

Appendix 3 to committee report- CCOM7/ YKEY25

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Ashley Morgan
County Hall
Bythesea Road
Trowbridge
Wiltshire
BA14 8JN

Our ref: EPR/PB3056GE

Date: 18/03/2024

Dear Mr Morgan

Your new environmental permit

Permit reference: EPR/PB3056GE

Operator: Wiltshire Council

Description of Activity: Installation of footbridge over main river channel

Site / Location: By Brook, Lower Colham, Castle Combe, Wiltshire

Our determination of your application for a permit is complete. We're satisfied that you can carry out your activities in accordance with the enclosed permit, without increasing flood risk, or harming land drainage or the environment. Please keep the permit in a safe place.

This letter contains web links to other documents. If you aren't able to access these please contact me. Please quote our reference when contacting us.

Please look at the table below and note any of the things that apply to your permit.

If...	then..
you plan to keep your records at a site other than where the activity takes place	you need to let us know within 20 working days of receiving this letter.
your permit includes standard rules	we've enclosed the rules set/s. We may change these in future but will let you know about any changes. You must make sure you're always following the latest rules set.
your permit has a pre-operational condition requiring you to do something before work starts (for example submit a method of work, or have measures in place to reduce sediment mobilisation)	check the deadlines for completing these measures and make sure you carry them out by the times stated.
your permit requires you to notify us before works start	check the deadlines for notifying us and make sure you carry them out by the times stated.
your permit requires you to notify us when any particular work is complete	check the deadlines for notifying us and make sure you carry them out by the times stated.
you need to submit other returns or information	send these to us at the contact details above, unless we advise you otherwise.

Find out more about complying with your permit on our website

<https://www.gov.uk/topic/environmental-management/environmental-permits>

This includes guidance on your management system and how you will be regulated.

There is a subsistence charge for your permit that applies when we carry out compliance checks. For most permits this will happen once and we will invoice you when the charge is due. If the permit continues over a longer period, deals with a number of activities, or has

ongoing conditions, we may do compliance checks more than once and will invoice you at the time the compliance work is done.

Rights of appeal

If you're not happy with any permit condition that has been imposed by the permit you may appeal to the Secretary of State. You must make your appeal no later than six months after the permit issue date. Further information about making an appeal and the forms you will need are available from the Planning Inspectorate website or from the contact details below.

Environment Appeals, Enforcement and Specialist case work division, The Planning Inspectorate, 3/25 Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Phone: 0303 444 5584

Email: environment.appeals@planninginspectorate.gov.uk

You must send written notice of the appeal and the documents listed below to the Secretary of State at the Planning Inspectorate address above. At the same time you must send us a copy of the notice and documents to:

Centralised Services Team – Appeals, Environment Agency, National Permitting Service, Quadrant 2, Parkway Business Park, Sheffield, S9 4WF

Email : Appeals_NPS@environment-agency.gov.uk

The documents are:

- a statement of the grounds of appeal
- a copy of any relevant application
- a copy of any relevant environmental permit
- a copy of any relevant correspondence between the appellant and the regulator
- a copy of any decision or notice which is the subject matter of the appeal
- a statement indicating whether you wish the appeal to be in the form of a hearing or dealt with by way of written representations.

You may withdraw an appeal by notifying the Secretary of State in writing and sending a copy of that notification to us.

If you have any questions about this permit please contact me. Please quote our reference when contacting us.

Yours sincerely



Daniel Griffin

FCRM Officer

Partnership & Strategic Overview Team

Flood and Coastal Risk Management - Dorset and Wiltshire

Environment Agency

External: 020302 59299

daniel.griffin@environment-agency.gov.uk

Rivers House, Sunrise Business Park, Higher Shaftesbury Rd., Blandford Forum, Dorset, DT11 8ST

Permit with introductory note

The Environmental Permitting (England & Wales) Regulations 2016

Wiltshire Council

Installation of footbridge over main river channel

National Grid Reference[s]: ST8464475831.

By Brook, Lower Colham, Castle Combe, Wiltshire

Permit number

EPR/PB3056GE

Introductory note

This introductory note does not form a part of the permit

The main features of the permit are as follows.

Installation of footbridge over main river channel - By Brook, Lower Colham, Castle Combe, Wiltshire.

The status log of the permit does not form part of the permit. It sets out the permitting history, including changes to the permit or permit reference number.

Status log of the permit		
Description	Date	Comments
Application EPR/PB3056GE	Duly made 29/02/2024	Application for the installation of a footbridge over a main river channel
Additional information submitted	05/03/2024	Clarification on points of methodology
Permit determined EPR/PB3056GE	18/03/2024	Permit issued to Wiltshire Council

End of introductory note

Permit

The Environmental Permitting (England and Wales) Regulations 2016

Permit number

EPR/PB3056GE

The Environment Agency hereby authorises, under regulation 13 of the Environmental Permitting (England and Wales) Regulations 2016

Wiltshire Council (“the operator”)

of

**County Hall
Bythesea Road
Trowbridge
Wiltshire
BA14 8JN**

to operate the following flood risk activities:

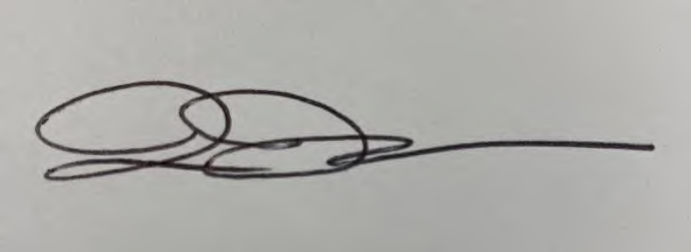
Installation of footbridge over main river channel

at

By Brook, Lower Colham, Castle Combe, Wiltshire

National Grid Reference(s) ST8464475831

to the extent authorised by and subject to the conditions of this permit.

