

Tree Assessment and Compensation Strategy



Lodge Road, Hurst
04 June 2025

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Contents:

Summary	
Section 1: Introduction	2
Section 2: Retrospective Tree Assessment	5
Section 3: Compensation Strategy	19
Section 4: Conclusion	29



Summary

- S.1. This report forms part of the appeal (Ref. APP/X0360/W/25/3364304) made by Mac Mic Strategic Land Limited (Mac Mic) following a refusal by Wokingham Borough Council (WBC) for residential development at Lodge Road, Hurst (Ref. 242067) It seeks to address WBC's Ecology Officer's consultation response regarding the removal of two English oak trees (by the landowner at the time) and the associated implications for the submitted Biodiversity Net Gain (BNG) assessment.
- S.2. It is understood that the trees were removed in March 2021 by the landowner at the time (prior to involvement by in the project by TG) and their stumps remain on the site. Under paragraphs 6 and 6A of Part 1 of Schedule 7A of the Town and Country Planning Act 1990 (as amended), the removed trees must be included in the baseline biodiversity value of the site within the BNG metric, and their value must be taken as the highest reasonable value they could have had prior to removal, based on the available evidence.
- S.3. This report provides a retrospective assessment of the trees and a strategy to compensate for their removal, conducted and prepared by experienced and qualified arboricultural and ecological consultants. The assessment suggests that the trees were of insufficient size and age to be considered as veteran trees as defined under the National Planning Policy Framework (NPPF). The assessment also suggests that the trees were unlikely to meet the criteria to be veteran trees under the BNG Regulations definition.
- S.4. The assessment is limited given that the upper components of the trees have been removed which precludes a comprehensive assessment. The definition of a veteran tree under the BNG Regulations is also considered subjective. A tailored compensation strategy has therefore been prepared, which is considered proportionate to compensate for their loss.
- S.5. **In summary, although retrospective assessment indicates T85 and T86 are unlikely to have been veteran, a precautionary approach has been taken whereby they are considered to be veteran both within the BNG metric (both versions 2 and 3) and in informing the compensation strategy. The appeal site as a minimum compensates for the loss and can deliver 10% net gain and, if they were not veteran, provides betterment to the tree stock as well as 10% BNG.**
- S.6. With the agreement of this compensation strategy, alongside the BNG metric (reference 16452/BNG/3), the development is expected to achieve a 10% net gain, and complies with the BNG Regulations and the NPPF.
- S.7. Implementation of this compensation strategy can be secured by a suitably worded planning condition, should the appeal be allowed. Delivery of the strategy requires a multi-disciplinary approach involving arboriculture, ecology and landscape management, during both the construction of the site and its proposed future use as a residential development.



Section 1: Introduction

Purpose

- 1.1. Tyler Grange Group Limited (TG) have been instructed by Mac Mic Strategic Land Limited (Mac Mic) to provide a retrospective assessment and compensation strategy in response to the removal of two English oak trees *Quercus robur* at land between Tape Lane and Lodge Road, Hurst.
- 1.2. This report forms part of the appeal (Ref. APP/X0360/W/25/3364304) made by Mac Mic following a refusal by Wokingham Borough Council (WBC) for residential development on the site (Ref. 242067). It seeks to address WBC's Ecology Officer's consultation response regarding the removal of the two trees, and the associated implications for the submitted Biodiversity Net Gain (BNG) assessment.
- 1.3. This report:
 - Provides a retrospective 'profile' on the trees to determine their likely arboricultural and ecology value.
 - Based on the above, provides a professional judgement on whether the trees were likely to have been veteran trees in the context of the NPPF and BNG definitions for veteran trees.
 - Provides an informed strategy to compensate for their removal.
 - Provides an updated BNG assessment based on our findings.

Background

- 1.4. It is understood that two trees were removed from the site in 2021 by the landowner at that time. Their removal was undertaken prior to TG's involvement in the project and the issue became known to TG after the planning application had been submitted.
- 1.5. The removal of the trees was highlighted within WBC's Ecology Consultation Response for the planning application. Their removal was also noted within a local residents' consultee response which included photos taken before and during the tree removal works. The removal works appear to have taken place on the 5th March 2021.
- 1.6. These tree removals are relevant to the BNG assessment, as paragraphs 6 and 6A of Part 1 of Schedule 7A of the Town and Country Planning Act 1990 (as amended) states the following:

"6 If—

(a) a person carries on activities on land on or after 30 January 2020 otherwise than in accordance with—

(i) planning permission, or

(ii) any other permission of a kind specified by the Secretary of State by regulations, and



(b) as a result of the activities the biodiversity value of the onsite habitat referred to in paragraph 5(1) is lower on the relevant date than it would otherwise have been, the pre-development biodiversity value of the onsite habitat is to be taken to be its biodiversity value immediately before the carrying on of the activities.

6B

(1) This paragraph applies where there is insufficient evidence of the biodiversity value of an onsite habitat immediately before the carrying on of the activities referred to in paragraph 6 or 6A.

(2) The biodiversity value of the onsite habitat immediately before the carrying on of the activities referred to in paragraph 6 or 6A is to be taken to be the highest biodiversity value of the onsite habitat which is reasonably supported by any available evidence relating to the onsite habitat."

1.7. It is therefore the case that the removed trees must be included in the baseline biodiversity value of the site within the BNG metric, and their value must be taken as the highest reasonable value they could have had prior to removal, based on the available evidence. The photos of the trees and evidence of their presence from historical aerial mapping, suggested that they had some potential to be classified as veteran under the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024 definition. Their potential to be veteran was incorporated into the BNG metric **(16452/BNG/2)** which was resubmitted to WBC during the determination period of the planning application.

1.8. With regards to veteran trees and other irreplaceable habitat, BNG guidance¹ states:

"Special compensation rules apply to irreplaceable habitat.

If planning permission is given you will need to agree a compensation strategy with the LPA.

Compensation for irreplaceable habitat needs to be relative to the baseline habitat type. The LPA will agree compensation as part of the determination of the planning application, on a case-by-case basis."

1.9. The above wording states that if planning permission is given a compensation strategy needs to be agreed with the LPA. A planning condition was therefore invited to control the preparation of such a strategy; however, this was not accepted by WBC and planning was refused.

1.10. As such, given that the trees were removed prior to the ecology and arboriculture surveys that were completed in advance of the planning application, further information and assessment to determine the likelihood of the trees being classified as veteran, and provision of an appropriate and proportionate compensation strategy for their loss is detailed within this report.

