Gainsborough Town Council

Richmond House, Richmond Park, Morton Terrace
Gainsborough, Lincolnshire, DN21 2RJ
Telephone: 01427 811573
Website: gainsborough-tc.gov.uk

Dear Councillor,

Thursday, 17 August 2023

You are hereby summoned to attend a meeting of the **Planning Committee** which will be held on **Tuesday 22 August 2023** commencing at **7.00pm** in the meeting room, **Richmond House, Richmond Park, Morton Terrace, Gainsborough.**

The business of the meeting is set out in the agenda below.

Rachel Allbones
Interim Town Clerk

Committee members: Cllr R Craig - ex officio, Cllr T Davies - ex officio, Cllr M Devine, Cllr D Dobbie, Cllr S Morley, Cllr L Muggridge, Cllr K Panter, Cllr J Plastow (C), Cllr J Ward (VC)

Agenda no	Agenda item title	Power/Regulation
PL24/070	**Apologies for absence** To note apologies for absence.	*Local Government Act 1972, s85 (1) & Sch 12, p40.*
PL24/071	**Declarations of interest** To receive any declarations of interest in accordance with the requirements of the Localism Act 2011.	*Localism Act 2011, s31.*
PL24/072	**Dispensation requests** To consider any dispensation requests received by the Clerk in relation to personal and/or disclosable pecuniary interests, not previously recorded.	*Localism Act 2011, s33.*
PL24/073	**Minutes of the previous meeting(s)** To receive the minutes of the previous Planning Committee meeting(s) and resolve to sign these as a true record of the meeting(s). **Paper A –** Planning Committee, Tuesday 25 July 2023	*Local Government Act 1972, Sch 12, p41 (1).*

Agenda no	Agenda item title	Power/Regulation
Planning Applications		
PL24/074	To consider planning application received. **Application Ref No: 146998 (20/07/23, 28 days)** Proposal: Listed building consent for temporary propping to rear section of roof, replacement or repair of rotten structural timbers and inclusion of new supporting precast concrete pad stone and joist hanger, installation of reinforcement bars at north-east corner, installation of new restraint straps to brick wall and header plate for rafters, temporary removal of existing roof tiles and re-laying following repair, and removal of existing render to north elevation (high level) and re-rendering following strapping and stabilising of gable wall. Location: 5-7 Market Place, Gainsborough	*Article 13 of the Town & Country Planning (General Development Procedure) Order 2015 Schedule 1, paragraph 8 to the Town & Country Planning Act 1990 as amended*
PL24/075	To consider planning application received. **Application Ref No: 147029 (10/08/23, 21 days)** Proposal: Application for prior notification of proposed development by telecommunications code systems operators for installation of 1no. omni at 13.82m mean mounted on propsed 12m streetworks pole, 1no. GPS antenna nat 12.4m, 1no. 3G omni antenna at 3.8m, and associated equipment to be installed on a root foundation. Location: Land at Somerby and Marshall Way, Gainsborough	
PL24/076	To consider planning application received. **Application Ref No: 147181 (10/08/23, 28 days)** Proposal: Planning application to remove and replace 4no. bus shelters, street furniture including benches, waste bins, railings & planters, addition of traffic calming measures, screening, walling, signage & erect cycle shelter. Location: Gainsborough Bus Station, Heaton Street, Gainsborough	
PL24/077	To consider planning application received. **Application Ref No: 147091 (16/08/23, 28 days)** Proposal: Planning application to renew the shopfront - retain the existing structure and install a traditional timber shopfront, rebuild the top of the chimney, and replace plastic raniwater goods with cast iron. Location: 37 Lord Street, Gainsborough	
PL24/078	To consider planning application received. **Application Ref No: 147093 (16/08/23, 28 days)**	

Agenda no	Agenda item title	Power/Regulation
	Proposal: Listed building consent to renew the shopfront - retain the existing structure and install a traditional timber shopfront, rebuild the top of the chimney, and replace plastic raniwater goods with cast iron. Location: 37 Lord Street, Gainsborough	
PL24/079	**Decision Notices** To consider street naming requests received (if there are any).	
PL24/080	**Street naming requests** To consider street naming requests received (if there are any).	
PL24/081	**Tree preservation orders** To consider tree preservation orders received (if there are any). To consider WLDC response to TPO's on trees at Roses Sports Ground. **Paper B**	
PL24/082	**Proposed Waiting Restrictions – Springthorpe Road, Gainsborough** To consider consultation from LCC regarding proposed waiting restrictions on Springthorpe Road. **Paper C**	
PL24/083	**Items for notification** To receive any items for notification to be included on a future agenda – for information only	*N/A*
PL24/084	**Time and date of next meeting** To note the date and time of the next Planning committee is scheduled for 26 September 2023 at 7.00pm.	*Local Government Act 1972, Sch 12, p10 (2)(a)*

PAPER A

Gainsborough Town Council

DRAFT Minutes of the Planning Committee meeting

Tuesday 25 July 2023 at 7:00pm

held in the Reading Room, Richmond House, Richmond Park, Morton Terrace, Gainsborough

Councillors Present

Richard Craig - ex officio	David Dobbie	Keith Panter
	Stuart Morley	James Plastow (Chairman)
Michael Devine		

Councillors Absent

Tim Davies - ex officio		
	Liam Muggridge	James Ward (Vice Chairman)

In attendance:

		Natasha Gardener (ASO)

Agenda no	Agenda item title	Resolution	Action	Power
PL24/049	**Apologies for absence** To note apologies for absence.	The Council noted apologies for absence from Cllr Ward.	N/A	*Local Government Act 1972, s85 (1) & Sch 12, p40.*
PL24/050	**Declarations of interest** To receive any declarations of interest in accordance with the requirements of the Localism Act 2011.	Cllr Dobbie declared a non-pecuniary interest in agenda item PL24/058 as he would be discussing the application as a WLD Councillor.	N/A	*Localism Act 2011, s31.*
PL24/051	**Dispensation requests**	There were none received.	N/A	*Localism Act 2011, s33.*

Agenda no	Agenda item title	Resolution	Action	Power
	To consider any dispensation requests received by the Clerk in relation to personal and/or disclosable pecuniary interests, not previously recorded.			
PL24/052	**Minutes of the previous meeting(s)** To receive the minutes of the previous Planning Committee meeting(s) and resolve to sign these as a true record of the meeting(s). **Paper A –** Planning Committee, Tuesday 27 June 2023	The Committee **resolved** to sign the minutes of the Planning Committee Tuesday 27 June 2023 as a true record of that meeting.	**ASO** to publish.	*Local Government Act 1972, Sch 12, p41 (1).*
Planning Applications				
PL24/053	To consider planning application received. **Application Ref No: 146728 (21/06/23, 28 days)** Proposal: Planning application for change of use of existing shop and take away units to a restaurant, erect an additional first floor store room and amend the access to the existing first floor flats. Location: 82-84 Trinity Street, Gainsborough	The Committee **resolved** to support the application.	**ASO** to submit to WLDC.	*Article 13 of the Town & Country Planning (General Development Procedure) Order 2015* *Schedule 1, paragraph 8 to the Town & Country Planning Act 1990 as amended*
PL24/054	To consider planning application received.	The Committee **resolved** to support the application but request that consideration	**ASO** to submit to WLDC.	

Agenda no	Agenda item title	Resolution	Action	Power
	Application Ref No: 146969 (04/07/23, 28 days) Proposal: Application for approval of reserved matters for 539no. dwellings, considering appearance, landscaping, layout and scale following outline planning permission 138921 granted 29 August 2019. Location: Land at Foxby Lane, Gainsborough	be given to retain the green wedge and two cottages.		
PL24/055	To consider planning application received. **Application Ref No: 146991 (26/05/23, 14 days)** Proposal: Planning application for new access associated with Phase 2. Location: Land at Foxby Lane, Gainsborough	The Committee **resolved** to support the application but request the following conditions, roundabout built (Foxby Lane to Heapham Road South) on commencement of occupation, 30 miles an hour along the whole of Foxby Lane and lorries should be coming down from the dual carriageway – away from existing residential areas (Heapham Road South, entrance to Foxby Lane from eastern side).	**ASO** to submit to WLDC.	
PL24/056	To consider planning application received. **Application Ref No: 146960 (13/07/23, 28 days)** Proposal: Planning application for removal of existing shopfronts and canopy with installation of replacement lean-to canopy and new hardwood timber shopfronts, replacement of shop windows on	The Committee **resolved** to support the application.	**ASO** to submit to WLDC.	

Agenda no	Agenda item title	Resolution	Action	Power
	western elevation to match proposed south elevation shop fronts, and removal of external lighting fixtures from south elevation. Location: The Old Town Hall, 36 Lord Street, Gainsborough			
PL24/057	To consider planning application received. **Application Ref No: 146926 (19/07/23, 28 days)** Proposal: Planning application to replacement shopfront and façade, introduction of 3no. new shopfronts, renovation and refurbishment of interior spaces to create new shop floor and 3no. flats above. Location: 1 Silver Street, Gainsborough	Cllr Dobbie left the meeting – 7:41pm The Committee **resolved** to support the application subject to consideration of sufficient fire escape routes at the rear of residential properties/flats.	**ASO** to submit to WLDC.	
PL24/058	To consider planning application received. **Application Ref No: 146927 (019/07/23, 28 days)** Proposal: Listed building consent to replacement shopfront and façade, introduction of 3no. new shopfronts, renovation and refurbishment of interior spaces to create new shop floor and 3no. flats above.	The Committee **resolved** to support the application subject to consideration of sufficient fire escape routes at the rear of residential properties/flats. Cllr Dobbie returned – 7:44pm	**ASO** to submit to WLDC.	

