010 Tree work. Recommendations.

**4.7 Potential Conflict 5: Damage to structures from trees.**

Trees are capable causing damage to structures either directly, such as physical contact damage or indirectly given the right conditions, such as subsidence.

**Mitigation / Countermeasure:** Chapter 4.2 'Building near Trees' of the NHBC Standards should be consulted by those responsible regarding building foundation depths required.

## 5 Pre-Development and Site Preparation Works

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- 5.1 Refer to Appendix 1 for stage specific tasks.
- 5.2 Prior to any site works commencing, the following arboricultural specific actions need to be implemented:
  - a) An arboricultural contractor should be sought, and the tree works recommended within Appendix 2 undertaken.
  - b) A supplier needs to be sought to provide the tree protection features as agreed with the Local Planning Authority.
- 5.3 Once the aforementioned tasks have been completed and prior to any site work the tree protection barriers need to be erected as per the Tree Protection Plan (Appendix 4). The barrier must encompass the root protection areas and crown extents of the retained trees to ensure that these areas remain free from disturbance.
  - 5.3.1 The barriers need to be installed according to the locations found on the Tree Protection Plan, Appendix 4 and conform to the specification within Appendix 5 – Type B, if approved by the Local Planning Authority. All weather notices should be attached to the fencing marked with the following: '*Construction Exclusion Zone - Keep Out*' (a notice is provided within Appendix 8).
  - 5.3.2 The project arboriculturalist or Local Authority Tree Officer should check the correct installation of the protective features prior to any site works commencing.
- 5.4 Material storage must be confined to areas outside root protection areas.
- 5.5 A copy of the Tree Protection Plan must be available on site.
- 5.6 Activities that could be harmful to root tissue (e.g. excavation, mixing of and washing out toxic substances such as cement) should be avoided in close proximity to trees.

## 6 Tree protection measures during development

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- 6.1 Refer to Appendix 1 for stage specific tasks.
- 6.2 All ground levels where trees are located should be maintained. Changes to soil levels adjacent to trees can severely affect the trees structural integrity and its ability to gain moisture and nutrients from the surrounding soil. Unavoidable level changes that may affect retained trees, and not already accounted for within this method statement, should be assessed by the project arboriculturalist.
- 6.3 Building material storage and operations that can contaminate soil, such as cement mixing, must be confined to areas outside the root protection areas, which includes the new parking area once created.
- 6.4 Fires should not be lit within 5m of the foliage or drip line of the tree. Care should be taken and the fire should not be allowed to become large, and the wind direction noted.
- 6.5 The trees should not be used to attach notices, cables or other services.
- 6.6 The installation of any underground services near or adjacent to trees on the site shall conform to the requirements of National Joint Utilities Group (NJUG) publication Volume 4 (November 2007). If relevant, the intended service routes will be noted upon the Tree Protection Plan, Appendix 4. Additional information regarding excavations within root protection areas are provided within Appendix 6.
- 6.7 At the beginning of the construction phase, the site manager will appoint a delegated site representative who shall be responsible for continued checking of the protective barriers to ensure it is compliant with the exclusion zone. Appendix 9 contains a record sheet that can be copied for such use.
- 6.8 As recommended within BS 5837:2012, and specified within the Arboricultural Tasks Sequence Table, the development site should be visited by the project arboriculturalist on occasions to provide any arboricultural advice necessary and to ensure the efficacy of the Tree Protection features. Contact between the project manager and project arboriculturalist should be maintained throughout the works period so that supervision can be provided when operations with the potential to damage retained trees are being undertaken. Key stages that will require the attendance of a qualified arboriculturalist with evidence of the visit provided to LPA are:
- Inspection of tree protection features prior to site works commencing.

- Unarranged spot check(s) carried out during the course of the build.
- Supervision of construction activities that could lead to damage of retained trees.
- Site visit to ensure all development operations have been completed prior to tree protection features being removed and to inspect the condition of the trees.

The client or site manager should sign beneath to indicate intended compliance with the procedures outlined in section 6.8

**Signature:**



**Position:** Arboricultural Consultant

**Signature:**

**Position:**

Note : PDF readers, such as Adobe Acrobat, allow for digital signing of PDFs using Fill & Sign features.