Quality Assurance

1.11. This report has been co-authored by Jamie Pratt BSc (Hons) MArborA and Mari Jones BSc (Hons) MSc. Jamie is the Director of Arboriculture at Tyler Grange and has 15 years' experience in the

¹ GOV.UK, (Published 22 February 2024, Last updated 4 September 2024) Guidance: Irreplaceable habitat, Compensation rules for irreplaceable habitat, Available at: <https://www.gov.uk/guidance/irreplaceable-habitats>, [Accessed 17/04/2025]



arboricultural industry. Jamie has worked in arboricultural consultancy since 2014 and is a Professional member of the Arboricultural Association. Jamie specialises in arboricultural planning matters including the assessment of veteran trees and their implications towards new development. Jamie also prepares veteran tree management plans for development projects and private estates. Mari Jones is an experienced ecologist with 4 years experience in UK Habitat Classification surveys and ecological consultancy, has FISC level 3 in botanical identification and is experienced in both standard and bespoke BNG assessments and mitigation. The report has been reviewed by Rich Middleton MICFor, MArborA, BA (Hons), Dip Arb L4 (ABC) 6 years experience in arboricultural consultancy and 15 years in the arboricultural industry. Rich is a Chartered arboriculturist through the Institute of Chartered Foresters and has undertaken extensive training in veteran tree management. It has also been reviewed and approved by Carly Goodman-Smith BiolSci MCIEEM, Operations Director at TG and highly experienced ecological consultant with 18 years experience in ecological consultancy within the residential planning sector and a full member of the Chartered Institute of Ecology and Environmental Management.

- 1.12. All arboricultural and ecological consultants at Tyler Grange are members of, or are working towards membership of, the Arboricultural Association or Chartered Institute of Ecology and Environmental Management and abide by their institute's code of conduct / ethics.



Section 2: Retrospective Tree Assessment

- 2.1. This section seeks to determine the likely ecological importance and arboricultural value of the trees. From this, an informed judgement can be made as to their potential classification in terms of the BNG assessment, including whether they were likely to be classified as veteran trees. It also informs a proposed compensation strategy for the trees.
- 2.2. The assessment is based on site observations taken from a field visit completed by Jamie Pratt, Rich Middleton and Mari Jones on 16th April 2025. Desk studies, including a review of historical satellite images and mapping where available, has also been conducted.
- 2.3. Figure 1 below shows the two trees standing on the site in 2020. They were located between trees T14 and tree T70 as recorded on the arboricultural (Report Ref. 16452 R01a dated 2nd July 2024) and ecology surveys (Report Ref. 16452 R02b dated 21st November 2024) submitted as part of the planning application. For the purposes of this report and the appeal, the trees have been recorded as trees T85 and T86.



Figure 1. Location of trees removed. Extract of Google Earth taken from 2020.



- 2.4. Figure 2 below shows the two trees having been removed in 2021. This occurred prior to TG's involvement in the project and before the ecology and tree surveys were undertaken by TG to inform the planning application that is subject to appeal.



Figure 2. Location of trees removed. Extract of Google Earth taken from 2021.

Site Observations

- 2.5. The remaining stumps from both trees remain on the site. The stumps are largely covered in bramble (See Figures 3-5 overleaf) and are approximately 1m in height from ground level. The bark on both trees suggest they are English oak *Quercus robur* species. The stumps were fully dead with no new growth observed.
- 2.6. They are located linearly with the adjacent trees (T14 and T70) which suggest they formed part of an old field boundary. An old ditch is present along the northern side of the stumps which also indicates some form of previous hedgerow / land drain along the tree line. The land surrounding the trees is grazed modified grassland. It appeared compacted from livestock, and there was potential water pooling at the northern side of tree T85.
- 2.7. During a previous site visit on the 19th November 2024, the diameter of T85 could not be measured due to the bramble *Rubus fruticosus* agg. growth. As part of the latest site visit on 16th April 2025 it was possible to remove some of the bramble and measure the diameter of the remaining stems. Tree T85 had a single stem which measure at 700mm at 1m from ground level. There were no open cavities or internal hollowing observed in the base / remaining stump. There was some basal



decay however this appeared to be recently established and more likely a result of the removal of the tree which has exposed the remaining stump to decay.

- 2.8. Tree T86 is multi-stemmed indicating it may have been historically 'copparded' within the former hedgerow. The has a combined stem diameter of 944mm, from three stems the measure 675mm, 560mm and 350mm in diameter (the ecology site visit on 19th November 2024 only measured the 560mm stem). Similarly, there were no open cavities or internal hollowing observed in the stump.
- 2.9. Other than the bramble, which is growing over the stumps, the trees were surrounded by grazed modified grassland with no immediate connection to other habitats. Their positioning suggests they formed part of a historic field boundary, and were an extension of treeline TL5 (as denoted in the BNG metric). Whilst some decay was noted in the stump of T85, there was no evidence of significant decay likely to have been present prior to felling and associated intrinsic value to biodiversity, beyond their inherent importance as mature English oak trees. Their importance likely lay in providing a coherent habitat link between trees T14 and T70 and therefore connecting habitats east-west across the site.
- 2.10. The second iteration of the BNG metric², (reference: **16452/BNG/2**,) assumed a worst-case scenario that tree T85 was 'very large' in the BNG metric, as the stem could not be measured at that time. Given the most recent site visit enabled some bramble removal to allow measurement of the tree at 700mm diameter, the metric has now been updated (reference: **16452/BNG/3**) categorising T85 as a 'large' tree in line with the User Guide³.

² Jones, M. (2024) Statutory Biodiversity Net Gain Metric: Land east of Lodge Road, Hurst, Tyler Grange Group Limited, 20th November 2024, 16452_BNG_2

³ Department for Environment & Rural Affairs (July 2024) The Statutory Biodiversity Metric User Guide, Available at: https://assets.publishing.service.gov.uk/media/669e45fba3c2a28abb50d426/The_Statutory_Biodiversity_Metric_-_User_Guide__23.07.24_.pdf [Accessed 28/04/2025]





Figure 3. Stumps from trees T85 and T86.



Figure 5. Stump of tree T85



Figure 4. Stump of tree T86



Assessment of Potential Veteran Tree Status

2.11. An understanding of the likely age, size and condition of trees T85 and T86 is required to inform whether they were likely to have been veteran trees, and the level of compensation that is considered appropriate for their loss in the context of both the National Planning Policy Framework (NPPF) and the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024 (BNG Regulations). The NPPF and BNG Regulations define veteran trees differently. The potential for the trees to meet the criteria of a veteran tree under both definitions is explored below.

2.12. NPPF Annex 2 (Glossary) states that a veteran specimen is:

"A tree which, because of its age, size and condition, is of exceptional biodiversity, cultural or heritage value. All ancient trees are veteran trees. Not all veteran trees are old enough to be ancient, but are old relative to other trees of the same species. Very few trees of any species reach the ancient life-stage". (TG emphasis)

2.13. In accordance with the above NPPF Annex 2 definition, for a tree to be considered a veteran its characteristics of age and size and condition must confer "exceptional value". Consistent with NPPF Annex 2 a veteran tree must also be "old relative to other trees of the same species".

2.14. Trees that do not satisfy NPPF Annex 2 are not, by definition, veterans in accordance with NPPF.

2.15. Within the Biodiversity Gain Guidance, the definition of a veteran tree is accessed via Footnote 1 of the 'Individual Trees' Habitat Type Condition Sheet. This is within the Statutory Biodiversity Metric Conditions Assessment (dated 23.07.24).