Agenda no	Agenda item title	Resolution	Action	Power
	Location: 1 Silver Street, Gainsborough			
Decision notices				
PL24/059	To note decision notice received. **Application Ref No: 146660** **GRANTED** (delegated) Proposal: Planning application for single storey rear extension Location: 49 The Pines, Gainsborough **Paper B**	The Committee **resolved** to note the decision notice.	N/A	
PL24/060	To note decision notice received. **Application Ref No: 146662** **GRANTED** (delegated) Proposal: Planning application for proposed rear and first floor extension. Location: 21 Claythorne Drive, Gainsborough **Paper C**	The Committee **resolved** to note the decision notice.	N/A	
PL24/061	To note decision notice received. **Application Ref No: 146455** **GRANTED** (delegated) Proposal: Planning application for replacement hardwood timber shop-front, new stairwell to upper floors and retractable awning including change of use of upper floors from retail/office to 2no. residential flats with alterations including renewing roof	The Committee **resolved** to note the decision notice.	N/A	

Agenda no	Agenda item title	Resolution	Action	Power
	structure and internal wall alterations. Location: 5 Silver Street, Gainsborough **Paper D**			
PL24/062	To note decision notice received. **Application Ref No: 146456** **GRANTED** (delegated) Proposal: Listed building consent for replacement hardwood timber shop-front, new stairwell to upper floors and retractable awning including change of use of upper floors from retail/office to 2no. residential flats with alterations including renewing roof structure and internal wall alterations. Location: 5 Silver Street, Gainsborough **Paper E**	The Committee **resolved** to note the decision notice.	N/A	
PL24/063	To note decision notice received. **Application Ref No: 146652** **GRANTED** (delegated) Proposal: Application for advertisement consent to display 1no. illuminated fascia sign, 10no. non-illuminated fascia signs and 1no. totem. Location: B&Q Lea Road, Gainsborough **Paper F**	The Committee **resolved** to note the decision notice.	N/A	

Agenda no	Agenda item title	Resolution	Action	Power
PL24/064	To note decision notice received. **Application Ref No: 146725** **GRANTED** (delegated) Proposal: Planning application for the erection of fibre exchange telecommunications infrastructure Location: Land off North Street, Gainsborough **Paper G**	The Committee **resolved** to note the decision notice.	N/A	
PL24/065	To note decision notice received. **Application Ref No: 146656** **GRANTED** (delegated) Proposal: Application for a Lawful Development Certificate for proposed demolition of existing industrial building Location: Former AMP Rose site, Heapham Road, Gainsborough **Paper H**	The Committee **resolved** to put in a comment – support the officer's recommendation to refuse and query why it was delegated and granted by an officer.	**ASO** to put in comment.	
PL24/066	**Street naming requests** To consider street naming requests received (if there are any).	There were none.	N/A	
PL24/067	**Tree preservation orders** To consider tree preservation orders received (if there are any). To consider tree preservation orders on the trees at Roses Sports Ground.	There were none. The Committee **resolved** to ask the officers (OM) to look at the boundary of Roses Sports Ground to see if they're applicable for tree preservation orders.	**OM** to inspect trees on Roses Sports Ground. If applicable for a preservation order, contact WLDC tree preservation to put orders on them.	

Agenda no	Agenda item title	Resolution	Action	Power
PL24/068	**Items for notification** To receive any items for notification to be included on a future agenda – for information only	➢ Tree preservations from Roses – results post investigation	N/A	*N/A*
PL24/069	**Time and date of next meeting** To note the date and time of the next Planning committee is scheduled for Tuesday 22 August 2023 at 7.00pm.	The Committee **noted** the date and time of the next Planning Committee as scheduled for Tuesday 22 August 2023 at 7:00pm.	N/A	*Local Government Act 1972, Sch 12, p10 (2)(a)*

The meeting closed at 8.04pm.

Signed as a true record of the Meeting: _____ Dated_____
Presiding chairman of approving meeting

PAPER B

From: Stephen Coulman <stephen.coulman@gainsborough-tc.gov.uk>
Sent: Wednesday, July 26, 2023 11:07 AM
To: Carol Slingsby <carol.slingsby@west-lindsey.gov.uk>
Cc: Rachel Allbones <Rachel.Allbones@gainsborough-tc.gov.uk>
Subject: TPOs, Roses Sports Ground.

Carol,
I hope that you are well.

The following resolution was made at our Planning Committee on 25th July 2023.

PL24/067	**Tree preservation orders** To consider tree preservation orders received (if there are any). To consider tree preservation orders on the trees at Roses Sports Ground.	The committee **resolved** to ask the officers (OM) to look at the boundary of Roses sports ground to see if they're applicable for tree preservation orders.	OM to inspect trees on Roses Sports Ground. If applicable for a preservation order, contact WLDC tree preservation to put orders on them.

Can I please ask if you are able to advise on any TPOs that apply to any and all trees on the land at Roses Sports Ground.

I have never been to the site and so if you were inclined to undertake a visit may I ask that I go with you please? It would be good to meet you.

I am effectively on leave from Thursday 27th July 2023 until Tuesday 29th August 2023 returning to the office for just four days during this period. I am available in the PM of the 15th, 16th, 23rd and 24th August 2023.

Many thanks.

Kind Regards

Stephen Coulman CEnvH
Operations Manager

Gainsborough Town Council
Richmond House, Richmond Park, Morton Terrace, Gainsborough, Lincolnshire, DN21 2RJ
Tel: 01427 811573 ext 304

From: Carol Slingsby <carol.slingsby@west-lindsey.gov.uk>
Sent: Wednesday, July 26, 2023 12:59 PM
To: Stephen Coulman <stephen.coulman@gainsborough-tc.gov.uk>
Cc: Rachel Allbones <Rachel.Allbones@gainsborough-tc.gov.uk>
Subject: RE: TPOs, Roses Sports Ground.

Good afternoon Stephen

There are currently no TPOs in place within or around Roses Sports Ground.

A TPO can only be made if it is expedient in the interests of amenity. This means a TPO can only be made if there is good reason and the trees meet the amenity assessment criteria. Please see the extracts below from national guidance, the Planning Practise Guidance (PPG):

Local planning authorities can make a Tree Preservation Order if it appears to them to be 'expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area'.

Although some trees or woodlands may merit protection on amenity grounds it may not be expedient to make them the subject of an Order. For example, it is unlikely to be necessary to make an Order in respect of trees which are under good arboricultural or silvicultural management.

It may be expedient to make an Order if the authority believes there is a risk of trees being felled, pruned or damaged in ways which would have a significant impact on the amenity of the area. But it is not necessary for there to be immediate risk for there to be a need to protect trees. In some cases the authority may believe that certain trees are at risk as a result of development pressures and may consider, where this is in the interests of amenity, that it is expedient to make an Order. Authorities can also consider other sources of risks to trees with significant amenity value. For example, changes in property ownership and intentions to fell trees are not always known in advance, so it may sometimes be appropriate to proactively make Orders as a precaution.

Orders should be used to protect selected trees and woodlands if their removal would have a significant negative impact on the local environment and its enjoyment by the public. Before authorities make or confirm an Order they should be able to show that protection would bring a reasonable degree of public benefit in the present or future.

If there is a potential risk to the trees to support carrying out an amenity assessment then please provide the details and we can arrange an assessment.

Kind regards

Carol Slingsby
Tree and Landscape Officer (Planning Department)

01427 676650
Guildhall | Marshall's Yard | Gainsborough | Lincolnshire | DN21 2NA

From: Stephen Coulman <stephen.coulman@gainsborough-tc.gov.uk>
Sent: Wednesday, July 26, 2023 1:22 PM
To: Carol Slingsby <carol.slingsby@west-lindsey.gov.uk>
Cc: Rachel Allbones <Rachel.Allbones@gainsborough-tc.gov.uk>
Subject: RE: TPOs, Roses Sports Ground.

Carol,
Thank you for your prompt response – appreciated.

I will advise my Members that there are no TPOS and as it presently stands it is unlikely that any will be applied in the near future – are you content with my response?

The initial query came about due to proposals to run a new sewer across Roses Sports Ground and possibly through / under trees on the boundary.

Many thanks.

Kind Regards

Stephen Coulman CEnvH
Operations Manager

Gainsborough Town Council
Richmond House, Richmond Park, Morton Terrace, Gainsborough, Lincolnshire, DN21 2RJ

Tel: 01427 811573 ext 304

From: Carol Slingsby <carol.slingsby@west-lindsey.gov.uk>
Sent: Wednesday, July 26, 2023 3:34 PM
To: Stephen Coulman <stephen.coulman@gainsborough-tc.gov.uk>
Cc: Rachel Allbones <Rachel.Allbones@gainsborough-tc.gov.uk>
Subject: RE: TPOs, Roses Sports Ground.