## 7 Post-Construction Considerations

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- 7.1 Refer to Appendix 1 for stage specific tasks.
- 7.2 Only once all major construction works have been completed can the protective barriers be removed.
- 7.3 Post development landscaping should be kept to a minimum within the root protection areas of retained trees.
- 7.4 Since trees are capable of influencing soil hydrology newly planted trees need to be situated where they will not interfere with built structures. Refer to NHBC Chapter 4.2 'Building near Trees' and Arboriculture Research and Information Note 'Tree Roots and Foundations' for further information.

## Appendix 1: Arboricultural Tasks Sequence Table

Tree or Group Number	Pre-Construction Stage	Construction Stage	Post Construction Stage
<p style="text-align: center;">Tree 1 Groups 1-3 Hedgerow 1</p>	<p>Adhere to specification within Section 5.</p> <p>Set out and erect protective fencing as per Appendices 4 and 5. Attach notice in Appendix 8.</p> <p>Project arboriculturalist should check the correct installation of protective features prior to site works commencing.</p>	<p>Adhere to specification within Section 6.</p> <p>Monitor integrity of tree protection features daily; completing inspection record in Appendix 9.</p>	<p>Adhere to specification within Section 7.</p> <p>Remove tree protection measures.</p> <p>Complete landscape works adjacent to trees.</p>

## Appendix 2: Tree Data & Works Required

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Key for Tree & Group Data tables:

<b>No.</b>	Tree Number
<b>Species</b>	Tree Name (common)
<b>Age</b>	Y = Young; SM = Semi-mature; EM = Early-mature M = Mature; OM = Over-mature; V = Veteran; D = Dead
<b>DBH</b>	Diameter at Breast Height (measured at 1.5m above ground level to the nearest cm)
<b>Stems</b>	The number of stems the tree has
<b>Height</b>	Overall tree height measured in metres
<b>Crown Spread</b>	Measured along the four cardinal points in metres
<b>CH</b>	Canopy Height (height of crown above ground)
<b>1<sup>st</sup> Branch</b>	The height and aspect of the 1 <sup>st</sup> significant limb e.g. 2 NE = 1 <sup>st</sup> limb at 2m growing in a north-easterly direction.
<b>EstD</b>	Indication of whether any of the trees dimensions were estimated: Y=Yes, N=No.
<b>General Observations</b>	Appraisal of trees general condition
<b>EstCont</b>	Estimated remaining contribution (years)
<b>BS Cat</b>	British Standard 5837:2012 retention category
<b>Recommendation</b>	Remedial works that may be required should the tree be retained



# Tree Survey Data

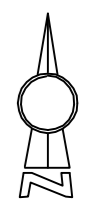
No.	Species	Age	DBH	Stems	Height	Crown Spread				CH	EstD	General Observations	EstCont	BS Cat	Recommendation
						N	S	E	W						
1	Hawthorn	M	40	1	5.5	4	4	3	4	0.5	N	Multi-stemmed at base. Ivy covered stem and crown limited the visual inspection.	40+	C1	Crown lift to 2m and prune southern edge of canopy back to allow 1.5m clearance to Unit 1

# Group Data

Group Number	Dominant Species	Lesser Species	DBH	Average Height	Age	Average Spread	Condition/Comments	Recommendations	EstCont	BS Cat
1	Ash		45	10	M	6	Linear group of trees which form a continuous canopy, located within hedgerow. Signs that the trees were previously managed as part of hedge with all being multi-stemmed. Some stems might have been laid in the past. Ivy covered stems limited the visual inspection. Some crown dieback but lack of leaves hinder full assessment of overall condition. Moderate deadwood.	Crown lift to 4m on the site side	20+	B2
2	Goat Willow		12	2.5	Y	1.5	Small group surrounding a pond	No work required	20+	C2
3	Ash Hawthorn Blackthorn Goat Willow		40	9	M	4.5	Group of trees which form a continuous canopy. Located beyond fence upon old railway embankment. Majority of individual trees would be Category C	Cut back lower vegetation to boundary fence. Crown lift taller trees to 4m where overhanging the site	20+	B2

# Hedgerow Data

Hedge Number	Dominant Species	Lesser Species	Age	Average Height	Average Depth	Historically Managed Height	Historically Managed Depth	Condition/Comments	Recommendations	EstCont	BS Cat
1	Hawthorn Blackthorn	Goat Willow	M	3	1.25	Unknown	As current depth	Double rowed hedgerow. Unmanaged - only roadside face has been trimmed in recent years. Large trees along length.	Cut back around the entrance and internal road	40+	C2