2.16. Within the BNG Regulations, ancient and veteran trees are defined as follows:

"Ancient and veteran trees can be found as individual trees or collections of trees in any setting.

Ancient trees have passed beyond maturity into an ancient life stage or are old in comparison with other trees of the same species which exhibit one or more of the following—

(i) demonstrably great age relative to others of the same species

(ii) changes to their crown and trunk development indicative of the ancient life stage

Veteran trees are mature trees that share physical and other characteristics in common with ancient trees, due to their life or environment, but are neither developmentally nor chronologically ancient. All ancient trees are veteran trees, but not all veteran trees are ancient. Veteran and ancient trees which have died are still recognised as such because they retain significant biodiversity value for many decades.

Veteran trees exhibit one or more of the following—

(i) significant decay features such as deadwood, hollowing or signs of advanced decay in the trunk or major limbs

(ii) a large girth, depending on and relative to species, site and management history



- (iii) *a high value for nature, especially in hosting rare or specialist fungi, lichens and deadwood invertebrates*". (TG emphasis)

2.17. Under the BNG Regulations, the threshold to be categorised as a veteran tree is set lower than that compared to the NPPF. Under this definition, a tree does not need to be of a sufficient age or size, and can be considered veteran under its condition by having "significant decay features" or a "high value for nature".

Age Assessment

- 2.18. It is possible to estimate the likely size of the trees by the size of the remaining stumps. Stem girth is a recognised criteria in assessing the size and maturity of a tree due to its association with incremental growth increases over time. It is also possible to draw upon the survey known data of adjacent trees which have grown within a very similar environment.
- 2.19. Whilst there are clear difficulties when seeking to provide accurate estimates of the age of trees given the numerous variables at play, the White Method for Estimating the Age of Large and Veteran Trees in Britain ("the White Method")⁴ was published by the Forestry Commission in 1998 and has been applied to ascertain the potential age of the trees as an established tool for tree age estimation.
- 2.20. Application of the White Method, whilst given with caveats (such as the application of the site conditions), dates tree T85 to be in the region of 117 years old and tree T86 to be in the region of 162 years old. This is on the basis of the trees' stem girth measurement and assigned core development category of being on "poor ground" (by virtue of its surrounding ground conditions which includes compaction from livestock and potentially wet conditions to the north associated with the ditch), and with "some exposure" given their location with the field, rather than being located fully inside a woodland, for example.
- 2.21. The Royal Forestry website⁵ includes information on tree age estimation, stating that broadleaved trees "such as oak, ash, beech and sycamore put on about 1.5–2cm in circumference or girth per year. In open conditions, such as parkland, the growth rate will be nearer 2.5cm annually. So, by measuring the trunk circumference and dividing by 1.5, 2, or 2.5 you can get a good idea of age. This method is known as 'Mitchell's Rule'". By this estimation, tree T85 is between 88 and 146 years old, and tree T86 is between 118 and 197 years old.
- 2.22. The Woodland Trust's Ancient Tree Inventory provides species specific guides online to inform judgements on suitability of veteran tree classification. For oak trees the Woodland Trust state that "Typically a veteran oak is 150-300 years of age and a notable oak is 150-200 years old". By this measure, both trees are borderline but fall more closely to the notable age threshold.

Size Assessment

- 2.23. Size is a criterion for veteran status in both the NPPF and BNG Regulation definitions. Trees that fail to meet the relevant minimum size threshold cannot be veterans within the NPPF definition. Conversely, the wording of the BNG Regulations states a tree which has a large stem girth relative to the species means it should be classified as a veteran tree.

⁴ Estimating the Age of Large and Veteran Tree in Britain

⁵ <https://rfs.org.uk/learning/tremendous-trees/tree-age/>



- 2.24. Tree T85 had a stem size measured at 700mm diameter which does not represent a large size compared to others of the same species. The stem diameter of tree T86 was measured at 944mm (the combined diameter of the three stems) which is considered to be a mature size; however, this is not large relative to the species. The stem diameter of both trees is measured smaller compared to adjacent trees T14 and T70 which have stem diameters of 1350mm and 1210mm respectively. They are several other oak trees on the site that have larger stem diameters compared to trees T85 and T86. These include veteran trees T32 (1680mm), T33 (1900mm), T44 (1350mm), T47 (1350mm), T52 (1300mm), as well as a number of mature (non-veteran) trees. A full list of stem diameter recordings can be found in the submitted Tree Survey Schedule (Report Ref. 16452 R01a dated 2nd July 2024).
- 2.25. The stem sizes of the trees can be compared to established thresholds to determine whether it is of a size capable of veteran status. It is not sufficient in accordance with the NPPF criteria for a tree to be a typical mature example of the species and be a veteran. The “Ancient and other veteran trees: further guidance on management”⁶ by Lonsdale, presents an illustration of oak trees as they progress from Locally Notable, Veteran / Notable and Ancient and Late Ancient life stages as a function of their size. Whilst not clear cut, the threshold figure for veteran/notable status for girth size in oak trees according to Lonsdale, shown at Figure 1 below, is approximately 4.6m - 4.8m. The stem girth size is 2.2m for tree T85 and 3m for T86, falling well below the veteran threshold.

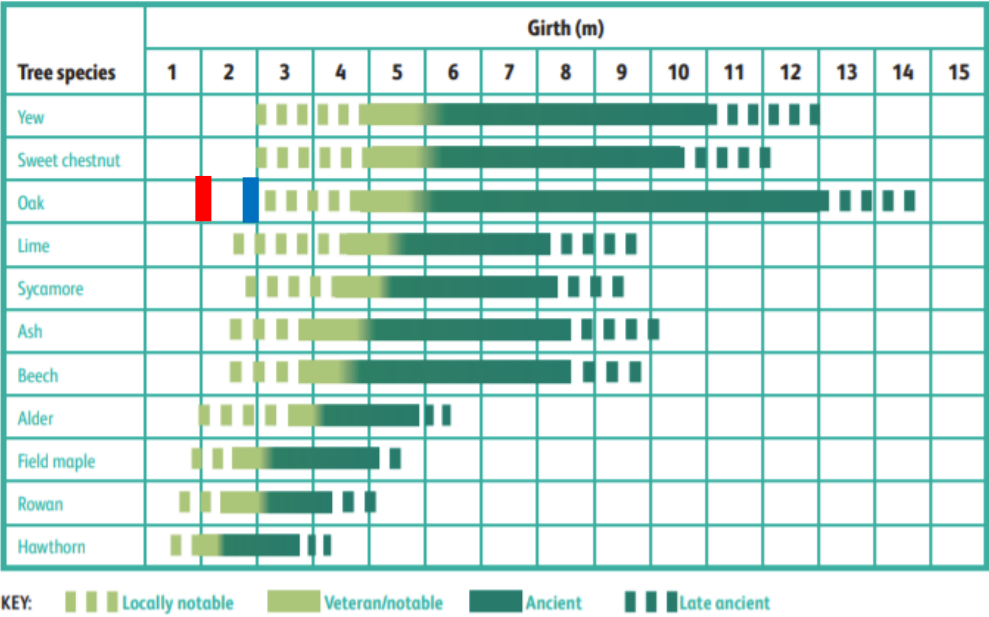


Figure 6. Extract of chart of girth in relation to age and developmental classification of trees (Fig. 13) of Ancient and other veteran trees: further guidance on management (Lonsdale, ATF 2013). Red marker illustrates girth of tree T85 and blue marker illustrates girth of tree T86.