Hi Stephen

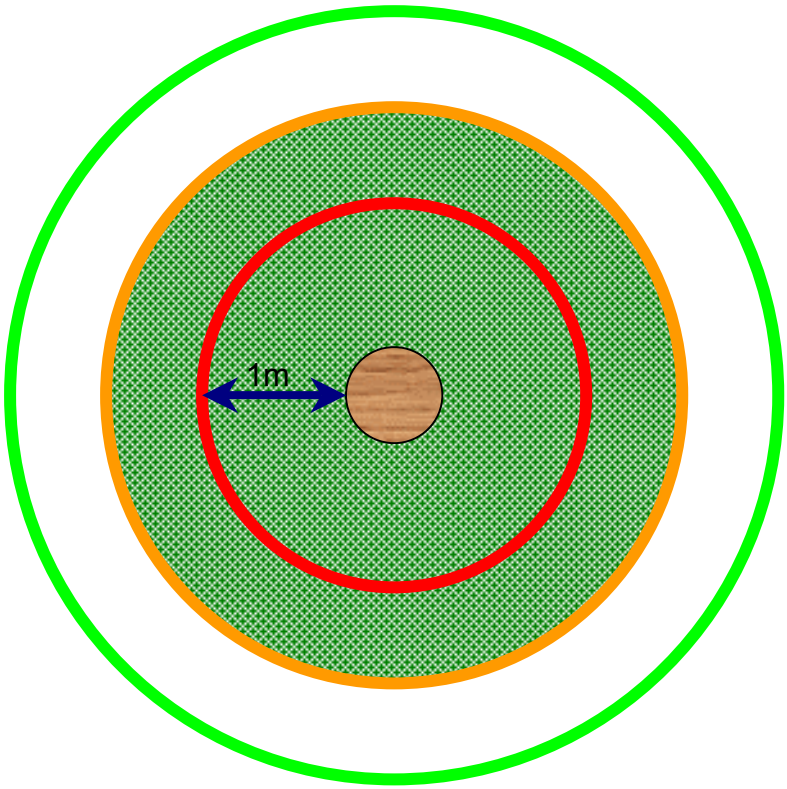
Yes, I'm happy with that response.

I've attached some national guidance for installing underground utilities which you might find useful. It's meant for street works but could be applied to anywhere really.

Kind regards

Carol Slingsby
Tree and Landscape Officer (Planning Department)

01427 676650
Guildhall | Marshall's Yard | Gainsborough | Lincolnshire | DN21 2NA



TREE PROTECTION ZONE

Key to Diagram

Trunk of Tree

Spread of canopy or branches

PROHIBITED ZONE – 1m from trunk. Excavations of any kind must not be undertaken within this zone unless full consultation with Local Authority Tree Officer is undertaken. Materials, plant and spoil must not be stored within this zone.

PRECAUTIONARY ZONE – 4 x tree circumference. Where excavations must be undertaken within this zone the use of mechanical excavation plant should be prohibited. Precautions should be undertaken to protect any exposed roots. Materials, plant and spoil should not be stored within this zone. Consult with Local Authority Tree Officer if in any doubt.

PERMITTED ZONE – outside of precautionary zone. Excavation works may be undertaken within this zone however caution must be applied and the use of mechanical plant limited. Any exposed roots should be protected.

DAMAGE TO TREES

Tree roots keep a tree healthy and upright. Most roots are found in the top 600mm of soil and often grow out further than the tree's height. The majority of these roots are very fine; even close to a tree few will be thicker than a pencil. Most street tree roots grow under the footway but may also extend under the carriageway. If roots are damaged the tree may suffer irreversible harm and eventually die.

PROTECTING ROOTS - DO'S and DON'TS

There are three designated zones around a tree each of which has its own criteria for working practices.

THE PROHIBITED ZONE

Don't excavate within this zone.

Don't use any form of mechanical plant within this zone

Don't store materials, plant or equipment within this zone.

Don't move plant or vehicles within this zone.

Don't lean materials against, or chain plant to, the trunk.

Do contact the local authority tree officer or owner of the tree if excavation within this zone is unavoidable.

Do protect any exposed roots uncovered within this zone with dry sacking.

Do backfill with a suitable inert granular and top soil material mix as soon as possible on completion of works.

Do notify the local authority tree officer or the tree's owner of any damage.

THE PRECAUTIONARY ZONE

Don't excavate with machinery. Where excavation is unavoidable within this zone excavate only by hand or use trenchless techniques.

Don't cut roots over 25mm in diameter, unless advice has been sought from the local authority tree officer.

Don't repeatedly move / use heavy mechanical plant except on hard standing.

Don't store spoil or building material, including chemicals and fuels, within this zone.

Do prune roots which have to be removed using a sharp tool (e.g. secateurs or handsaw). Make a clean cut and leave as small a wound as possible.

Do backfill the trench with an inert granular material and top soil mix. Compact the backfill with care around the retained roots. On non highway sites backfill only with excavated soil.

Do protect any exposed roots with dry sacking ensuring this is removed before backfilling.

Do notify the local authority tree officer or the tree's owner of any damage.

THE PERMITTED ZONE

Don't cut roots over 25mm in diameter, unless advice has been sought from the local authority tree officer.

Do use caution if it is absolutely necessary to operate mechanical plant within this zone.

Do prune roots which have to be removed using a sharp tool (e.g. secateurs or handsaw). Make a clean cut and leave as small a wound as possible.

Do protect any exposed roots with dry sacking ensuring this is removed before backfilling.

Do notify the local authority tree officer or the tree's owner of any damage.

The National Joint Utilities Group

NJUG Guidelines for the Planning, Installation and Maintenance of Utility Apparatus in Proximity to Trees

Volume 4

NJUG GUIDELINES FOR THE PLANNING, INSTALLATION AND MAINTENANCE OF UTILITY APPARATUS IN PROXIMITY TO TREES

PLEASE ENSURE THAT YOU READ THE LEGAL NOTICE AND DISCLAIMER WHICH APPEARS IN APPENDIX B OF THIS PUBLICATION

Issue 2: 16th November 2007

NJUG has a vision for street works, this vision is simply:

- **Safety is the number one priority**
- **Damage to underground assets is avoided**
- **Utilities work together and in partnership with local authorities to minimise disruption**
- **Utilities deliver consistent high quality**
- **Utilities maximise the use of sustainable methods and materials**
- **Street Works in the U.K. are regarded as world class**

This document forms part of that vision.

Mark Ostheimer
Director, Safety and Policy

The following volumes constitute the NJUG Publications. They are living documents and may be amended from time to time. There is no attempt to describe any specific industry process as each utility has its own specifications and procedures. Not all the publications will necessarily be available at one time as individual volumes will be published when available.

NJUG PUBLICATIONS	
Current	*Previous*
VOLUME 1	
NJUG Guidelines on the Positioning and Colour Coding of Underground Utilities' Apparatus	NJUG 4 & 7
VOLUME 2	
NJUG Guidelines on the Positioning of Underground Utilities Apparatus for New Development Sites	NJUG 2, 5 & 6
VOLUME 3	
NJUG Guidelines on the Management of Third Party Cable Ducting	New
VOLUME 4	
NJUG Guidelines for the Planning, Installation and Maintenance of Utility Apparatus in Proximity to Trees	NJUG 10
VOLUME 5	
NJUG Guidelines on Environmental Good Practice	New
VOLUME 6	
Legislation & Bibliography	NJUG 1

The following NJUG publications have not been reviewed and have been completely withdrawn:

NJUG 3 – Cable Locating Devices
NJUG 8 – Performance Guide for the Assessment of Metallic Pipe and Cable Locators
NJUG 9 – Recommendations for the Exchange of Records of Apparatus between Utilities
NJUG 11 – Proposed Data Exchange Format for Utility Map Data
NJUG 12 – NJUG Specification for the Digitisation of Large Scale OS Maps
NJUG 13 – Quality Control Procedure for Large Scale OS Maps Digitised to OS 1988
NJUG 15 – NJUG/Ordnance Survey Service Level Agreement (Technical) for Digital Map Products and Services

CONTENTS

In this document the word 'apparatus' is used to describe both the distribution mains and also the lateral apparatus to properties. The words 'plant' or 'services' are also used to collectively describe this and other equipment.

This volume supersedes NJUG 10 'Guidelines for the Planning, Installation and Maintenance of Utility Services in Proximity to Trees' and has been drafted by NJUG members and arboriculturists.

Background

The statutory right of undertakers (utilities) to carry out works within the public highway in order to provide and maintain their apparatus dates from the mid - 19th century. There are no statutory obligations governing the position or depth at which apparatus should be laid within the highway. The following guidelines should therefore be adhered to wherever practicable.

The New Roads and Street Works Act 1991, as amended by the Transport Act 2000, the Traffic Management Act 2004, the Transport (Scotland) Act 2005 together with the Street Works (Northern Ireland) Order 1995, sets down the legislative requirements to be adopted during the installation, repair and maintenance of apparatus in roads and streets (**see Volume 6 – 'Legislation and Bibliography'**).

Scope

(i) Trees (including shrubs and hedges) play an essential role in the environment and visual amenity of both rural and urban landscapes. They may take decades to grow, but can be destroyed in minutes. Wherever they are growing, whether in public footpaths, private gardens, rural verges or elsewhere, they require space for the adequate development of their root systems and to allow the branches to develop an attractive and natural shape.

(ii) Modern society expects a multiplicity of apparatus (electricity, gas, water, sewage, telecommunications and cable television) each of which requires an extensive distribution network, both above and below ground. These networks also need space, and they are frequently under tight constraints regarding their alignment.

(iii) The space available for both trees and apparatus is often very restricted, and they are frequently forced to share the available space, both above and below ground. Where they are in close proximity, there is the potential for either the tree or the apparatus to be subject to damage. To successfully co-exist precautions should be taken to minimise the risk of damage to both trees and apparatus based upon technical guidance obtained from this document and where appropriate further advice from local authority arboriculturists.

