

Conclusions (from original report by Arb Consultancy Ltd)

Highlights are by Chair of PRA (PS)

- 1.1.1 There is **nothing to indicate that the trees were unsafe at the time of their removal, indeed there is more evidence to suggest that they were safe.**
- 1.1.2 There is also **no remaining evidence of ill health or disease** that would support their removal as a sensible management option.
- 1.1.3 Given the presence of the tree tags and their generally good condition **there has clearly been a tree inspection regime in place and records of this will be held by the current owners** and/or managers of the site, as is legally required by their duty of care. These records have not been forthcoming to date.
- 1.1.4 The most plausible explanation is that the **trees were pre-emptively felled.**
- 1.1.5 **Pre-emptive felling is when a developer removes trees that they think will impede their development proposal** by limiting the amount of space available for development, as the Local Planning Authority (LPA) will require the trees to be considered within the design, and for the trees and their rooting areas to be given adequate space that will also be physically protected during development, as set out in 'BS5837: 2012 Trees in relation to design, demolition construction – Recommendations'.
- 1.1.6 Pre-emptive felling usually happens over a weekend when the council offices are shut as the tree officer will not be available to place a TPO on the site to halt the felling.
- 1.1.7 A typical hallmark of pre-emptive felling is that the trees are felled but not cleared up. This is because the tree contractors need to fell the trees in as quick a timeframe as possible to ensure that any resistance to their operation has as little chance to gather as possible. There are no such time constraints to clear up the felled trees.
- 1.1.8 This would appear to be a **breach of the Forestry Act as a felling license was not in place**, my understanding is that it is under investigation by the Forestry Commission.
- 1.1.9 It also would appear to be a **likely breach of the Wildlife and Countryside Act** although there is no hard evidence for this.
- 1.1.10 Except for G7, **all the trees were of significant amenity value with many years of remaining contribution to the site, the local area, the local community and any future occupants of the site.**
- 1.1.11 The Pines, G1 were particularly high in amenity/landscape value and the Oak, T2 was extremely high in ecological value. **The CAVAT valuation of £855,376 has reflected this.**
- 1.1.12 **The increase in developable area directly increases the value of the site as more units can be built on it. It would therefore be reasonable to assume that the value of the site for the purposes of development has increased. This could be quantified by a suitably qualified person.**