Name	Date
 Laura Lavery Partnership & Strategic Overview Team Leader Dorset and Wiltshire, Wessex	15/03/2024

Authorised on behalf of the Environment Agency

Conditions

1 Management

1.1 General management

- 1.1.1 The operator shall manage and operate the activities:
- (a) in accordance with a written management system that identifies and minimises risks of flooding, impact on drainage and environmental harm so far as is reasonably practicable, including those risks arising from operations, maintenance, accidents, incidents, non-conformances and those drawn to the attention of the operator as a result of complaints; and
 - (b) using sufficient competent persons and resources.
- 1.1.2 Records demonstrating compliance with condition 1.1.1 shall be maintained.
- 1.1.3 Any person having duties that are or may be affected by the matters set out in this permit shall have convenient access to a copy of the permit.

2 Operations

2.1 Permitted activities

- 2.1.1 The operator is only authorised to carry out the activities specified in schedule 1 table S1.1 (the “activities”).

2.2 The site

- 2.2.1 The activities shall not extend beyond the site, being the land shown edged in red on the site plan at schedule 2 to this permit.

2.3 Operating techniques

- 2.3.1 The operator shall use appropriate measures, including but not limited to those in the approved Method of Work.
- (a) to minimise sediment mobilisation
 - (b) to minimise impact on biodiversity
 - (c) to ensure there is no increase to flood risk or detrimental impact on drainage;
 - (d) for the storage and disposal of waste produced; and
 - (e) to prevent and minimise environmental harm.
- 2.3.2 All liquids in containers, whose emission to water or land could cause pollution, shall be provided with secondary containment, unless the operator has used other appropriate measures to prevent or where that is not practicable, to minimise, leakage and spillage from the primary container.
- 2.3.3 Measures shall be taken to ensure that the activities do not cause the spread of invasive non-native species or plant or animal diseases.
- 2.3.4 The activities shall, subject to the conditions of this permit, be operated using the techniques and in the manner described in the documentation specified in schedule 1, table S1.2, unless otherwise agreed in writing by the Environment Agency.

3 Information

3.1 Records

- 3.1.1 All records required to be made by this permit shall:
- (a) be legible;
 - (b) be made as soon as reasonably practicable;
 - (c) if amended, be amended in such a way that the original and any subsequent amendments remain legible, or are capable of retrieval; and
 - (d) be retained, unless otherwise agreed in writing by the Environment Agency, for at least 6 years from the date when the records were made.
- 3.1.2 The operator shall keep on site all records, plans and the management system required to be maintained by this permit, unless otherwise agreed in writing by the Environment Agency.

3.2 Reporting

- 3.2.1 The operator shall send all reports and notifications required by the permit to the Environment Agency using the contact details supplied in writing by the Environment Agency.

3.3 Notifications

- 3.3.1 The Environment Agency shall be notified no less than 7 days before the commencement of the activities.
- 3.3.2 Environment Agency shall be notified no less than 7 days after the activities are completed.
- 3.3.3 The Environment Agency shall be notified without delay following the detection of any breach of a limit specified in the permit or any significant environmental effects resulting from the activities or of any breach of the permit.
- 3.3.4 Written confirmation of actual or potential incidents or effects and breaches referred to in 3.3.3 shall be submitted within 24 hours.
- 3.3.5 The Environment Agency shall be notified within 14 days of the occurrence of the following matters, except where such disclosure is prohibited by Stock Exchange rules:
- Where the operator is a registered company:
- (a) any change in the operator's trading name, registered name or registered office address; and
 - (b) any steps taken with a view to the operator going into administration, entering into a company voluntary arrangement or being wound up.
- Where the operator is a corporate body other than a registered company:
- (a) any change in the operator's name or address; and
 - (b) any steps taken with a view to the dissolution of the operator.
- In any other case:
- (a) the death of any of the named operators (where the operator consists of more than one named individual);
 - (b) any change in the operator's name(s) or address(es); and
 - (c) any steps taken with a view to the operator, or any one of them, going into bankruptcy, entering into a composition or arrangement with creditors, or, in the case of them being in a partnership, dissolving the partnership.

- 3.3.6 Where the operator proposes to make a change in the nature or functioning, or an extension of the activities, which may have consequences for flood risk, drainage or the environment and the change is not otherwise the subject of an application for approval under the Regulations or this permit:
- (a) the Environment Agency shall be notified at least 14 days before making the change; and
 - (b) the notification shall contain a description of the proposed change in operation.