(iv) Legislative mechanisms for ensuring that existing trees (including shrubs and hedges) are safeguarded already exist (see sub-section 7 – 'Legislation'). References to legislation relate to the whole of the United Kingdom (UK) but variations between countries may occur. They seek to provide constructive advice on how to minimise damage to trees by undertakers (utilities) and to utility apparatus by trees and will be helpful to utility companies, contractors, arboriculturists, highway engineers, developers and planners. The guidelines have been prepared in collaboration between representatives of the utilities, the arboricultural and urban forestry professions and the Department for Communities and Local Government. As with all guidelines, their interpretation and application should be complimented at all times by common sense. However, expert guidance on specific instances should be sought from the appropriate utility, local authority or arboriculturist. The emphasis throughout this document is on the need for local liaison and communication.

(v) Certain trees are subject to Tree Preservation Orders (TPOs). Trees protected by a TPO must not be willfully damaged or destroyed and cannot be cut down, uprooted, topped or lopped without the local planning authority consent.

(vi) These guidelines are applicable to all apparatus (underground and overhead) and to trees in any location (public or private, rural or urban). They should be considered when new apparatus is planned to be constructed adjacent to existing trees, when new trees are to be planted adjacent to existing apparatus and where apparatus is to be maintained or repaired and trees are to be managed (e.g. pruning, removal or replacement).

(vii) Site surveys should be undertaken appropriate to the scale of the planned works. These surveys will identify the presence of trees which could impact on works. Advice should then be sought from a local authority tree officer. However, on major projects, a consultant arboriculturist may be employed to liase with the local authority tree officer. Site surveys should be carried out according to the recommendations within BS 5837 (see sub-section 8 – 'Other Useful Publications').

(viii) The principles set out in these guidelines also have relevance in respect of work carried out to highways near trees (e.g. kerbing, footway reinstatement).

1. HOW TREES ARE DAMAGED

Trees are complex living organisms, which are susceptible to damage from a wide range of physical agents or activities. Trees do not heal, damage caused to a tree will remain for the rest of its life. Even minor damage may set up circumstances leading to serious long term decay.

Contrary to popular belief, the root system of a tree is not a mirror image of the branches, nor is there usually a 'tap root'. The majority of the root system of any tree is in the surface 600mm of soil, extending radially in any direction for distances frequently in excess of the tree's height. Excavation or other works within this area are liable to damage the roots.

1.1 The Root System

The base of a trunk typically flares out in buttresses extending into the main lateral structural roots. These rapidly subdivide into the mass of smaller roots which serve to anchor the tree into the soil and transport water and nutrients. Even at a short distance (3m) from a large mature tree, most roots will be less than 10mm in diameter, but these may extend to well beyond the branch spread of the tree. A mass of fine roots, less than 1 mm in diameter, develop off all parts of this root system. These fine roots also absorb the water and nutrients, which are essential for the growth of the tree.

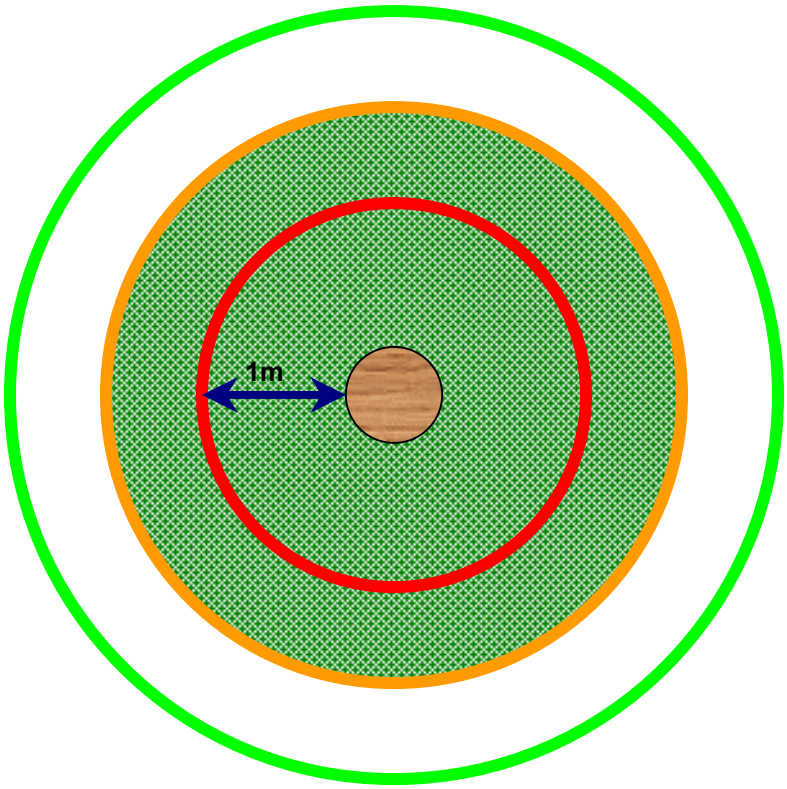
The main structural roots (close to the trunk) develop as the tree grows in response to the need for physical stability. Beyond these major roots growth is influenced by the availability of water, air and nutrients in the soil. Disturbance of soil provides ideal conditions for root growth. Apparatus is often cooler than the surrounding soil encouraging moisture within the soil to condense on its surface stimulating root growth close to the apparatus. For all these reasons root growth is often most prolific within the backfilled trench and in the soil around the apparatus.

There are certain areas around trees, illustrated in Figure 1 – 'Tree Protection Zone', where excavation either must not be undertaken or only undertaken under strict conditions in order to avoid or minimise any damage to a tree's root system.

For the purposes of this guideline document they are called zones;

- the Prohibited Zone (1m from the trunk)
- the Precautionary Zone (4 x the tree circumference)
- the Permitted Zone (outside of the Precautionary Zone)

FIGURE 1 – Tree Protection Zone



Key

Trunk of tree

Canopy or branch spread

PROHIBITED ZONE – 1m from trunk. Excavations of any kind must not be undertaken within this zone unless full consultation with the local authority Tree Officer is undertaken. Materials, plant and spoil must not be stored within this zone.

PRECAUTIONARY ZONE – 4 x tree circumference. Where excavations must be undertaken within this zone the use of mechanical excavation plant should be prohibited. Precautions should be undertaken to protect any exposed roots. Materials, plant and spoil should not be stored within this zone. Consult with the local authority Tree Officer if in any doubt.

PERMITTED ZONE – outside of the precautionary zone. Excavation works may be undertaken within this zone, however caution must be applied and the use of mechanical plant limited. Any exposed roots should be protected.

1.2 Below Ground

1.2.1 **Root systems can be damaged by;**

- the severance of a root, for example by trenching will destroy all parts of the root beyond that point. Even roots less than 10mm in diameter may be serving the fine roots over a wide area. The larger the root severed, the greater the impact on the tree.

Typical root damage caused by excavation works

- damage to the bark on the root. The bark protects the root from decay and is also essential for further root growth. It is loosely attached and easily damaged. If damage to the bark extends around the whole circumference the root beyond that point will be killed.

- damage to surface roots. Care must be taken when using mechanical plant. Materials and vehicles must never be stored within the Prohibited Zone and ideally should not be stored within the Precautionary Zone.

- compaction of the soil. Incidental compaction may occur from storage of materials and / or the passing of heavy equipment over the roots. This can restrict or even prevent gaseous diffusion through the soil, and thereby asphyxiate the roots. The roots must have oxygen for survival, growth and effective functioning.

Poor site management within the Precautionary Zone

- alterations in soil level. Lowering the level will strip out the mass of roots near the surface. Raising levels will have the same effect as soil compaction.

- the application of herbicide - frequently used to clear weed growth on operational land (e.g. substations). The wide-ranging root system of a tree may extend into the operational land and absorb herbicides, which have been applied to the ground. Herbicide absorbed in one part of the root system can kill the whole tree.

NOTE: The selection and application of herbicides must be undertaken by a competent person in accordance with Control of Substances Hazardous to Health (COSHH) regulations.

- spillage of oils or other materials (e.g. diesel oil, cement, resins). Spillage can permeate into the soil and damage root systems (see sub-section 4.3 – 'Chemical Damage to Trees').

1.2.2 **If roots are damaged;**

- close to the trunk. The anchorage and stability of the tree may be adversely affected rendering the tree immediately hazardous.

- anywhere along their length. The distal portion including the fine roots they serve, will be destroyed. Damage to fine roots by severance of a main root, or by compaction or alteration of ground levels, will prevent fine roots from absorbing the water and nutrients which are essential for the well-being, growth and anchorage of the tree.

- by successive excavations. Multi-utility excavations close to a tree can cumulatively damage a root system.

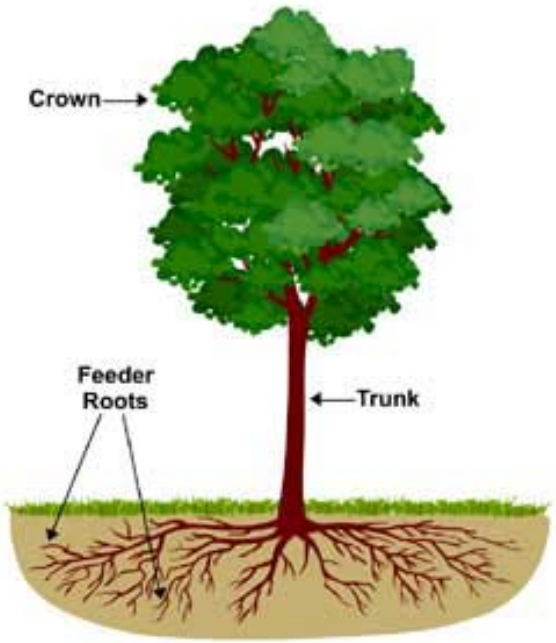


Figure 2 - Typical Tree Structure

1.2.3 **Symptoms**

Trees with damage may not show any immediate symptoms. Such symptoms may range from minor branch dieback to deterioration and ultimate death and collapse of the tree dependent on the severity of damage and the ability of the roots to regenerate.