- 2.26. With reference to the ‘Veteran Trees: a guide to good management’⁷, produced by Natural England, at Section 2.1, it is stated that “A rough rule of thumb can be adopted for species, eg oak, in relation to size... Trees with a diameter at breast height of more than 1.0 m (girth 3.2 m) are potentially interesting, Trees with a diameter of more than 1.5 m (girth 4.7m) are valuable in terms of Conservation, and Trees with a diameter of more than 2.0 m (girth 6.25 m) are truly ancient.” By

⁶ Lonsdale, D. (ed.) (2013). Ancient and other veteran trees: further guidance on management. The Tree Council, London 212pp.
⁷ H. Read (2000). Veteran Trees: A guide to good management



this measure trees T85 and T86 are below the stated thresholds as valuable for conservation or ancient.

- 2.27. The Woodland Trust's Ancient Tree Inventory provides species specific guides online⁸ to assist further with informing judgements on suitability of veteran tree classification. For oak trees, the Woodland Trust state to "*Consider recording oak [to the Ancient Tree Inventory] with any ancient characteristics and a girth more than 3m*". By this measure trees T85 and T86 are below the stated threshold.
- 2.28. Based on the above, trees T85 and T86 do not meet the size threshold for veteran trees as defined under the NPPF and the BNG Regulations. This means that the trees should not be classified as veteran trees under the NPPF definition, given that they need to meet all three criteria of age, size and condition.

Condition and Characteristics Assessment

- 2.29. The NPPF definition for a veteran tree also requires the assessor to consider "condition". This relates to the "veteran characteristics" or physical attributes of a tree. It is typically the quantum, quality and functionality of the assemblage of such features that marks a tree as a veteran.
- 2.30. The BNG Regulations also state that a veteran should exhibit "*significant decay features such as deadwood, hollowing or signs of advanced decay in the trunk or major limbs*" and/or have a "*a high value for nature, especially in hosting rare or specialist fungi, lichens and deadwood invertebrates*".
- 2.31. Given that the trees have been removed and only their stumps remain, it is not possible to assess the full structure and component parts of the trees, and particularly features that could have been present in the upper stem and crown. In the absence of this, informed assumptions have been made on what features and characteristics were likely to be associated with the trees. This is based on observations of the remaining stumps, their size, age, and features present on other oak trees on the site, which are of a similar size and age, and have grown in a similar environment.
- 2.32. No major hollowing, cavities or signs of advanced decay were observed in the tree stumps. The stumps appeared fully intact with formerly functional wood along their cross-sectional profiles. It is reasonable to suggest that the trees had no major hollowing or advanced decay in the lower to mid parts of the stem. Internal hollowing forms part of the natural aging process of oak trees and typically starts from the base of the tree, gradually forming a tapered decay 'column' up through central parts of trunk over time. The intact structure of the tree stumps is suggestive that the trees had not reached this stage in the aging process.
- 2.33. It is possible that some hollowing and advanced decay was present in the upper parts of the stem and crown, however, this is unlikely to have been associated with an aging process, given that hollowing typically forms from the base of the tree. If hollowing and advanced decay was to be present in the upper parts of the tree, it is unlikely to have been significant.
- 2.34. As part of the site walkover in 2025, veteran characteristics and features present on oak trees located adjacent to trees T85 and T86 were assessed to gauge what features were likely to have been present in trees T85 and T86.

⁸ <https://ati.woodlandtrust.org.uk/how-to-record/species-guides/oak/>



- 2.35. Trees T9, T10, T11 and T13 (located to the north-west of T85 and T86) are a line of English oak trees which have stem diameters of 700mm, 760mm, 780mm and 850mm respectively. They are of a similar size to trees T85 and T86 and have similar growth environments, in terms of location, exposure, and past management context. All trees were classified as 'mature' specimens under the BS5837 tree survey and were not considered veteran by either the NPPF nor the BNG definitions – as such these were not set out as Irreplaceable Habitat within the BNG metric - some typical age-related deadwood was noted to be present. No significant hollowing or veteran features were observed on the trees.
- 2.36. The image of tree T9 (See Figure 7 below) illustrates the form and characteristics of a typical mature English oak tree where features such as significant deadwood and advanced decay, as defined under the NPPF and the BNG Regulation, are yet to develop. There are some sections of deadwood present however this is not significant in terms of its size and proportion of the canopy. Tree T9 has the same stem diameter as tree T85.



Figure 7. Photo of tree T9.

- 2.37. Tree T70 is located to the east of tree T85 and was recorded as a mature tree, however, a precautionary veteran tree buffer was applied as part of the planning application as it has potential to be veteran in the near future. The tree is not considered a 'true' veteran due to its size (1210mm stem diameter) and lack of primary veteran features. Features present on the tree included sections of deadwood in the crown, albeit not significant in term of size and proportion of the overall crown, some hollowing at the base of the tree (likely due to erosion of the former



hedge bank on which the tree is located), and small decay pocket holes. Image of these features are shown below.



Figure 9. Largest section of deadwood within the crown of tree T70.



Figure 8. Small decay holes within primary limb of tree T70.



Figure 10. Base of tree T70 showing eroded ground from buttress roots and moderate hollowing under centre of the stem

- 2.38. Tree T70 provides an indication of the development of veteran tree characteristics once an oak tree becomes older than trees T85 and T86. It is possible that tree T85 and T86 had deadwood, snapped branches and small decay pockets, however, the extent and nature of these were unlikely to have been significant due to younger age of the trees.



- 2.39. Table 2.1 below sets out the likelihood of veteran tree features for T85 and T86. The features listed are referenced from RAVEN 2⁹ which is a recognised methodology for assessing and classifying veteran trees. Assumptions have been made with regards to which features could have been present given the trees have been removed. The assumptions are based on site observations of the remaining stumps, the size and age assessment and the presence / absence of features in nearby trees.