3.4 Interpretation

- 3.4.1 In this permit the expressions listed in schedule 3 shall have the meaning given in that schedule.
- 3.4.2 In this permit references to reports and notifications mean written reports and notifications, except where reference is made to notification being made “without delay”, in which case it may be provided by telephone.
- 3.4.3 Any reference to a distance of a number of metres from a flood defence structure, drainage work, remote defence or sea defence is a reference to that distance as measured from the foot of the foregoing as the case may be.
- 3.4.4 Any reference to a distance of a number of metres from a river control work is a reference to that distance as measured from the nearest part of the river control work.
- 3.4.5 Any reference to a distance of a number of metres from a watercourse is a reference to that distance as measured horizontally from the foot of the bank on the landward side of the watercourse.

Schedule 1 – Operations

Table S1.1 activities		
Activity reference	Description of activities	Limits of activities
	Permanent Works	
P1	Installation of footbridge over main river channel	<p>The activity shall be commenced within 3 years of the date of the grant of the permit and completed within 3 months of commencement.</p> <p>The activities shall be carried out in accordance with:</p> <ul style="list-style-type: none"> - The application form dated: 26/01/24. - Drawing no: 2176-2023-D101-0, dated: 01/24. - Environmental Risk Assessment, dated: 26/01/24. - Email correspondence from A. Morgan of Wiltshire Council, dated: 05/03/24. <p>The soffit shall be at least 600mm higher than the top of the bank on both sides of the river.</p> <p>Any parapet of the footbridge shall be of open construction.</p>

Table S1.2 Operating techniques			
Requirement	Measures (if measures are specified)	Document reference	Date Received
Condition 2.3.1	Approved Method of Work	Method Statement, ref: 2176-MS01-O, dated: 26/01/24	29/01/24

Schedule 2 – Site Plan



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Schedule 3 – Interpretation

“application” means the application for this permit, together with any additional information supplied by the operator as part of the application and any response to a notice served under Schedule 5 to the EP Regulations.

“authorised officer” means any person authorised by the Environment Agency under section 108(1) of The Environment Act 1995 to exercise, in accordance with the terms of any such authorisation, any power specified in section 108(4) of that Act.

“EP Regulations” means The Environmental Permitting (England and Wales) Regulations SI 2016 No.1154 and words and expressions used in this permit which are also used in the Regulations have the same meanings as in those Regulations.

“main river” means a watercourse or part of a watercourse designated as main river on the statutory main river map held by the Environment Agency.

“Method of Work” means a document forming part of the operator’s management system, setting out the working methods for carrying out the activity and what measures will be taken to avoid or minimise the risks of environmental effects.

“approved Method of Work” means the operator’s Method of Work approved by the Environment Agency

“environmental effects” means:

- (a) flooding or risk of flooding;
- (b) harm to the environment or risk of harm to the environment; and
- (c) detrimental impact on drainage or risk of detrimental impact on drainage.

“environmental harm” means a result of human activity which may:

- (a) cause harm to the conservation, protection and enhancement of any species and habitats designated under any enactment as having special protection or priority;
- (b) prevent the achievement of environmental objectives within the meaning of the Water Framework Directive 2000/60/EC;
- (c) cause pollution; or
- (d) otherwise adversely affect the protection and enhancement of the environment.

END OF PERMIT

From: [Leonard, Stephen](#)
To: [Finch, Rachael](#)
Cc: [Harlow, Craig](#)
Subject: RE: 0406241543CW Rack Hill: proposed works in SSSI Rack Hill Wiltshire
Sent: 24/06/2024 14:18:57

Follow Up Flag: Follow up

Flag Status: Flagged

Hi Rachael

Thank you .

As it is a proposed footpath diversion we do not now the exact dates of works , but once we know that the division order is to be processed I can let you know on exact dates when works would take place .

This would then dictate any mitigation or works constraints require by the SSSI status .

We will not be removing any clearance materials on the wooded side of the SSSI site it will be stacked if necessary off the new route of the path.

Sorry I can be more specific on dates as this is still an unknow.

Regards
Stephen

Stephen Leonard
Countryside Access Officer
Highways and Transport
Wiltshire Council
Bath Road Industrial Estate
Chippenham
SN14 0AB

Mob: 07771 721255
Tel: 01249 468567
Fax: 01249 445559
Email stephen.leonard@wiltshire.gov.uk

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From: Finch, Rachael [REDACTED]
Sent: Monday, June 24, 2024 2:08 PM
To: Leonard, Stephen <stephen.leonard@wiltshire.gov.uk>; Hayden, Grace <[REDACTED]>
Subject: RE: 0406241543CW Rack Hill: proposed works in SSSI Rack Hill Wiltshire

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Hi Stephen,

I've had a look at the proposed plans and have concluded that these will have no significant effect on the designated lowland calcareous grassland on site. This is because the bridge will be located in the W8a area (woodland) which is not a designated feature of the site. Additionally, on the SSSI side excavation works will be carried out by hand and access will not be via the SSSI. However, since some areas of woodland could be affected, a felling license would be required if any trees need to be removed and checked for bats before removal.