- Tree Position Showing Crown Extents and BS5837 Category A
- Tree Position Showing Crown Extents and BS5837 Category B
- Tree Position Showing Crown Extents and BS5837 Category C
- Tree Position Showing Crown Extents and BS5837 Category U
- Root Protection Area - to remain free from disturbance
- Group of Trees
- Hedgerow
- 1/G1 Tree/Group
- A1/B1/ C1/U BS5837 Retention Category
- Photo Number, Position and Aspect

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arboricultural consultants

Wrens Nest, Underhill, Glaisdale  
North Yorkshire YO21 2PF  
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enquiries@elliottconsultancy.com

**APPENDIX 2**

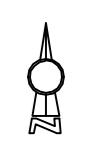
Drawing Title: Tree Constraints Plan

Project: Middlewood Lane, Fylingthorpe

Drawing Number: ARB/CP/2835/TCP

Date: April 2022

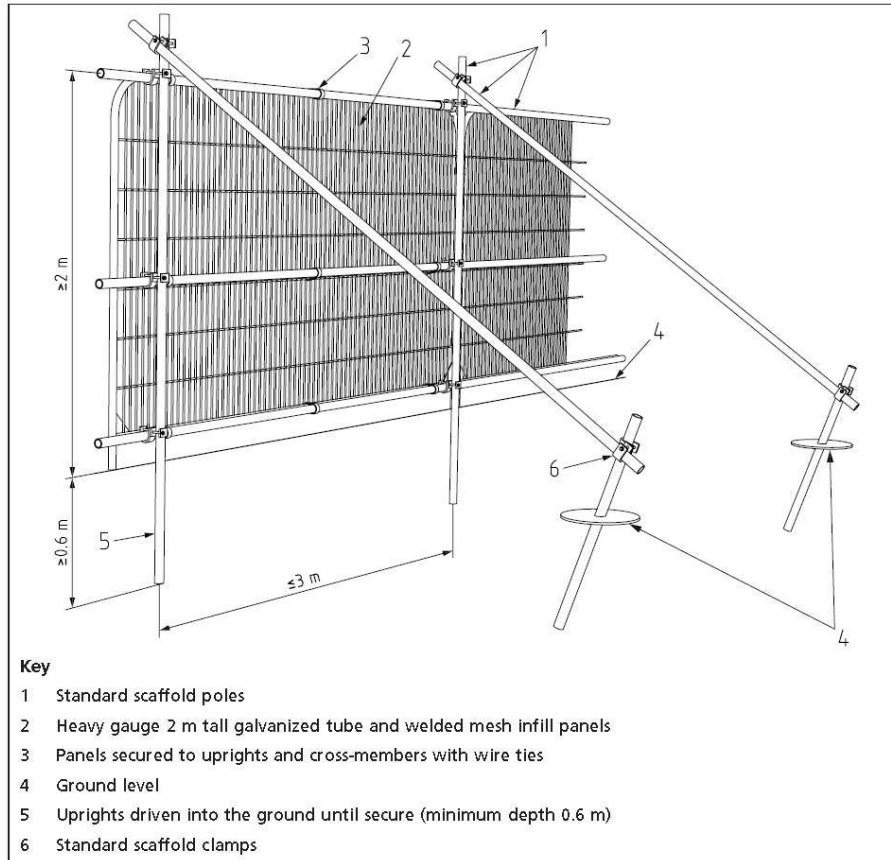
Scale: 1:100 @ A1



- |  |  |  |                               |  |  |
|--|--|--|-------------------------------|--|--|
|  | Tree to be Retained                                    |  | Group of Trees to be Removed  |  | Tree Protection Barrier (specification as per Appendix 5 - Type B) |
|  | Tree to be Removed                                     |  | Hedgerow to be Removed        |  | Ground Protection (specification as per Appendix 6)                |
|  | Root Protection Area - to remain free from disturbance |  | Group of Trees to be Retained |  | Tree/Group/Hedgerow Number   |
|  |  |  | Hedgerow to be Retained       |  | BS5837 Retention Category  |