Table 2.1: Assessment of RAVEN features and likely presence within T85 and T86

Features / Characteristics	T85	T86
Primary Features		
Extensive decay, especially brown rot or exposed stem heartwood in relevant species	Very unlikely following observations made of the tree stumps and age classification.	Very unlikely following observations made of the tree stumps and age classification.
Extensive hollowing	Very unlikely following observations made of the tree stumps and age classification.	Very unlikely following observations made of the tree stumps and age classification.
Crown senescence	Very unlikely following assessment of age.	Very unlikely following assessment of age.
Retrenchment	Very unlikely following assessment of age.	Very unlikely following assessment of age.
Secondary Features		
Large quantity of dead wood in crown, especially where large-sized.	Unlikely following assessment of adjacent trees.	Unlikely following assessment of adjacent trees.
Major storm damage/ breakout wounds	Potential	Potential
Habitat spaces: decay holes and/ or crevices/ branch splits sheltered from direct rainfall	Potential following assessment of adjacent trees.	Potential following assessment of adjacent trees.
Aerial rooting	None	None
Sap run/ slime flux	Potential	Potential
Water pool	Unlikely following assessment of remaining stumps.	Potentially following assessment of remaining stumps (multi-stemmed)

⁹ Recognition of Ancient, Veteran & Notable Trees – RAVEN 2 (Julian Forbes-Laird 2023)



Bark loss inc. due to lightning strike	Potential	Potential
Fungi	Potential	Potential
Other epiphytic plants, including significant presence of lichens	Very unlikely following age classification and lack of specialised fungi in trees across the site.	Very unlikely following age classification and lack of specialised fungi in trees across the site.

- 2.40. Table 2.1 suggests that of the many potential features, these were likely to be limited to secondary features such as 'habitat spaces'. It is highly unlikely that any primary features were present on the trees to indicate significant or advanced decay associated with veteran trees.

Estimated value for nature

- 2.41. The BNG Regulations state a tree can be veteran based on *"a high value for nature, especially in hosting rare or specialist fungi, lichens and deadwood invertebrates"*. The BNG Regulations does not expand on *"high value for nature"* beyond this, making the definition subject to professional judgement on a case-by-case basis.
- 2.42. Veteran trees can have value to nature by virtue of having long-continuity habitat. Specialist species of veteran trees often lack the ability to disperse quickly into new habitats, having adapted to ecological niches in veteran/ancient trees which by definition are long-continuity. Figure 11 below shows the site from mapping dated 1937-1961¹⁰, showing the location of field boundaries of the site remain largely unchanged.

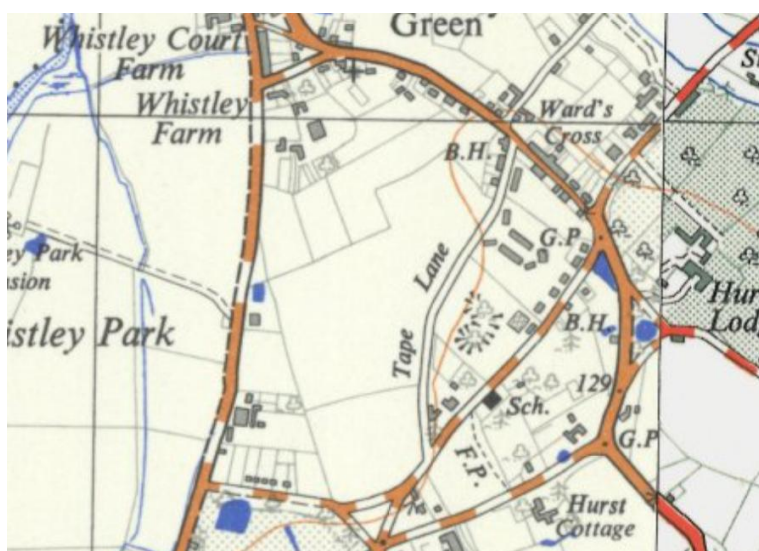


Figure 11: Ordnance Survey mapping dated 1937-1961.

- 2.43. Older mapping records were reviewed, but none were of a high enough resolution to determine if the field boundaries were in the same locations, though no evidence of changing field boundaries

¹⁰ Ordnance Survey, 1:25,000 maps of Great Britain - 1945-1973, Available at: <https://maps.nls.uk/geo/explore/side-by-side/swipe/#zoom=15.7&lat=51.4563&lon=-0.8557&layers=10&right=ESRIWorld>



was observed. This historic mapping, alongside the known existing veteran trees on site suggest the treelines along field boundaries are long-continuity habitat that could therefore host lichens/fungi/invertebrates associated with long-continuity habitat in veteran trees.

- 2.44. In terms of deadwood specifically, the lack of major hollowing, cavities or signs of advanced decay in the remaining stumps indicate the trees were not of high value to saproxylic (deadwood) invertebrates or other species that depend on deadwood – whilst some deadwood may have been present in the canopy the extent is unlikely to have been significant based on comparison with other trees on site of similar size as referenced above. The data search (carried out as part of the Ecological Impact Assessment¹¹) returned a number of invertebrates within 2 km of the site, however none were rare saproxylic invertebrates. Rather, invertebrate species returned generally preferred aquatic/marshy habitats, and were associated with Dinton Pastures Country Park and habitats in the Loddon Valley Biodiversity Opportunity Area – for example the alder leaf beetle *Agelastica alni* which depends on alder *Alnus glutinosa* trees.
- 2.45. The most notable data search records relevant to this assessment were for stag beetle *Lucanus cervus*, a species where the larvae feed on underground decaying wood, including the wood of English oak trees. This species is listed under Schedule 5 of the Wildlife and Countryside Act, Annex II of the Habitats Directive, and Section 41 of The Natural Environment and Rural Communities (NERC) Act 2008. Whilst protected in legislation, this species is relatively common in south-east England. If stag beetle had been using habitats in trees T85 and T86, this alone is not considered notable enough for the trees to then be considered irreplaceable. Nevertheless, the compensation strategy in Section 3 below takes this species into account.
- 2.46. Aside from invertebrates, rare/specialist lichens or fungi were not observed on other mature oaks on the site, making their presence on T85 and T86 unlikely. More widespread species such as *Evernia prunastri* were found on the veteran and mature oaks.
- 2.47. Overall, whilst there is potential for tree T85 and T86 to have hosted “rare or specialist fungi, lichens and deadwood invertebrates” there is no direct evidence to say they did so before their removal. In terms of “high-value”, the trees likely had an intrinsic value to biodiversity given they were mature oaks, however no evidence indicates that they were of high enough value to be considered veteran.
- 2.48. It is therefore concluded that the balance of probability indicates trees T85 and T86 did not meet the definition of veteran trees in the BNG Regulations based on “a high value for nature, especially in hosting rare or specialist fungi, lichens and deadwood invertebrates”. However, this assessment is clearly limited by the trees no longer being present, and the subjective nature of this passage of the BNG definition of veteran trees.

Interim Conclusion

- 2.49. On balance when considering the analysis present above, trees T85 and T86 were of insufficient size and age to be classified as veteran trees under the NPPF definition. When assessed under the BNG Regulations, the trees were unlikely to have had a high enough value for nature (or to host rare/specialist lichen, fungi, or invertebrates) to be considered irreplaceable. Nevertheless, the

¹¹ Jones, M. (2024) Ecological Impact Assessment: Land East of Lodge Road, Hurst, Tyler Grange Group Limited, 21st November 2024, 16542_R02b



subjective nature of the *"high-value for nature"* assessment is acknowledged, along with the limitations of this assessment as it is based on retrospective assumptions.