Whilst the diversion of the footpath could potentially lead to more footfall within the SSSI, this is not going to be located on any calcareous grassland areas. Furthermore, there is already an existing public right of way on the SSSI which borders calcareous grassland areas.

Any vegetation clearance will only involve the removal of small fallen trees and light bramble and will take place outside of the bird nesting season. Butterflies are an important feature of the SSSI, with 20 species associated with the site (although not designated), However, taking into account the small-scale removal of vegetation butterflies should not be significantly affected.

However, you don't currently have a date for when the works will take place so I can't currently grant consent until a date for the works is provided. It would be preferred that this would be between September and March as this is out of the bird, bat and butterfly main seasons but understand from your plans that this may not be possible due to water levels. The date doesn't have to be exact and can cover a period instead e.g. between September 2024 and March 2025.

Please could you therefore provide the following:

- Dates for when the works are to be carried out – this would be preferable to occur between September and March but if this is not possible due to water levels we can discuss further
- The details of vegetation clearance for the new footpath, **how material will be removed from site (or stacked)**, and the time of year this will occur
- Details on how materials will be removed from site after bridge works have occurred

Any questions, please let me know!

Thank you,
Rachael

From: Leonard, Stephen <stephen.leonard@wiltshire.gov.uk>
Sent: Monday, June 24, 2024 8:53 AM
To: Finch, Rachael <[REDACTED]@naturalengland.org.uk>
Subject: RE: 0406241543CW Rack Hill: proposed works in SSSI Rack Hill Wiltshire

Hi Rachael

Thank you for the email .

The footpath within the SSSI will not involve any construction , just the clearance of a few fallen small trees and some light bramble clearance near the old bridge so that the line of the path can be used. The only construction will be in relation to the new bridge abutments. This clearance work can be done at the appropriate time of year between September and March and would only take a few hours . I hope that clarifies this .

Regards

Stephen

Stephen Leonard
Countryside Access Officer
Highways and Transport
Wiltshire Council
Bath Road Industrial Estate
Chippenham
SN14 0AB

Mob: 07771 721255
Tel: 01249 468567
Fax: 01249 445559
Email stephen.leonard@wiltshire.gov.uk

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or by telephone to Customer Services 0300 456 0100 (lines open 9am - 5pm Monday to Friday)

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From: Finch, Rachael [REDACTED] <[\[REDACTED\]@naturalengland.org.uk](mailto:[REDACTED]@naturalengland.org.uk)>
Sent: Friday, June 21, 2024 12:29 PM
To: Leonard, Stephen <stephen.leonard@wiltshire.gov.uk>; Lloyd, Katie
[REDACTED]
Subject: RE: 0406241543CW Rack Hill: proposed works in SSSI Rack Hill Wiltshire

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Hi Stephen,

I am replying to your proposals for the relocated bridge at Rack Hill SSSI.

I can see that the new bridge will divert the public right of way footpath through the SSSI but in the consent notice and application form there isn't mention of whether a new footpath will need to be constructed along with the bridge.

Please can you clarify this?

Kind regards,
Rachael

From: Leonard, Stephen <stephen.leonard@wiltshire.gov.uk>
Sent: Tuesday, June 4, 2024 12:27 PM
To: SM-NE-Protected Sites (NE) <ProtectedSites@naturalengland.org.uk>
Cc: Rasey, Alison <Alison.Rasey@wiltshire.gov.uk>; Harlow, Craig <Craig.Harlow@wiltshire.gov.uk>; Braine, Ben <Ben.Braine@wiltshire.gov.uk>
Subject: FW: proposed works in SSSI Rack Hill Wiltshire

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Hi

Further to my previous email I have attached an amended application due to an error in the location and start dates

Please can you confirm you have received this application and if you require further information

Regards

Stephen

Stephen Leonard
Countryside Access Officer
Highways and Transport
Wiltshire Council
Bath Road Industrial Estate
Chippenham

SN14 0AB

Mob: 07771 721255

Tel: 01249 468567

Fax: 01249 445559

Email stephen.leonard@wiltshire.gov.uk

Wiltshire Council

Please report any problems online <https://my.wiltshire.gov.uk/>
or by telephone to Customer Services 0300 456 0100 (lines open 9am - 5pm Monday to Friday)

Follow Wiltshire Council



From: Leonard, Stephen

Sent: Tuesday, June 4, 2024 10:39 AM

To: ProtectedSites@naturalengland.org.uk

Cc: Rasey, Alison <Alison.Rasey@wiltshire.gov.uk>; Harlow, Craig <Craig.Harlow@wiltshire.gov.uk>; Braine, Ben <Ben.Braine@wiltshire.gov.uk>

Subject: proposed works in SSSI Rack Hill Wiltshire

Hi

Please find attached an application for works in a SSSI and associated documents Environmental Permit Application and Purposed arrangement

Please can you confirm you have received this application and if you require further information

Regards

Stephen

Stephen Leonard
Countryside Access Officer
Highways and Transport
Wiltshire Council
Bath Road Industrial Estate
Chippenham
SN14 0AB

Mob: 07771 721255

Arboricultural Technical Note (Internal)

Reference: **Making of Public Path Diversion and Definitive Map Statement Modification Order: Wiltshire Council Castle Combe 7 and Yatton Keynall 25 Diversion and Definitive Map and Statement Modification Order 2023. Notes on Impacts to Woodland.**

[Notice near SN10, SN11 and 4 more | Public Notice Portal](#)

Site visit carried out by:

Wiltshire Council Tree Officers Jonathon Price and Richard Murphy

Wiltshire Council Definitive Map Officer Craig Harlow

Wiltshire Council Countryside Access Officers Ben Braine and Stephen Leonard

on 28th November 2023.