# Appendix 5: Protective Fencing Specification

## A:- Tree Protection Fence as per BS5837:2012



Drawing Source: BS 5837:2012

## B:- Alternative Fencing Detail: Adequate protection - provided LPA approve its use



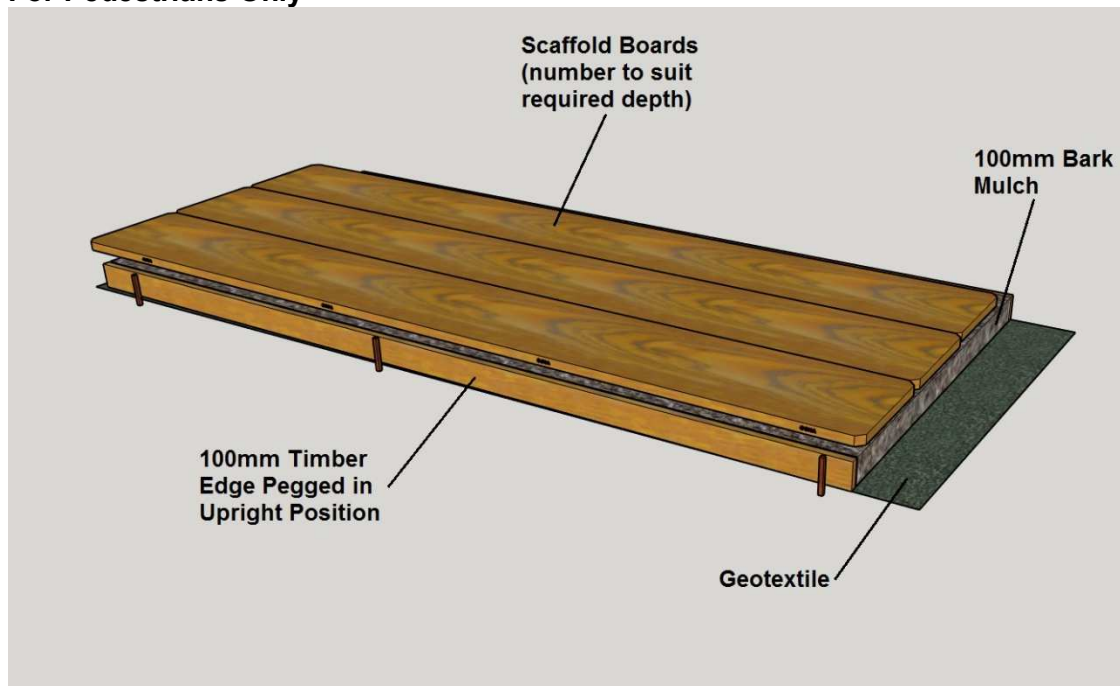
Weldmesh fence panels attached together using fence couplers bolted to 100mmx100mmx2400mm treated timber fence posts driven 500mm into the ground. Use of plant to assist with erection only from outside of root protection area.

## Appendix 6: Access within Root Protection Areas

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### Ground Protection to Enable Access within Root Protection Areas

#### For Pedestrians Only



Road mats or OSB sheets could be used as an alternative to scaffold boards.