- 2.50. Overall, whilst neither trees T85 and T86 are considered veteran under either NPPF or the BNG Regulations definitions, a compensation strategy for their loss has been put forward under Section 3 of this report, recognising the loss of the mature specimens on site.



Section 3: Compensation Strategy

- 3.1. This section of the report sets out a strategy to compensate for the loss of trees T85 and T86. It is informed by the retrospective assessment of the trees detailed previously within this report. The principles of this strategy can be secured by way of a suitably worded planning condition should the appeal be allowed and consent granted.
- 3.2. Components of the strategy can be included within subsequent detailed reports to be approved by the LPA pre-commencement. Reports that will be suitable to deliver elements of the strategy include an Arboricultural Method Statement (AMS), Construction and Environmental Management Plan (CEMP) and Habitat Management and Monitoring Plan (HMMP).
- 3.3. Whilst unlikely to be veteran under the NPPF and BNG Regulation definitions, their loss is a material consideration as part of the planning application and appeal due to the backdating rules under the BNG Regulations.
- 3.4. The strategy for compensation includes the following key items:
- Remedial works - to existing veteran trees to improve growth conditions and longevity.
 - Creation of new habitats - similar to those lost (including veteranisation techniques and deadwood management).
 - New tree planting - that secures future standalone parkland trees, using species and specifications with potential to reach veteran status.
 - Commitment to a minimum 30-year management plan - that safeguards existing and new habitats associated with veteran trees.
 - Appropriate management of recreational impacts towards existing and new habitats associated with veteran trees.

Remedial Works

Improve ground conditions

- 3.5. All veteran trees will be retained as part of the proposed development and have been afforded a buffer zone in accordance with government standing advice. The creation of the buffer zones offers an opportunity to remediate the ground conditions in the long-term, which are currently affected by compaction from farm vehicles and livestock trampling.
- 3.6. Compaction of the ground appeared most severe for tree T14 where a gap at the eastern side of the tree has been used by farm vehicles for access between the two field parcels (prior to removal of trees T85 and T86) as well as a desire route for livestock (See Figure 12 overleaf). Veteran trees T44 and T47 are lapsed pollards located along the western boundary of the site. They represent fine examples of a veteran tree and exhibit the quintessential primary and secondary features of veteran trees. Both trees were showing signs of low vitality during the April 2025 visit. This was observed through sparse foliage density and above-average epicormic growth in the stems and crown. The proposed improvements to ground conditions is expected to improve the health of both trees.



- 3.7. Is it proposed that ground conditions are improved for all veteran trees surveyed as part of the future management plan. The measures for improvements to the ground will be addressed as a matter of detail and are envisaged to include targeted air spading and / or bio char applications.
- 3.8. The proposed masterplan also includes buffer zones around the veteran trees. Access to the buffer zones will be restricted using fencing as part of a proposed detailed landscape plan. This will prevent further compaction occurring in the rooting zones as part of the proposed residential use for the site.



Figure 112. Veteran tree T14 (right side of image) with compacted ground within rooting area from livestock paths and farm vehicles.



Remedial Tree Works

- 3.9. Pruning veteran trees should be avoided where possible and only considered appropriate in cases where it would benefit the tree in terms of extending its life expectancy and condition.
- 3.10. On assessing the current veteran tree population on site, no remedial tree pruning to the tree themselves are considered necessary.
- 3.11. Targeted pruning and thinning of younger trees located around tree T14 is recommended to reduce competition. Clearance around the tree would be phased over the course of an approved management plan to ensure the tree is not affected by sudden exposure.
- 3.12. Mature ivy is established within veteran trees T32 and T33. The extent of the ivy growth suggests it is likely to affect canopy development and function of both trees in the long-term. In particular, the ivy is likely to affect the trees' ability to affectively retrench their crowns / canopies in the future, which is an important process in extending their lifespans. It is recommended that the ivy is carefully severed at the base of the trees, but not removed from the tree. This will retain some of the crevice habitat in the tree which can be valuable for wildlife.
- 3.13. There are several trees growing in close proximity to veteran trees T44 and T47. The competing trees are likely to contributing to the stress observed in the trees T44 and T47 and therefore remedial work via management of the adjacent trees is recommended. The following remedial management works are recommended and are illustrated at Figure 12 overleaf:
- Remove oak tree T48 which is growing towards / into the crown of T47. The felled wood will be either left at ground level under the trees as deadwood habitat or used in log pyramids described below.
 - Pollard ash tree T45 to a height of approximately 5m and create artificial veteran features (veteranisation) on the retained stems. The tree is in poor condition and the pollarding will improve its structural integrity and light levels towards tree T47. The retained stems will also be retained to function as 'habitat poles' in the future, or used in log pyramids as appropriate.
- 3.14. Tree T46 and T49 are also likely to out-compete veteran trees T44 and T47. Rather than remove the trees, it is recommended that both are subject to veteranisation which will also serve to reduce their crown size and reduce competition towards trees T44 and T47.
- 3.15. The above works have been reviewed against the potential of trees on site to support roosting bats – trees T48, T45, T46, and T49 all have negligible suitability to support roosting bats and therefore there is no concern regarding legislation protecting bat roosts. To ensure no breach in legislation, an update Ground Level Tree Assessment should be undertaken immediately prior to the remedial works, by a Suitably Qualified Ecologist (SQE).





Figure 123. Proposed remedial tree works to improve condition of veteran trees T44 and T47 and encourage future veteran status of retained mature trees.

Dead wood management and habitat creation

- 3.16. One of the key valuable habitats associated with mature and veteran trees is dead wood. All types of dead wood are valuable but some are more so than others, with each type (depending on its species, state of decay, size, etc) supporting its own assemblage of invertebrates and other wildlife, including *inter alia* Species of Principal Importance under the NERC Act 2001, such as common toad *Bufo bufo*.
- 3.17. Trees being retained as part of the development have been largely incorporated into open space. This is favourable to the natural development of dead wood whereby there will be limited justification for its removal. The strategy is to preserve standing / attached deadwood and maximise habitat creation for naturally fallen dead wood. Full details of dead wood management will form part of a subsequent CEMP and HMMP to be secured by a planning condition.

Types of dead wood on the site

- 3.18. Figures 14 – 16 overleaf illustrate the different types of dead wood present on the site. This includes both aerial and ground level dead wood, formed by standing dead trees, canopy dead wood in living trees, fallen dead trees and fallen dead branches. Canopy dead wood is a habitat lost from the removal of trees T85 and T86. The extent of dead wood lost is unknown, however, it was likely to be secondary sections in the crown as opposed to large, significant sections.





Figure 156. Fallen dead tree at ground level. Located approximately 30m east of removed tree T8



Figure 145. Section of aerial dead wood within veteran candidate tree T70.