Report compiled: 4th December 2023

Order Detail:

“STATEMENT MODIFICATION ORDER 2023 The above named Order, made on 23rd August 2023 under section 119 of the Highways Act 1980 and section 53 of the Wildlife and Countryside Act 1981, will divert the public right of way over the land situate at Lower Colham Mill, Castle Combe, SN14 7HZ, from its current position leading from OS Grid Reference ST 84576 75988, in broadly southerly direction for approximately 220 metres to OS Grid Reference ST 84605 75768 with a recorded width of 0.6 metres, to an alternative route from OS Grid Reference ST 84576 75988 leading south easterly and broadly south on the east side of the By Brook in the parish of Yatton Keynell, then turning south westerly over a footbridge over the By Brook and into the parish of Castle Combe continuing south westerly to OS Grid Reference ST 84605 75768, the path having a width of 2 metres other than the footbridge which will have a width of 1.4 metres. The order will alter the Calne and Chippenham Rural District Council definitive map and statement dated 1953 accordingly. A copy of the Order may be seen free of charge at the offices of Wiltshire Council, Bythesea Road, Trowbridge, BA14 8JN (0900 to 1700 week days) by appointment. To make an appointment or receive an electronic copy of the order please contact Craig Harlow, 01249 468568, craig.harlow@wiltshire.gov.uk. Any representations about or objections to the Order may be sent in writing to Craig Harlow, Definitive Map and Highway Records, Wiltshire Council, Bythesea Road, Trowbridge, BA14 8JN or by email to craig.harlow@wiltshire.gov.uk quoting the order title " The Wiltshire Council Castle Combe 7 and Yatton Keynell 25 Diversion and Definitive Map and Statement Modification Order 2023", not later than 17:00 on 6th October 2023 and respondents are requested to state the grounds on which it is made. If no such representations or objections are duly made, or if any so made are withdrawn, Wiltshire Council may confirm the Order as an unopposed Order. If the Order is sent to the Secretary of State for the Environment, Food and Rural Affairs for confirmation any representations or objections which have not been withdrawn will be sent with the Order.”

General Location, Site Description and Proposal Description:

The current footpath bisects through open rough pasture from the south at ST8459775749 to a foot-bridge crossing of the Bybrook River¹ at its north eastern extent at ST8459475958, east of the former Lower Colham Mill complex, now residential dwellings. The proposal is to move the Bybrook crossing approximately 200m south of its current location and bring it through woodland on the riparian fringe on the opposite (east) bank to where it meets existing crossing point.

Our instructions were to comment on the impact of the relocated footpath on the woodland and to comment on any elevated risks to footpath users by its relocation from trees and other woodland elements.