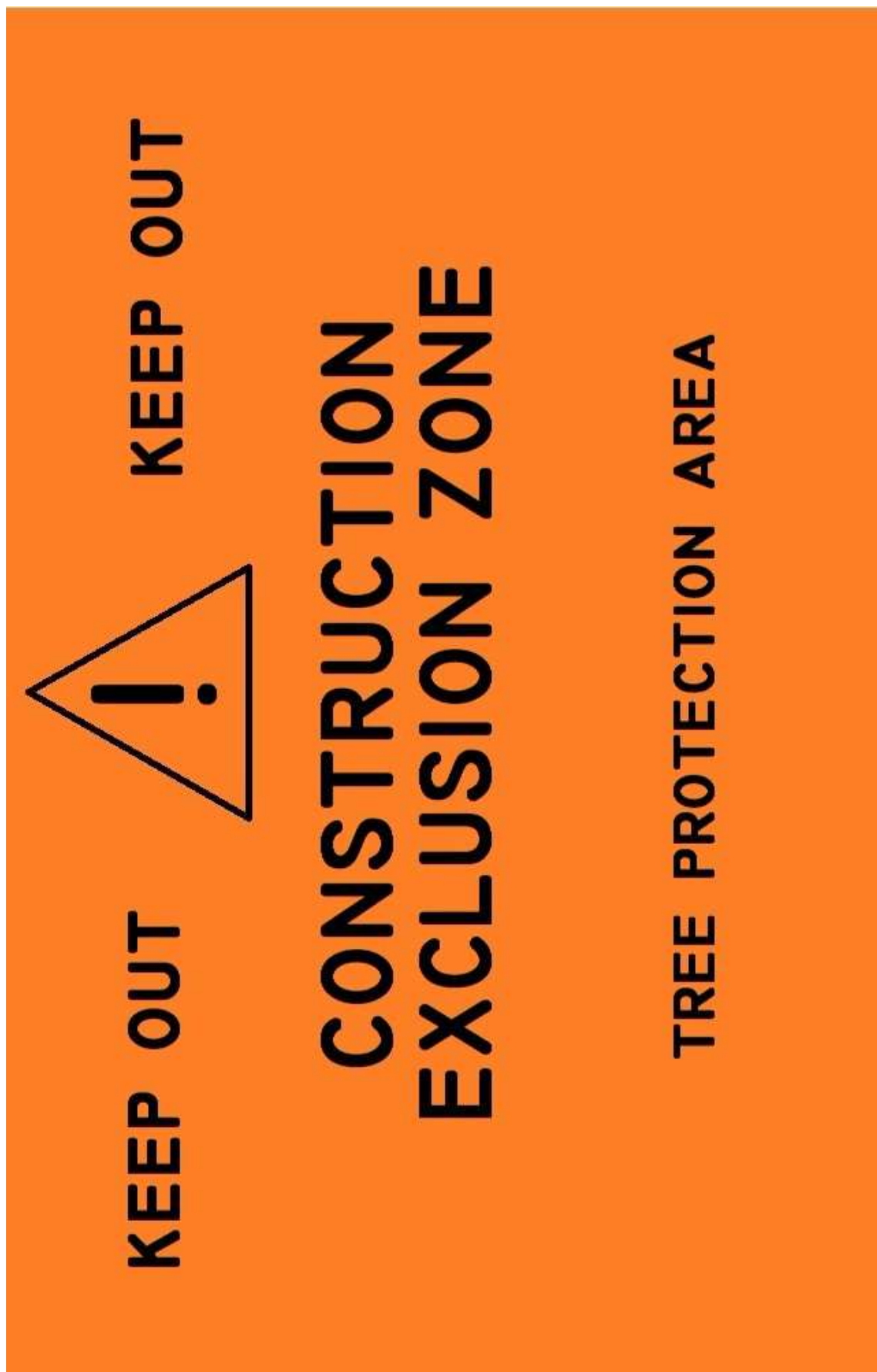
Where erecting scaffolding within areas of protected ground. The geotextile should be laid and then the scaffold footings placed on boards to spread the load. Ground protection as above should then be installed if access beneath the scaffolding is required.

## Appendix 7: Removing Hard Surfaces & Other Excavations within Root Protection Areas

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- All excavations within root protection areas must only be undertaken using hand tools or pedestrian operated machinery.
- The required excavations must be kept to a minimum to avoid unnecessary root damage and ideally undertaken during the presence of an arboriculturalist.
- Great care must be taken not to damage the bark of roots that can be retained in order to avoid wounds which could be exploited by pathogens.
- Exposed roots that can be retained must be wrapped with dry sacking if to be left exposed for extended periods e.g. overnight. Sacking must be removed prior to backfilling.
- All roots >25mm should be preserved and worked around. Where this is not possible, severance should only take place after consultation with the tree officer / appointed arboriculturalist. Roots must be cut using a sharp knife leaving as small a wound and as clean a cut as possible.
- Great care must be taken not to allow contaminants, such as oils, into the excavation.







## Appendix 10: Contact Details of Relevant Parties

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**Arboricultural Consultant**

Charles Prowse  
Elliott Consultancy Ltd  
Wren's Nest  
Underhill  
Glaisdale  
YO212PF

**Local Planning Authority**

North York Moors National Park Authority  
The Old Vicarage  
Bondgate  
Helmsley  
York  
North Yorkshire  
YO62 5BP