Figure 134. Tree T19 – large standing dead oak tree



Management of existing dead wood

- 3.19. Dead wood attached to trees is to be left in-situ and not removed unless there is an unreasonable risk that cannot be mitigated via other means than removal of deadwood. Fallen sections of deadwood are to be left in-situ at ground level where possible or moved to a suitable location within a veteran tree buffer zone as near to the tree as possible and ideally in dappled shade. "Held-up" deadwood is to be left in the tree crowns where possible. Existing fallen trees will also be retained in-situ and with open space, such as that shown at Figure 16 above.
- 3.20. The stumps of trees T85 and T86 will require removal to facilitate the main access road of the proposed development. These should be placed at ground level within the adjacent buffer zones of trees T14 and T70 to function as ground level dead wood habitat. Where feasible, underground dead wood should be dug up and re-buried in retained habitats outside of root protection areas – this is to maximise the chances of any stag beetle larvae using the buried deadwood to be able to continue to do so.
- 3.21. Tree T19 is a large standing dead oak tree located at the eastern boundary of the site. The tree will be retained as part of the proposed development however the potential risks associated with the tree need to be managed for the residential context. As shown on Figure 14, one large scaffold limb has collapsed. It is recommended that the remaining two scaffold limbs are reduced to a height of approximately 8m (to the same height as the failed limb) to form a more contained dead crown and habitat pole. This is above the potential bat roost features identified, which would remain in-situ. This will reduce the risk of full tree collapse under windthrow, securing the longevity of standing dead wood, whilst managing tree risk. Removed sections of dead wood will be placed at ground level beneath the tree. This would be completed under the supervision of a suitably qualified ecologist, and where considered necessary, with a mitigation licence in place if bats are found to be present.

Creation of dead wood habitats

- 3.22. Creating aerial dead wood is considered appropriate to compensate for the loss of dead wood potentially present within tree T85 and T86. This can be achieved via aerial strapping of dead wood in the canopies of existing trees. The sections of wood used for strapping can be taken from the tree removals required for the development and as recommended for remedial purposes in this report. The location of dead wood strapping will be determined as a matter of detail however it is envisaged that the oak trees in the northern part of the site offer the most effective location. This is because they are in the vicinity of the trees T85 and T86, and are located further away from the main development area (and therefore subject to reduced proximity to indirect disturbance from the residential context), and there was limited existing dead wood present in these trees due to their age (such as oak trees T10, T11, T13, G73, T71, T72, T74, T76).
- 3.23. The creation of canopy dead wood will also form part of the veteranisation of trees T45, T46 and T49.

Subterranean dead wood habitats

- 3.24. As previously noted, some dead wood habitat of value to biodiversity is underground. Most notably stag beetle larvae depend on subterranean decaying broadleaved dead wood. The stumps of trees T85 and T86 will need to be removed as part of development. Whilst the



underground portions are proposed to be retained and re-buried on site, additional underground dead wood should be provided to increase this habitat provision.

3.25. The creation of new saproxylic log pyramids will provide additional breeding opportunities for stag beetle within the site boundary; the location will be determined as a matter of detail; however, it's envisaged that this will be in the north and north-west of the site in retained grasslands. Creation of log pyramids should be created using the following methodology, and shown in Figure 17:

- Bury logs vertically in a pyramidal shape to an approx. depth of 50 centimetres (cm) or greater;
- Logs should be at least 30 cm in circumference with the bark still attached and from broadleaved trees such as oak; and
- Position in a partially shaded location.

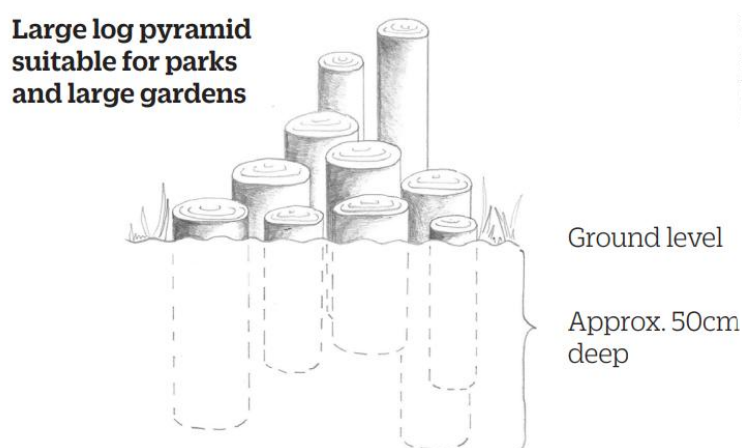


Figure 17: Illustration of log pyramid for saproxylic invertebrates such as stag beetle. Taken from People's Trust for Endangered Species – Build a log pile for stag beetles¹²

3.26. The wood used to create the log pyramids should be sourced from the wood on site, such as from tree T48.

Veteranisation of existing trees

3.27. Tree veteranisation is a conservation technique that involves intentionally damaging or modifying trees to mimic the natural aging process. This creates valuable habitats for wildlife by accelerating the development of features typically found in old or veteran trees, such as cavities, deadwood, bark loss, and decay. Methods may include ring barking, pollarding, or using tools to create decay holes, splits, or cavities. The goal is to support biodiversity by providing early-stage habitat features in younger trees. Examples of veteranisation are provided at Figures 18 – 20 below.

3.28. Before carrying out tree veteranisation, several important factors should be considered to ensure it is safe, appropriate, and ecologically beneficial. Typically, veteranisation is most useful where

¹² People's Trust for Endangered Species – Build a log pile for stag beetles. [Online] Available at: <https://ptes.org/wp-content/uploads/2016/11/Build-a-log-pile-for-stag-beetles.pdf> [Accessed 27/05/2025]



there is a lack of veteran trees or associated microhabitats. In this case, the site has several veteran trees present, including two in proximity to trees T85 and T86. There is also an established population of mature successors which can reach veteran classification naturally. With this in mind, it is more appropriate to target the veteranisation of a few appropriate trees, as opposed to adopting the techniques more widely across the site.

- 3.29. Opportunities for veteranisation are considered appropriate for trees T45, T46 and T49 as this will have a beneficial impact towards the adjacent veteran trees. This will involve pollarding and creating cavities and holes in the stems of tree T45, and creating sections of dead wood, artificial limb failures, and decay holes in the canopy of trees T46 and T49. A detailed specification for veteranisation will be determined as a matter of detail and included within an AMS secured by condition.