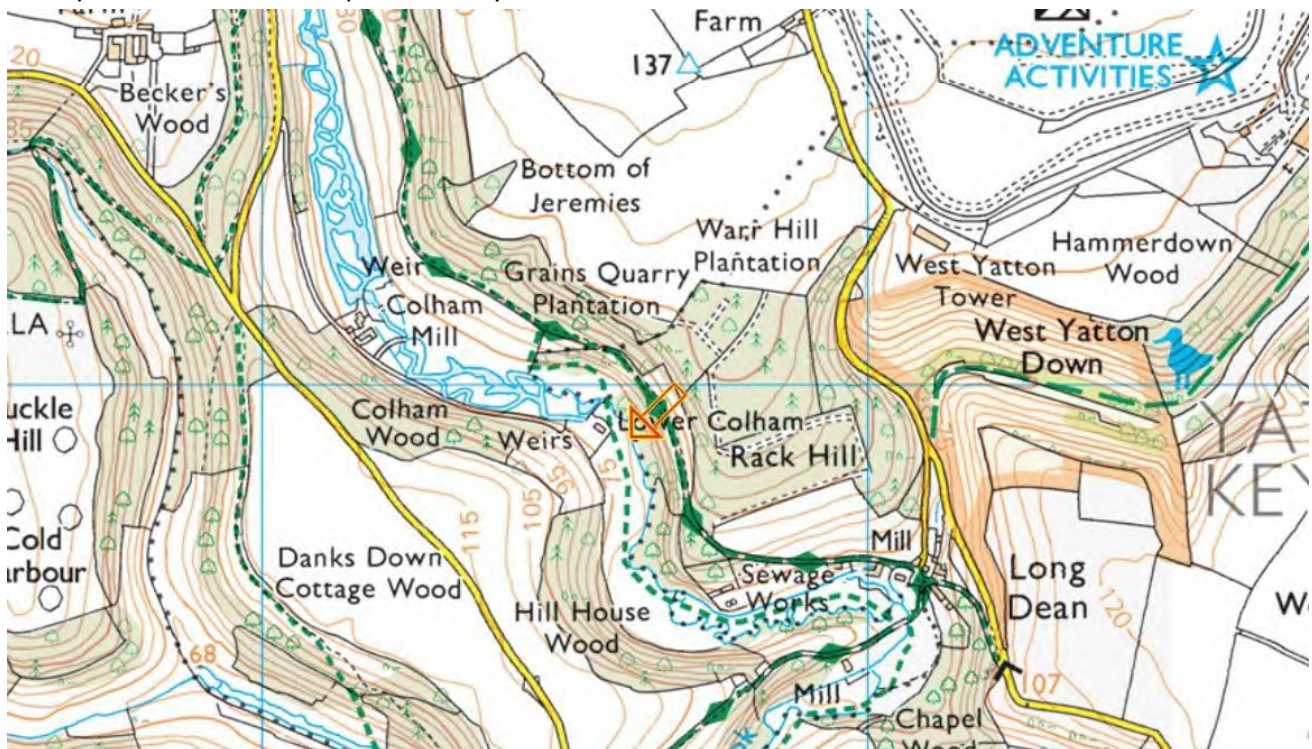


Figure 1: Site Location © www.streetmap.co.uk 2023 Not to Scale

<http://streetmap.co.uk/map?X=384606&Y=175911&A=Y&Z=115>

<https://maps.app.goo.gl/y8t6Af1ZS8GTuLMh9>

OS X (Eastings)	384606
OS Y (Northings)	175911
Nat Grid	ST846759 / ST8460675911
Nearest Post Code	SN14 7HZ
Lat (WGS84)	N51:28:55 (51.48194114503733)
Long (WGS84)	W2:13:23 (-2.2230722692618112)
what3words	called.cabinets.goofy

The woodland through which the footpath is proposed for relocating comprises a compartment of remnant Ancient Semi Natural woodland, possible secondary woodland on ASN former chalk pasture, and is a distal finger of remnant woodland emanating from Hanging Woodland to the south east. It is designated UK Priority Habitat as Broadleaf Woodland and part of the Rack Hill SSSI (designated for chalk grassland).

¹ [Bybrook River - Wikipedia](#)



Figure 2: Extract from 1900 OS Map © www.maps.nls.uk 2023 Not to Scale (approximate proposed diversion in red hatch line)

The current condition of the woodland is reasonable, with good structure of mature and semi mature ash and oak, with the expected level of presentation within the ash population of *Hymenoscyphus fraxinea* Ash Die Back Disease (ADB), plus an understory of hazel and some field maple and hawthorn. Evidence in the form of the hazel suggests relatively recent past management as coppice with standards. Structural presentation of the ash with advanced ADB, in a purely woodland setting, with incidental or rare access would not meet the threshold for reasonable intervention beyond any on-going woodland management plan objectives (if a woodland management plan were extant. Unknown at the time of this report’s compilation). However, intentionally increasing the target value of the woodland by the introduction of a footpath (where *target* = people, property or infrastructure likely to be damaged/impacted by failings tree or part of trees) increases the risk of harm and therefore mitigation measures are recommended in the form of a detailed assessment of the footpath route, all trees within falling distance of it and subsequent remedial works. During this visit, an outline assessment was made of the whole compartment (not individual trees) using the Quantified Tree Risk Assessment methodology (QTRA²) and while the risk was assessed as broadly tolerable under the Tolerability of Risk Framework³ it is recommended that the Duty of Care owner (land owner, or delegated authority) carries out the above detailed tree assessment and implements remedial works as required to

² [Quantified Tree Risk Assessment \(qtra.co.uk\)](http://qtra.co.uk)

³ [Risk management: Expert guidance - ALARP at a glance \(hse.gov.uk\)](http://hse.gov.uk)

bring the risk into the acceptable category. Where trees with advanced ADB are highlighted, at risk of fracture or full failure or trees which have failed at the root plate due to slope instability or root decay, it is recommended that stems are retained as monoliths for standing dead wood habitat and arisings are neatly stacked as habitat piles/hibernacula.

The proposal falls out-with the strictures of the British Standard document BS5837-2012 *Trees in relation to demolition, design and construction - Recommendations*⁴, where Root Protection Areas are calculated and plotted to dictate separation distances from trees and built/engineered elements of a scheme. The two hard-engineered elements of this proposal, i.e. the launch/landing pads and abutments for the new proposed footbridge over the Bybrook do not fall within estimated RPA, however any specific machine or plant movements, or material storage required during construction, should be set out in a detailed construction risk assessment and method statement to be approved by a qualified arboriculturist to ensure no incidental/accidental tree damage outside the strict requirements for works occur (risk being potential avoidable damage to the priority habitat broadleaf woodland). The project ecologist should also have view and comment on this document.

As there will be no engineered element of the proposed footpath diversion itself, no Root Protection Area incursions are likely to occur. The footpath will be delineated, it is assumed, in the short term by clearance of scrub, bramble and other undergrowth by hand tools and in the longer term by established desire lines set by path users. It is assessed there will be little variation to the latter from the former.