If a root of 25mm diameter or over is severed, as a precautionary measure, a local authority tree officer / arboricultural officer should be contacted immediately.

1.3 Above Ground

Trees have a single or multi-stemmed trunk supporting a framework of branches and twigs. These structures are protected by a layer of bark, the purpose of which is to protect the functional tissues immediately beneath.

Trees can be damaged by:

- Direct impact by plant or machinery
- Fire and scorching.
- Poor pruning
- Abrasion by overhead apparatus
- Chemicals and fuel oils
- Storage of materials within the Prohibited and Precautionary Zones

1.3.1 **Abrasion**

The tree may be damaged by abrasion with overhead apparatus. Initially this only removes the outer bark. If the abrasion continues it can expose the underlying wood which may increase the risk of fire or eventual collapse of the branch or the tree.

If trees are growing in proximity to overhead apparatus it should be possible to prevent the development of problems by timely pruning and tree management. This requires knowledge of the growth pattern of the many different species of tree, consideration of the effects of the pruning on the appearance of the tree and application of the correct pruning techniques. All pruning should be in accordance with BS 3998 (see sub-section 8 – 'Other Useful Publications'). All operatives should be authorised and competent.

For all works other than emergency or urgent works, notification and consultation with all interested parties is necessary before work commences (see section 5 – 'How to Avoid Damage to Apparatus by Trees').

1.3.2 **Permissions / Notifications**
Any work to trees adjacent to an area of operations that extends beyond what is absolutely necessary for operational requirements may require either written permission from the local planning authority (in respect to tree preservation orders) or six weeks' notification to the local planning authority (in respect to trees in conservation areas)(see also section 6 – 'Sites with Designated Status').

2. HOW APPARATUS IS DAMAGED

The positioning and type of underground apparatus are detailed in NJUG publication **Volume 1 – 'NJUG Guidelines on the Positioning and Colour Coding of Underground Utilities' Apparatus'.**

Construction methods and utility service materials are subject to change and any cluster of utility services is likely to consist of a variety of historic and modern materials constructed to various specifications. In general utility apparatus includes the following:

Pipes
Cables
Ducts
Chambers
Poles/Towers/Masts/Satellite dishes
Above ground installations

2.1 Below Ground

Underground apparatus (especially those less than 600mm deep) may be affected by tree roots. The risk will depend on the ability of the apparatus, in particular any joints, to resist or tolerate distortion.

2.1.1 **Direct damage**
Direct damage is caused by the annual increase in root thickness resulting in eventual contact with apparatus. However, it is usually either the root or the adjacent soil that will distort rather than the apparatus itself. The potential for damage depends on how much the root thickens and is greatest in the main structural roots within 3 metres of the tree. Roots may grow around an apparatus to form a sheath but this will rarely exert sufficient pressure to cause any damage. Surface wrappings inadequately attached to an apparatus, if non-toxic, may be colonised by roots and eventually lifted off.

2.1.2 **Indirect damage**
Indirect damage is restricted to shrinkable soils, mainly clays but also peat and some silts. Such soils shrink as they dry with the potential to distort any apparatus supported by the soil. Vegetation growing within the same area of soil may increase the drying effect.

The degree of the shrinkability of the soil will affect the amount of movement caused by drying and thus the potential for damage to occur. In situations where apparatus passes from a shrinkable soil into a rigid structure there is the possibility of extreme distortion taking place. Regular seasonal movement can also cause damage even in the absence of roots, particularly with short segmented pipes (see sub-section 3.1.4 – 'Shrinkable Soils').

2.1.3 **Root incursion**
Intact apparatus will not generally be penetrated by roots. However roots can exploit existing defects such as;

- defective pipe joints
- cracks in foul or surface water drains
- inadequate or degraded pointing of inspection chambers.

Where internal conditions are moist and aerated and therefore most conducive to root growth, root proliferation may occur and ultimately block the apparatus. If root thickening occurs where it passes into apparatus, root related enlargement of a defect may occur. This is unlikely at distances 3 metres or more from the trunk.

2.1.4 **Trees and Wind Movement**.
The potential for damage to apparatus close to a tree may increase due to movement of the lower trunk and a structural root as the tree sways in strong winds. Such movement may result in direct pressure being applied to the apparatus. Furthermore, if a tree is uprooted, any apparatus passing across or through the disturbed root plate may also be displaced. Such events are unlikely and are restricted to situations where apparatus is in close proximity to the trunk of the tree, but the potential may be increased if other structural roots are severed. Encasing apparatus in lean mix or course concrete can exacerbate this problem as fine roots may penetrate the material providing a greater 'hold' on the apparatus unless an appropriate root barrier material is used to separate the apparatus from the root system.

2.1.5 Mechanical Removal of Trees and Stumps

The mechanical removal of tree stumps by grinding or grubbing may disturb or damage apparatus passing across or through the root plate of the tree. Using a mechanical digger to uproot a tree scheduled for removal is very likely to damage apparatus within and also close to the Prohibited or Precautionary Zones as the roots will apply pressure to the apparatus as they are uprooted.

2.2 Above Ground

If overhead apparatus come into contact with trees they may be damaged as a result of:

- Abrasion when the tree and / or apparatus move in the wind bringing them into contact. The resultant abrasion can damage wires affecting their efficiency, strength and causing interference or loss of supply.

- The collapse of a branch or a whole tree which could bring down overhead lines.

3. PLANNING OF WORKS

The inherently variable nature of trees, and also the generally low incidence of damage to underground apparatus, makes it neither practical nor justifiable to impose absolute limits on the proximity of trees to apparatus. Therefore site specific liaison and agreement between the asset owner and other interested parties is essential.

With respect to overhead apparatus there are minimum established clearances which must be maintained. Details of these clearances can be obtained from the utility network operator.

Before new trees are planted the advice of a local authority tree officer or arboriculturist should be obtained.

3.1 Special Considerations when Planning the Installation of Underground Apparatus

3.1.1 New / Renewal of Apparatus - New Trees

In considering the location of new or renewed apparatus in conjunction with a new tree planting scheme early consultation is essential between the relevant

professional organizations e.g. local authorities, utility companies, developers and landowners

3.1.2 New / Renewal of Apparatus - Existing Trees

When planning the installation or renewal of apparatus the position of existing trees should be considered as one of the primary factors which could affect the siting, depth, method of installation and future maintenance of that apparatus.
Consultation with the relevant interested parties will identify any conflict and consideration should be given to apparatus diversion or felling and re-planting. This decision should be influenced by the value of the tree and the extent of the additional diversionary works.

3.1.3 Existing Apparatus - New Trees

Early consultation with utilities should take place before any tree work, including planting, is undertaken to ascertain the position of existing apparatus. Records of underground apparatus should be obtained from utilities and used in conjunction with on site apparatus detection techniques. The guidance contained within Health and Safety Executive guidance note HSG47 – 'Avoiding Danger from Underground Services' should be followed when excavating. In addition, when planning new tree planting, there should be liaison with the utilities, local authority and landowner so that the risks trees may pose to utility apparatus in the future are minimised.

3.1.4 Shrinkable Soils

Apparatus laid in clay or peat should be constructed to tolerate movements of the subsoil caused by root activity. Special precautions for differential movement should be incorporated where apparatus joins rigid structures founded at a different depth to the apparatus (e.g. pipe connections to chambers). See sub-section 2.1.2 'Indirect Damage'.

3.2 Precautions when Repairing Existing Apparatus

Where apparatus requires repair the location of the excavation is often defined by the location of the fault. The nature of the work usually requires open excavation. Excavation within the Prohibited and Precautionary Zones should be in accordance with sub-section 4.1 'Below Ground' except for emergency or urgent works.

Where emergency or urgent works may have caused damage to roots with a diameter in excess of 25mm, interested parties should be informed immediately. They may choose to consult a local authority tree officer or arboriculturist regarding whether remedial treatment to the tree is necessary.

If roots have grown into a drain or duct and proliferated so as to cause a blockage, the removal of the root mass from within the drain or duct will only provide temporary relief. If the root, which originally penetrated the drain, is still present it will regenerate and recreate the same problem. Roots of other plants may have a similar effect. Permanent relief can only be obtained by the proper repair of the original defect e.g. by replacement or refurbishment.

Utility apparatus may be refurbished by the use of pre-fabricated, slip lined or cured-in-place lining systems or pipes. Pre-fabricated and slip lined systems and pipes are generally resistant to root growth / intrusion, but cured-in-place linings may deform and ultimately collapse from the incursion of root growth. Following pre-survey (e.g. CCTV), it is essential that any roots are removed from the bore of the apparatus as far as practicable prior to lining, by the use of proprietary root removal systems (e.g. high-pressure water, flails, or rotating blade cutters).

3.3 Special Considerations when Planning the Installation of Above Ground Apparatus

The aerial parts of a tree are constantly growing larger and are prone to bend and flex in windy conditions. As a result parts of a tree may come close to or into contact with above ground apparatus.

3.3.1 **Electricity**

The overhead apparatus belonging to the electricity supply industry is subject to minimum clearances from adjacent trees and other structures. This is to ensure the safety of the public and protect against flashover and loss of supply. Local conditions may require an increase in the clearances specified in current electricity industry standards.