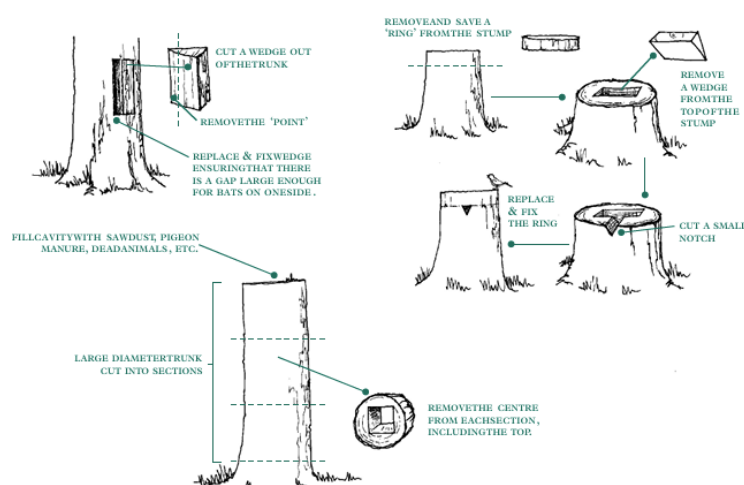


Figure 179. Suggestions for design of artificial cavities (Source – Veteran trees: a guide to good management, ATF)



Figure 168. Example of artificial drilling in section of dead stem (Source – unknown).



Figure 20. Example of artificial holes and cavities in tree canopies (Source - Arboricultural Association)

New Tree Planting and Connectivity

- 3.30. The removal of trees T85 and T86 has created a larger gap between trees along this former hedgerow / tree line (See Figure 21 below – yellow dashed line). This is likely to have affected the east-west habitat connectivity across the site, including the commuting habits of bats. The proposed development should therefore compensate for the loss of this former connectivity.



- 3.31. The Illustrative Masterplan for the proposed development provides the initial strategy for new tree planting across the site. Key items on the plan include retained and enhanced vegetation across the boundaries, a new community orchard, parkland planting which frames a common located between the two development parcels, and tree planting along the main access road and street scenes. In addition to the planting, the existing space between T14 and T70 will be kept as a dark corridor, with a bat-sensitive lighting strategy expected to be conditioned. A "Species Specific Enhancement and Ecological Permeability" strategy is also expected to be conditioned, as noted in the Memorandum from the WBC Ecology Officer. Overall, the extent of tree planting will provide a site-wide improvement in terms of tree canopy cover and its connectivity. Figure 21 below illustrates where new tree planting is proposed which will have a notable benefit in terms of linking existing groups of mature and veteran canopy cover.



Figure 2118. Location of degraded hedgerow / tree line (yellow dash) and location of key green links proposed b existing mature and veteran canopy cover.

- 3.32. The proposed new planting will also offer opportunities to establish parkland trees around the proposed common. Parkland planting provides an optimal scenario for establishing a new generation of mature and potentially veteran standalone trees for future regenerations.
- 3.33. Overall, the proposed strategy for tree planting is considered sufficient to compensate for the loss of canopy cover and connectivity associated with the loss of trees T85 and T86. The proposed new planting will provide a net gain in tree canopy across the site and establishes new arboricultural features, such as parkland trees, that will offer betterment to the site.



Development Layout / Detailed Landscape Masterplan

- 3.34. A detailed landscape plan will be secured by way of a planning condition should the appeal be allowed and consent granted. This will follow the principles of the landscape strategy submitted as part of the outline application.
- 3.35. It is important to design the space around veteran trees appropriately with respect to protecting the trees whilst allowing them to assimilate into the new development scheme hence the design should be prepared in liaison with an arboricultural consultant.
- 3.36. Without appropriate design, there is a risk that trees will come under pressure from damage, which could be caused intentionally from vandalism, fire lighting, or unintentionally from causes such as children climbing trees, and longer-term impacts, such as pedestrianised compaction of the rooting environments.
- 3.37. Increasing access to the trees will also intensify the need to manage tree risk towards people and property. Management of risk may include the removal of branches or trees that have defects, which may conflict with conservational objectives to preserve such features / characterises that are valuable for wildlife.
- 3.38. The initial strategy for the landscape design involves forming “zones” around the trees, which will provide a buffer from the surrounding residential context. This in turn reduces the need to intensify tree risk management, and direct threats of damage if they were to be more accessible to the public. Physical barriers to restrict access to the trees is recommended as part of the detailed landscape design. This can include natural forms of barriers such as taller grasses, prickly ground level vegetation and dead hedging, or fencing such as estate railings. The use of interpretation boards is also considered appropriate which will promote the protection and conservation of the site’s veteran trees, including information on wildlife and the benefits associated with them.

Management Plan Commitment

- 3.39. Measures in a CEMP, to include measures set out in the AMS regarding root protection, are expected to be conditioned and will be implemented to avoid damage to retained trees and fauna species they support, during construction. This will include trees which are dead, as well as fallen dead wood on site.
- 3.40. The HMMP, to be conditioned and which is part of the obligations under the BNG Regulations, would set out the ongoing management and monitoring requirements for the habitats for a minimum of 30 years. Given the fragile nature of the veteran trees, the management plan should include a programme for on-going site inspections, to be carried out by a suitably qualified arboriculturist as well as an SQE. This is to maintain tree vitality and identify requirements for intervention / remedial works. Site inspections would be completed annually for the first 3 years and then once every 2-3 years. Findings of inspections will be recorded, and recommendations works implemented under a priority system. The findings of the monitoring undertaken as part of the HMMP would be reported to WBC in years 1, 2, 3, 5, 10, 15, 20 and 30 (with year zero being the year construction is completed), along with any remedial measures being implemented where appropriate.



Section 4: Conclusion

- 4.1. Detailed assessment of the remaining tree stumps and subsequent analysis suggests that the trees were of insufficient size and age to be classified as veteran trees under the NPPF definition. The trees are therefore not considered to be irreplaceable habitats in the context of the NPPF.
- 4.2. Assessment of the trees under the BNG Regulations suggests that they had potential to exhibit significant decay features and a high value for nature, however, this was unlikely to be the case based on site observations, and the association between such criteria with the size and age of trees.
- 4.3. T85 and T86 can be classified as mature English oaks, that had some age-related features typical of an English oak tree at maturity, but an absence of significant features and ecological value which is seen in true veteran trees of greater size and age.
- 4.4. This report sets out a strategy to compensate for their loss of the trees which is informed by our retrospective baseline assessment of the trees. Although this did not conclude veteran status, the measures for compensation are considered proportionate as if they were and will provide added benefits in terms of securing the long-term retention of the site's veteran tree population.
- 4.5. **The BNG metric (reference: 16452/BNG/3) has taken a highly precautionary approach and assumes trees T85 and T86 as veteran. With the agreement of this compensation strategy, which fulfills the requirement for bespoke compensation, alongside the BNG metric (reference 16452/BNG/3) the development is expected to achieve a 10% net gain, and therefore complies with the BNG Regulations and the NPPF.**
- 4.6. This compensation strategy should be secured by a suitably worded planning condition should the appeal be allowed and consent. Delivery of the strategy requires a multi-disciplinary approach involving arboriculture, ecology and landscape management, during both the construction of the site and its future use as a residential development.



The background is a dark blue-grey color. In the center is a large, irregular yellow shape. Surrounding this shape are various geometric elements: a light blue square, a dark blue leaf-like shape, a purple arrow pointing down, a purple asterisk, a small black hand icon, a black and white striped fan-like shape, and a small blue triangle. The text "Step into our world" is written in a bold, black, sans-serif font across the yellow shape.

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