Standard de-vegetation works constraints apply with regards to protected species (nesting birds, roosting bats, dormice, crayfish etc) These should be dealt with by a qualified ecologist carrying out a Preliminary Ecological Assessment (PEA) to inform the levels of further Phase 2 detailed species surveys required. It is recommended that the applicant is advised to prepare these reports and surveys in plenty of time for subsequent consultation.

⁴ <https://www.ground-guards.co.uk/wp-content/uploads/2021/04/BS1-Trees-Protection-Standards.pdf>



Plate 1: View east at point of diversion from existing footpath to proposed river crossing (dashed line – approximate location)



Plate 2:

As for plate 1; view south east.



Plate 3: View south on east side of Bybrook along proposed footpath diversion. Hazel coppice stools at toe of slope visible.



Plate 4: As for plate 3.



Plate 5: View south along proposed diverted path; typical scrub/understory requiring removal.



Plate 6: Detail of ash tree within zone of influence of new path requiring remediation (damaged/absent buttress root plus root decay evident)



Plate 7: Typical view of path location, with fallen/failed ash tree.



Plate 8: As for Plates 3 and 4.



Plate 9: View north east at proposed new route (dashed red line) and existing route (solid red line) approximate locations.



Plate 10: View east – typical view of woodland.



Plate 11: As for Plate 1.

Conclusions:

It is recommended that the landowner;

- Carries out detail individual tree assessment by qualified forester/arboriculturist and implements any remedial works to remediate risk, including where appropriate, re-coppicing of hazel stools to increase ground flora diversity. Remedial works to be informed by findings and recommendations of appointed ecologist.
- Compile construction Risk Assessment and Method Assessment (RAMS) for bridge construction and associated works to be verified by project arboriculturist and ecologist.
- Clears proposed footpath route with hand tools.

I hope the above is of help, please do not hesitate to contact me if I can advise further.

Regards,

Jonathon Price
Tree and Woodland Officer
Rights of Way and Countryside

Wiltshire Council

07801 209257

Email: jonathon.price@wiltshire.gov.uk

Website: www.wiltshire.gov.uk

[Sign up](#) to Wiltshire Council's email news service

Appendix 1: Extract report from www.magic.gov.uk

Site Check Report Report generated on Tue Dec 19 2023
 You selected the location: Centroid Grid Ref: ST84617594
 The following features have been found in your search area:

Counties, Metropolitan Districts and Unitary Authorities (GB)

Name Wiltshire
Geographic Level Unitary Authority
Hectares 325533.806

Parliamentary Constituencies (England)

Name North Wiltshire Co Const
Hectares 71423

Parishes (GB)

Name Yatton Keynell CP
Description Civil Parish or Community
Administrative Regions WILTSHIRE
Hectares 711.341

Name Castle Combe CP
Description Civil Parish or Community
Administrative Regions WILTSHIRE
Hectares 624.139

Local Enterprise Partnership Boundaries (England)

Local Enterprise Partnership Name Swindon and Wiltshire

Rural England Prosperity Fund

Local Authority Code E06000054
Local Authority Name Wiltshire
Rural England Prosperity Fund status A RURAL AREA for the purposes of REPF

Local Nature Partnerships (England)

Local Nature Partnership number 6
Hectares 348542.983653
Overlapping LNP No
Local Nature Partnership Wiltshire & Swindon

Areas of Outstanding Natural Beauty (England)

Reference 7
Name Cotswolds
Date Designated Aug-66
Hyperlink <http://www.landscapesforlife.org.uk/about-aonbs/visit-aonbs/cotswolds-aonb>
Statutory Area in Sq.km 2041.09

Sites of Special Scientific Interest (England)

Name Rack Hill SSSI
Reference 1000881
Natural England Contact LLOYD, (KATIE S)
Natural England Phone Number 0845 600 3078
Hectares 10.35
Citation 1001906
Site Details Hyperlink <http://designatedsites.naturalengland.org.uk/SiteDetail.aspx?SiteCode=s1001906>
Site Feature Condition Hyperlink <https://designatedsites.naturalengland.org.uk/SiteFeatureCondition.aspx?SiteCode=s1001906&SiteName=Rack Hill SSSI>

SSSI Impact Risk Zones - to assess planning applications for likely impacts on SSSIs/SACs/SPAs & Ramsar sites (England)

1. DOES PLANNING PROPOSAL FALL INTO ONE OR MORE OF THE CATEGORIES BELOW?

- All Planning Applications
- Infrastructure
- Wind & Solar Energy
- Minerals, Oil & Gas
- Rural Non Residential
- Residential
- Rural Residential
- Air Pollution
- Combustion
- Waste
- Composting
- Discharges
- Water Supply

Notes 1

Notes 2

GUIDANCE - How to use the Impact Risk Zones

2. IF YES, CHECK THE CORRESPONDING DESCRIPTION(S) BELOW. LPA SHOULD CONSULT NATURAL ENGLAND ON LIKELY RISKS FROM THE FOLLOWING:
 ALL PLANNING APPLICATIONS - EXCEPT HOUSEHOLDER APPLICATIONS.