Part IV of The Electricity Supply Regulations covers the construction of power lines above ground. Schedule 4(9) of the Electricity Act 1989 enables electricity companies to require the felling or lopping of trees which obstruct or interfere with the working of their lines or constitute an unacceptable source of danger.

In addition to the above reference should be made to the Energy Networks Association (ENA) document Engineering Recommendation G55/1- Safe Tree Working in Proximity to Overhead Electric Lines (see section 8).

3.3.2 **Communications**

Communication operators run their systems under the Telecommunications Act 1984 (as amended by the Communications Act 2003) in accordance with The

Telecommunications Code (Schedule 2). Paragraph 19 of the Telecommunications Code enables operators to require the lopping of trees which overhang the street and obstruct or interfere with the working of their lines.

4. HOW TO AVOID DAMAGE TO TREES

This section gives general guidance on methods of work to minimise damage to trees. The local authority (or for privately owned trees, the owner or their agent), should be consulted at an early stage prior to the commencement of any works. This will reduce the potential for future conflict between trees and apparatus.

4.1 Below Ground

Wherever trees are present, precautions should be taken to minimise damage to their root systems. As the shape of the root system is unpredictable, there should be control and supervision of any works, particularly if this involves excavating through the surface 600mm, where the majority of roots develop.

4.1.1 **Fine Roots**

Fine roots are vulnerable to desiccation once they are exposed to the air. Larger roots have a bark layer which provides some protection against desiccation and temperature change. The greatest risk to these roots occurs when there are rapid fluctuations in air temperature around them e.g. frost and extremes of heat. It is therefore important to protect exposed roots where a trench is to be left open overnight where there is a risk of frost. In winter, before leaving the site at the end of the day, the exposed roots should be wrapped with dry sacking. This sacking must be removed before the trench is backfilled.

4.1.2 **Precautions**

The precautions referred to in this section are applicable to any excavations or other works occurring within the Prohibited or Precautionary Zones as illustrated in Figure 1 – ‘Tree Protection Zone’.

4.1.3 **Realignment**

Whenever possible apparatus should always be diverted or re-aligned outside the Prohibited or Precautionary Zones. Under no circumstances can machinery be used to excavate open trenches within the Prohibited Zone.

The appropriate method of working within the Precautionary Zone should be determined in consultation with the local authority (or for privately owned trees the owner or their agent) and may depend on the following circumstances;

- the scope of the works (e.g. one-off repair or part of an extensive operation)
- degree of urgency (e.g. for restoration of supplies)
- knowledge of location of other apparatus
- soil conditions
- age, condition, quality and life expectancy of the tree

Where works are required for the laying or maintenance of any apparatus within the Prohibited or Precautionary Zones there are various techniques available to minimise damage.

Acceptable techniques in order of preference are;

a) Trenchless
Wherever possible trenchless techniques should be used. The launch and reception pits should be located outside the Prohibited or Precautionary Zones.
In order to avoid damage to roots by percussive boring techniques it is recommended that the depth of run should be below 600mm. Techniques involving external lubrication of the equipment with materials other than water (e.g. oil, bentonite, etc.) must not be used when working within the Prohibited Zone. Lubricating materials other than water may be used within the Precautionary Zone following consultation and by agreement.

b) Broken Trench - Hand-dug
This technique combines hand dug trench sections with trenchless techniques if excavation is unavoidable. Excavation should be limited to where there is clear access around and below the roots. The trench is excavated by hand with precautions taken as for continuous trenching as in (c) below. Open sections of the trench should only be long enough to allow access for linking to the next section. The length of sections will be determined by local conditions, especially soil texture and cohesiveness, as well as the practical needs for access. In all cases the open sections should be kept as short as possible and outside of the Prohibited Zone.

c) Continuous Trench - Hand-dug

The use of this method must be considered only as a last resort if works are to be undertaken by agreement within the Prohibited Zone. The objective being to retain as many undamaged roots as possible.

Hand digging within the Prohibited or Precautionary zones must be undertaken with great care requiring closer supervision than normal operations.

After careful removal of the hard surface material digging must proceed with hand tools. Clumps of roots less than 25mm in diameter (including fibrous roots) should be retained in situ without damage. Throughout the excavation works great care should be taken to protect the bark around the roots.

All roots greater than 25mm diameter should be preserved and worked around. These roots must not be severed without first consulting the owner of the tree or the local authority tree officer / arboriculturist. If after consultation severance is unavoidable, roots must be cut back using a sharp tool to leave the smallest wound.

4.1.5 **Backfilling**

- Any reinstatement of street works in the United Kingdom must comply with the relevant national legislation (see: **Volume 6 – 'Legislation and Bibliography'**). In England this relates to the requirements of the code of practice – 'Specification for the Reinstatement of Openings in Highways' approved under the New Roads and Street Works Act 1991. Without prejudice to the requirements relating to the specification of materials and the standards of workmanship, backfilling should be carefully carried out to avoid direct damage to roots and excessive compaction of the soil around them.

- The backfill should, where possible, include the placement of an inert granular material mixed with top soil or sharp sand (not builder's sand) around the roots. This should allow the soil to be compacted for resurfacing without damage to the roots securing a local aerated zone enabling the root to survive in the longer term.

- Backfilling outside the constructed highway limits should be carried out using the excavated soil. This should not be compacted but lightly "tamped" and usually left slightly proud of the surrounding surface to allow natural settlement. Other materials should not be incorporated into the backfill.

4.1.6 **Additional Precautions near Trees**

- Movement of heavy mechanical plant (excavators etc.) must not be undertaken within the Prohibited Zone and should be avoided within the Precautionary Zone, except on existing hard surfaces, in order to prevent unnecessary compaction of the soil. This is particularly important on soils with a high proportion of clay. Spoil or material must not be stored within the Prohibited Zone and should be avoided within the Precautionary Zone.

- Where it is absolutely necessary to use mechanical plant within the Precautionary Zone care should be taken to avoid impact damage to the trunk and branches. A tree must not be used as an end-stop for paving slabs or other materials nor for security chaining of mechanical plant. If the trunk or branches of a tree are damaged in any way advice should be sought from the local authority tree officer / arboriculturist.

See TABLE 1 –'Prevention of Damage to Trees Below Ground' below for summary details regarding causes and types of damage to trees and the implications of the damage and the necessary precautions to be taken to avoid damage.

TABLE 1 - Prevention of Damage to Trees Below Ground

Causes of Damage	Type of Damage	Implications to Tree	Precautions
Trenching, mechanical digging etc.	Root severance	• The tree may fall over • Death of the root beyond the point of damage • Potential risk of infection of the tree The larger the root the greater the impact on the tree.	Hand excavate only within the Precautionary Zone. Work carefully around roots. Do not cut roots over 25mm in diameter without referring to the local authority tree officer. For roots less than 25mm in diameter use a sharp tool and make a clean cut leaving as small a wound as possible.
Trenching, mechanical digging, top soil surface removal etc.	Root bark damage	• The tree may fall over • If the damage circles the root it will cause the death of the root beyond that point • Potential risk of infection of the tree The larger the root the greater the impact on the tree.	Do not use mechanical machinery to strip the top soil within the Precautionary Zone. Hand excavate only within the Precautionary Zone. Work carefully around roots. Do not cut roots over 25mm in diameter without referring to the local authority tree officer. For roots less than 25mm use a sharp tool and make a clean cut leaving as small a wound as possible.
Vehicle movement and plant use. Material storage within the precautionary area.	Soil compaction & water saturation	Restricts or prevents passage of gaseous diffusion through soil, the roots are asphyxiated and killed affecting the whole tree.	Prevent all vehicle movement, plant use or material storage within the Precautionary Zone.
Top-soil scouring, excavation or banking up.	Alterations in soil level causing compaction or exposure of roots.	Lowering levels strips out the mass of roots over a wide area. Raising soil levels asphyxiates roots and has the same effect as soil compaction.	Avoid altering or disturbing soil levels within the Precautionary Zone.
Use of herbicides.	Poisoning of the tree via root absorption	• Death of the whole tree • Death of individual branches Damage to leaves and shoots.	The selection and application of herbicides must be undertaken by a competent person in accordance with COSHH regulations.
Spillage of oils or other materials.	Contamination of soil	Toxic and asphyxiation effects of chemicals, oils, building materials (cement, plaster, additives etc.) on the root system can kill the tree.	Never store oils, chemicals or building materials within the Precautionary Zone or within the branch spread of a tree, which ever is the greater.
Placement or replacement of underground apparatus.	Various	Death of all or part of the tree.	Effective planning and liaison with local authority tree officer, taking into consideration the position of trees, and their future growth potential and management

4.2 Above Ground

4.2.1 **Damage by Pruning**

Trees (including shrubs and hedges) can be damaged by inappropriate or excessive pruning. Reference should be made to the Energy Networks Association (ENA) document “Engineering Technical Report 136 Vegetation Management near Electricity Equipment – Principles of Good Practice” (see section 8 – ‘Other Useful Publications’) or appropriate company specific documentation for guidance on pruning.

See TABLE 2 – ‘Prevention of Damage to Trees Above Ground’ below for summary details regarding causes and types of damage to trees and the implications of the damage and the necessary precautions to be taken to avoid damage.

TABLE 2 - Prevention of Damage to Trees Above Ground

Causes of Damage	Type of Damage	Implications for the Tree	Precautions
Impact by vehicle or plant Physical attachment of signs or hoardings to the trunk Storage of materials at base of tree Rubbing by winch or pulling cables	Bark bruising, bark removal, damage to the wood, damage to buttress roots, abrasion to trunk	Wounding with the potential for infection ultimately resulting in death of all or part of the tree. Structural failure of the tree	Surround the trunk with protective free-standing barrier. Exclude vehicles, plant or material storage from the Precautionary Zone. Ensure sufficient clearance of cables or ropes.
Impact by vehicle or plant Rubbing by overhead cables	Bark damage to branches, breakage and splitting of branches, abrasion to branches	Structural failure of the branch. Wounding or loss of a branch with the potential for infection ultimately resulting in death of all or part of the branch or tree.	Exclude vehicles, plant or material storage from the Precautionary Zone. Ensure sufficient clearance of cables or ropes. All pruning should be carried out in accordance with BS3998 *(prune affected branches to give appropriate clearance from cables)*
Inappropriate siting of overhead apparatus, such as CCTV, lighting fixtures and communications masts and dishes.	Inappropriate pruning, unnecessary tree removal	Severely pruning tree to acquire line of sight signal for communications dish etc.	Effective planning and liaison with local authority tree officer / arboriculturist, taking into consideration the position of trees, and their future growth potential and management.
Lack of forethought in design and location of apparatus and services entries on new developments	Complete tree removal	The tree is removed unnecessarily	Agree the location and installation of services at the design stage. Consideration should be given to the creation of dedicated service routes wherever possible.
Use of herbicides	Poisoning of the tree via absorption through bark, leaves and shoots	Death of the whole tree, death of individual branches, damage to leaves and shoots	The selection and application of herbicides must be undertaken by a competent person in accordance with COSHH regulations.

4.3 Chemical Damage to Trees

Chemical damage to trees adjacent to utility premises and operational land can be avoided if;

- the risk is identified when planning any work involving herbicides or other chemicals ensuring that only appropriate chemicals are used. Particular care should be exercised when considering the use of herbicides recommended for “non crop areas” as many of these also specify “do not use where there may be roots of desirable plants”,

- herbicides are applied only at the rate and in the manner recommended by the manufacturer,

- follow-up applications are not undertaken until weeds reappear on the operational land,

- alternative methods of weed control are considered.

5. HOW TO AVOID DAMAGE TO APPARATUS BY TREES

5.1 Consultation with Utilities

The potential for future conflict between trees and above-ground apparatus can be reduced by appropriate planning. Early consultation with utilities should therefore take place before any tree work including planting is undertaken to ascertain the position of existing apparatus. Records of underground apparatus should be obtained from utilities and used in conjunction with on site apparatus detection techniques. Specific care must be taken when removing the stumps of existing trees. In addition when planning new tree planting there should be liaison with the utilities, local authority and landowner so that the risks trees may pose in the future are minimised.

5.2 Precautions during Planting

Every possible precaution should be taken to ensure that the existing apparatus is not damaged during excavation works. Health and Safety Executive guidance note HSG47 – ‘Avoiding Danger from Underground Services’ and any specific guidance issued by the apparatus owner should be followed at all stages of the work.

5.2.1 **Below Ground**

Before any excavation work begins, trial holes should be undertaken to validate the results of any detection surveys undertaken to confirm the actual position and depth of the apparatus.

5.2.2 **Above Ground**

Consideration should be given to the presence of satellite dishes and masts on commercial properties, poles and drop wires, as future tree growth may cause operational problems.

Reference should also be made to Energy Networks Association (ENA) document 'Engineering Technical Report 136 Vegetation Management near Electricity Equipment – Principles of Good Practice' (see section 8 – 'Other Useful Publications') or appropriate company specific documentation.

NOTE: In all cases where definitive clearances are required, contact must be made with the appropriate electricity or communication company who will determine the clearance to be adopted.

See also sub-section 3.3 – 'Special Considerations when Planning the Installation of Above Ground Apparatus'.

6. SITES WITH DESIGNATED STATUS

Certain sites may be specifically designated and will require consultation and / or permission from the relevant authority prior to undertaking any works. These sites include:

- Sites of Special Scientific Interest
- English Heritage Sites
- English Nature / Natural England
- National Trust Land
- Nature Reserves
- Conservation Areas
- Scottish Natural Heritage
- Areas of Outstanding Natural Beauty
- Countryside Council for Wales
- Historic Scotland
- Northern Ireland Environment and Heritage Service
- Cadw (Welsh Historic Monuments)

6.1 Tree Preservation Orders and Trees in Conservation Areas

Section198 of the Town and Country Planning Act 1990 (the Act) gives local planning authorities powers to make trees and woodlands the subject of tree preservation orders (TPOs) in the interests of amenity. Trees protected by a TPO may not be willfully damaged or destroyed and cannot be cut down, uprooted, topped or lopped without the local planning authority's consent.

Additionally, under section 211 of the Act, anyone proposing to cut down, uproot, top, lop etc. a tree in a conservation area is required to give the local planning authority six weeks' notice before doing so. This gives the authority an opportunity of making a TPO in respect of the tree.

Certain statutory obligations imposed by Acts of Parliament may allow for the limited felling, topping or lopping of trees protected by a TPO in order to supply and maintain service. This does not preclude the requirement to consult with the owner.

See also: **Volume 5 – 'NJUG Guidelines on Environmental Good Practice'**

7. LEGISLATION

Reference should also be made to **Volume 6 – 'Legislation & Bibliography'.**

7.1 Primary Legislation

National Parks and Access to the Countryside Act 1949*
Health and Safety at Work Act 1974
Highways Act 1980**
Telecommunications Act 1984
Gas Act 1986
Electricity Act 1989
Town and Country Planning Act 1990 (Section 198 Tree Preservation Orders).
Water Industry Act 1991
The New Roads and Street Works Act 1991 (NRSWA)
The Streets Works (Northern Ireland) Order 1995
Communications Act 2003
Traffic Management Act 2004
Transport (Scotland) Act 2005
The Streets Works (Northern Ireland) (Amendment) Order 2007

* Under the National Parks and Access to the Countryside Act 1949 local authorities are given a general power to plant trees.

** Under the Highways Act 1980 highway authorities may plant trees in the highway, or license others to do so. They need to ensure that trees do not overhang or cause a danger to roads or footpaths, and are given powers to prevent this from happening.

The above list is not exhaustive.

7.2 Secondary Legislation

Each Act of parliament in 7.1 will have various associated regulations that should be referred to.

8. OTHER USEFUL PUBLICATIONS

This is not an exhaustive list of available publications and is only valid at the time of issue.

BS 3998 Recommendations for Tree Work

- Provides general recommendations for tree surgery and other tree work.

BS 5837 Trees in Relation to Construction

- Gives advice on the integration of new development amongst trees.

Codes of Practice approved under the New Roads and Street Works Act 1991

- Co-ordination of Street Works and Works for Road Purposes and Related Matters
- Specification for the Reinstatement of Openings in Highways
- Safety at Street Works and Road Works
- Measures Necessary where Apparatus is Affected by Major Works (Diversionary Works)
- Inspections

Energy Networks Association publications:

- Engineering Technical Report 136 ‘Vegetation Management Near Electricity Equipment – Principles of Good Practice’
- Engineering Recommendation G55/1 – ‘Safe Tree Working in Proximity to Overhead Electric Lines’
- ENA-TS 40-80 – ENA Technical Standard for Overhead Line Clearances
- Engineering Recommendation G70 – Vegetation Control near Overhead Lines

- ETR 132 – Improving Network Performance (under abnormal weather conditions by the use of a risk based approach to vegetation management near electric overhead lines)
- MNT/004 – UK Distribution Policy for the Inspection and Maintenance of Overhead Lines

HSE Arboriculture and Forestry Advisory Group publications

- AFAG 804 Electricity at work: Forestry and arboriculture
- AFAG 404 Electrical utility arboriculture

Manual for Streets (supercedes Design Bulletin 32 and Places, Streets and Movement)

- The Department for Transport and the Department for Communities and Local Government (DCLG), with support from the Commission for Architecture and the Built Environment (CABE), commissioned WSP , TRL , Llewellyn Davies Yeang and Phil Jones Associates to develop a Manual for Streets to give guidance to a range of practitioners on effective street design.

National House Building Council (NHBC) Standards Chapter 4.2. Building near trees

- Gives information on the design of new foundations in proximity to trees on shrinkable clay soils.

9. OTHER REFERENCES

9.1 Arboricultural

Arboricultural advice may be sought from the:

- Arboricultural Advisory and Information Service
- Arboricultural Association
- Arboriculture and Forestry Advisory Group
- International Society of Arboriculture
- Local authority Arboricultural Officer
- The Tree Advice Trust

9.2. Herbicides

Information on herbicides and their application may be obtained from the:

- British Agrochemicals Association

9.3 Utilities

Utility advice may be sought from the local utility contact or NJUG.

GLOSSARY

Apparatus	Equipment such as valves, stopcocks, chambers, cabinets, transformer chambers etc and includes any structure for the lodging of apparatus.
Arboriculturist	A professional who cultivates and manages trees, hedgerows and shrubs and provides information and advice on specific tree related issues.
Carriageway	A way constituting or comprised in a highway, being a way (other than a cycle track) over which the public have a right of way for the passage of vehicles.
Cycle track	A way constituting or comprised in a highway over which the public have a right of way on pedal cycles with or without a right of way on foot.
Desiccation	The state of extreme dryness, the drying out of roots.
Distal	Situated farthest from the centre.
Drop wires	Overhead wire from telegraph pole to customer premises.
Duct / ducting	Structure (usually cylindrical) used to convey and protect apparatus.
Fibre optic	The use of very thin glass or plastic fibres through which light can be transmitted to carry information from a source to a receiver, especially for telecommunication, television and information technology systems.
Footpath	A highway over which the public have a right of way on foot only, not being a footway.
Footway	A way comprised in a highway which also comprises a carriageway, being a way over which the public have a right of way on foot only.
GRP	Glass Reinforced Plastic
Herbicide	A chemical that destroys plants.
Main	Structure (usually cylindrical) used to convey water or gas or oil generally greater than 50mm in diameter.
NJUG	National Joint Utilities Group Limited.
Pipe	Longitudinal structure (usually cylindrical) used to convey water, gas or oil.
Root plate	Formed just below the soil surface when shallow lateral growing roots predominate over the development of a deep taproot.

Service strip	A strip of designated land alongside a carriageway or footway used to convey services.
Sub-duct	Longitudinal structure (usually cylindrical) laid inside ducts used to carry smaller diameter cables such as fibre optic.
Tiles	Impact resistant cover constructed of earthenware, concrete or polyethylene for protecting underground cables
Utility	An undertaker by statute that has a legal right to provide customer services (e.g. communications, electricity, gas, water)
Verge	A strip of land which may form part of the public highway alongside a carriageway or footway, which may contain services.

APPENDIX A

Important Legal Notice and Disclaimer

1. This publication describes utility industry guidelines for the planning, installation and maintenance of utility apparatus in proximity to trees. NJUG has endeavoured to ensure that the information is correct and up-to-date at the date of first publication, but does not warrant its completeness and accuracy or that it will remain up-to-date. This publication is not intended to be exhaustive and may not be applicable in all situations.

2. You are permitted to print and download and make photocopies of this publication for your own use only on the following basis:

   a) none of the information or related graphics in this publication are modified in any way;
   b) no graphics in this publication are used separately from accompanying text; and
   c) NJUG's copyright notices and this Legal Notice and Disclaimer are to appear in all copies

3. Unless otherwise stated, the copyright and other intellectual property rights in this publication are owned by NJUG Ltd or its licensors. For the purposes of this legal notice, any use of extracts from this publication other than expressly permitted by this legal notice, is prohibited. If you breach any of the terms in this legal notice, your permission to use this publication automatically terminates.

4. No part of this publication may be reproduced in any way (including via any website) or stored in any public or private electronic retrieval system or service without NJUG's prior written permission. Any rights not expressly granted in this legal notice are reserved.

5. This publication has no legal or statutory authority and is not intended to be a definitive or complete statement of the applicable law. Reference should always be made to any relevant legislation. This publication is not intended to be or to replace specific legal advice and all persons acting or placing reliance on this publication or any part of it are advised to consult with their own legal advisors to ensure that they understand and comply with the legal requirements which are applicable to their organisation and circumstances.

6. Persons who act or place reliance on this publication are solely responsible for undertaking all surveys, enquiries, tests and other investigations as may be appropriate in the circumstances. NJUG Ltd and its directors, advisors and other contributors to this publication (together collectively referred to as 'NJUG') do not accept any responsibility for the actions or conclusions drawn by persons acting or placing reliance on this publication.

7. This publication is free of charge and persons relying on this publication acknowledge that it would be unreasonable to hold NJUG liable in respect of this publication and the information contained in it. NJUG excludes all liability to the maximum extent permitted under applicable law. NJUG shall not be liable for any direct, indirect or consequential losses, damage, costs or expenses whatsoever or howsoever sustained by any person acting or placing reliance on this publication (or any person or entity claiming through such person) or otherwise arising therefrom – whether arising in tort, contract or otherwise – including, without limitation, any loss of profits, contracts, business, goodwill, data, income, revenue or anticipated savings.

8. Nothing in this disclaimer shall exclude or limit NJUG's liability for death or personal injury arising from its negligence, nor any other matter which cannot be excluded or limited under applicable law.

PAPER C

Lincolnshire County Council
Place Directorate
Highways Services
Minor Works & Traffic Team
County Offices
Newland
Lincoln LN1 1YL

Ref: RG/993 FAO Roxanne Greaves
Date: 02/08/2023

Tel: 01522 782070
Email: TRO@lincolnshire.gov.uk

Dear Sir/Madam

RE: GAINSBOROUGH, SPRINGTHORPE ROAD – PROPOSED NO WAITING AT ANY TIME

Lincolnshire County Council recently received a request to review the waiting restrictions at the above location.

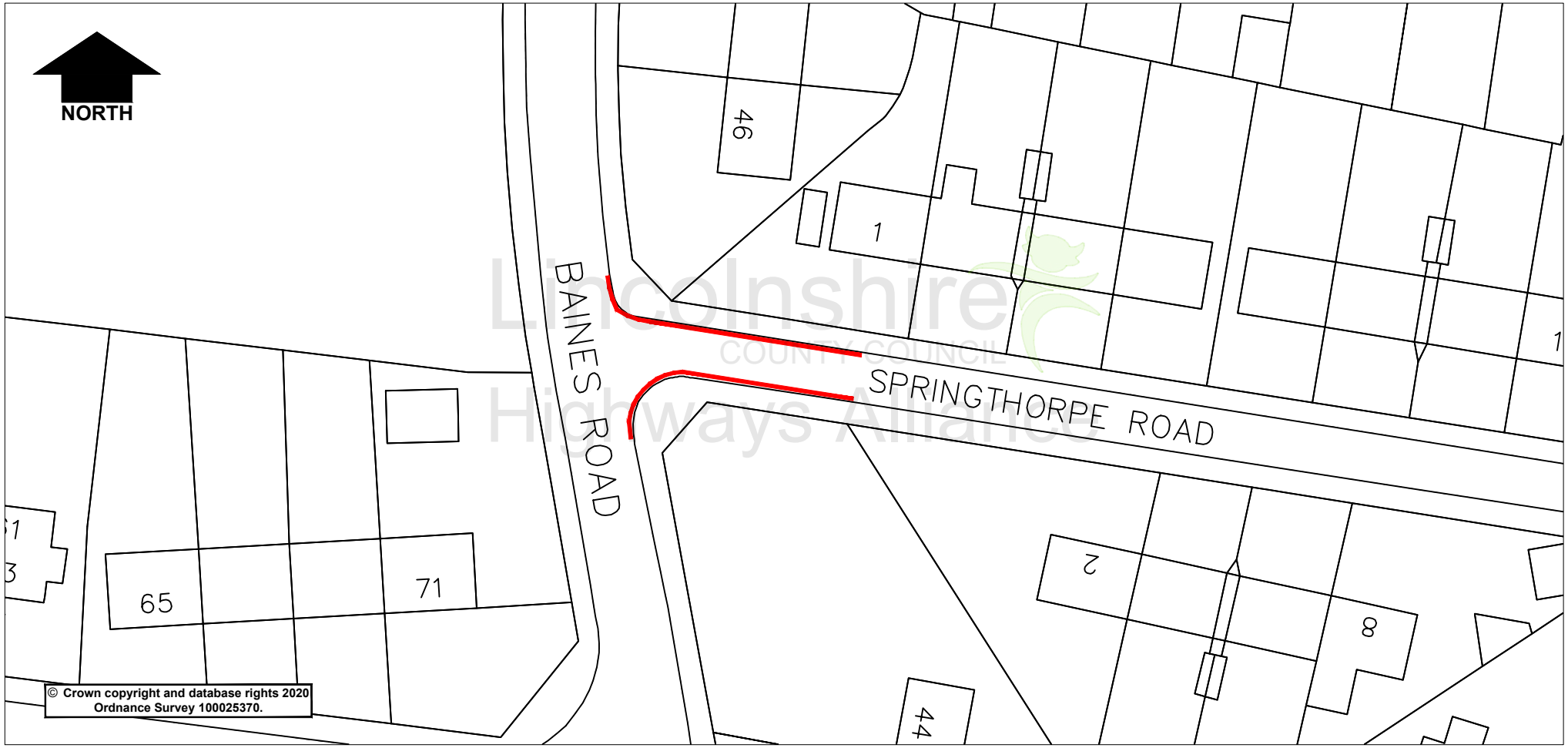
Investigations have shown that inconsiderate and dangerous parking is occurring at the junctions, causing visibility and safety concerns for all road users. They have also shown numerous cars parking opposite accesses and homeowners are not able to reverse out of their driveway due to the narrowness of the road.

The proposal is shown on the attached plan, and I look forward to receiving any comments you may wish to make. If I do not receive a response by 30th August 2023, I will assume that you have no objections to the proposal.

Yours faithfully

R Greaves

For Programme Leader Minor Works & Traffic



Key

Proposed No Waiting at Any Time

Rev.	Description	Drawn	Ch'kd	Auth	Date

Lincolnshire COUNTY COUNCIL
Highways Alliance
Lancaster House, 36 Orchard Street, Lincoln, LN1 1YZ

Project: Gainsborough, Springthorpe Road		Drawn: RG	Date: July 23
Status	Project No.: 993	Ch'kd	Date
Drawing Title: Proposed No Waiting at Any Time		Auth	Traced
Drawing No.: RG/993/001		Rev.: 0	Scale: NTS

Jul 11,2023 - 11:58am X:\common\Traffic Regulation Orders\Schemes Master Folder DO NOT CHANGE\900-999\993 - Springthorpe Road Waiting Restrictions\CAD\CAD.dwg

A4