[/Metadata_for_magic/SSSI IRZ User Guidance MAGIC.pdf](#)

1. DOES PLANNING PROPOSAL FALL INTO ONE OR MORE OF THE CATEGORIES BELOW?

All Planning Applications

Infrastructure

Wind & Solar Energy

Minerals, Oil & Gas

Rural Non Residential

Residential

Rural Residential

Air Pollution

Combustion

Waste

Composting

Discharges

Water Supply

Notes 1

Notes 2

GUIDANCE - How to use the Impact Risk Zones

2. IF YES, CHECK THE CORRESPONDING DESCRIPTION(S) BELOW. LPA SHOULD CONSULT NATURAL ENGLAND ON LIKELY RISKS FROM THE FOLLOWING:
ALL PLANNING APPLICATIONS.

[/Metadata_for_magic/SSSI IRZ User Guidance MAGIC.pdf](#)

Aquifer Designation Map (Bedrock) (England)

Typology

Unproductive

Aquifer Designation Map (Superficial Drift) (England)

Typology

Secondary A

Groundwater Vulnerability Map (England)

Classification

Medium - Low

Classification

Soluble Rock Risk

Geological Descriptions (England)

Name

Wiltshire (including Swindon)

Hyperlink

http://www.naturalengland.org.uk/ourwork/conservation/geodiversity/englands/counties/area_ID39.aspx

Soilscape (England)

Reference

3

Name

SHALLOW LIME-RICH SOILS OVER CHALK OR LIMESTONE

Main Surface Texture Class

LOAMY

Natural Drainage Type

FREELY DRAINING

Natural Fertility

LIME-RICH

Characteristic Semi-natural Habitats

HERB-RICH DOWNLAND AND LIMESTONE PASTURES; LIMESTONE PAVEMENTS IN THE UPLANDS; BEECH HANGERS AND OTHER LIME-RICH WOODLANDS

Main Land Cover

ARABLE AND GRASSLAND

Hyperlink

[/Metadata_for_magic/soilscape_summary.pdf](#)

National Character Areas (England)

Reference

107

Name

Cotswolds

Square km

2882

Hyperlink

<http://www.naturalengland.org.uk/publications/nca/cotswolds.aspx>

National Historic Landscape Characterisation (250m Grid) (England)

Dominant Broad Type

ENCLOSED AGRICULTURE

Dominant Type

FLOODPLAIN AND MEADOW

Enclosure Type Group

ENCLOSED AGRICULTURAL LAND (TYPICALLY ANCIENT FORM)

Dominant Type Period Description

Post Medieval to 21st Century

All NHLC Types in the Cell

FLOODPLAIN AND MEADOW (73.2%); PLANTATION (21.6%); ANCIENT WOODLAND (5.2%); AMALGAMATED FIELDS (0.0%)

Period Range of all NHLC Types in the Cell - Year From

1540

Period Range of all NHLC Types in the Cell - Year To

2012

Period Range Description

Post Medieval to 21st Century

HLC Datasets

Wiltshire and Swindon, 2012-15, Wiltshire and Swindon Historic Environment Record

Hyperlink

[http://randd.defra.gov.uk/Default.aspx?Menu=Menu&Module=More&Location=None&ProjectID=19741&FromSearch=Y&Publisher=1&SearchText=national historic landscape characterisation&SortString=ProjectCode&SortOrder=Asc&Paging=10#Description](http://randd.defra.gov.uk/Default.aspx?Menu=Menu&Module=More&Location=None&ProjectID=19741&FromSearch=Y&Publisher=1&SearchText=national%20historic%20landscape%20characterisation&SortString=ProjectCode&SortOrder=Asc&Paging=10#Description)

National Historic Landscape Characterisation (500m Grid) (England)

Dominant Broad Type

ENCLOSED AGRICULTURE

Dominant Type

FLOODPLAIN AND MEADOW

Enclosure Type Group

ENCLOSED AGRICULTURAL LAND (TYPICALLY ANCIENT FORM)

Dominant Type Period Description

Post Medieval to 21st Century

All NHLC Types in the Cell

FLOODPLAIN AND MEADOW (59.4%); PLANTATION (24.1%); ANCIENT WOODLAND (14.4%); AMALGAMATED FIELDS (2.0%)

Period Range of all NHLC Types in the Cell - Year From

1540

Period Range of all NHLC Types in the Cell - Year To

2012

Period Range Description

Post Medieval to 21st Century

HLC Datasets

Wiltshire and Swindon, 2012-15, Wiltshire and Swindon Historic Environment Record

Hyperlink	http://randd.defra.gov.uk/Default.aspx?Menu=Menu&Module=More&Location=None&ProjectID=19741&FromSearch=Y&Publisher=1&SearchText=national historic landscape characterisation&SortString=ProjectCode&SortOrder=Asc&Paging=10#Description
Dudley Stamp Land Use Inventory (England)	
Land Use Class	6
Landscape Typology (England)	
Landscape Character Type	UCA
Hyperlink	/Metadata_for_magic/Landscape_Glossary.pdf
Broad Pattern of Primary Land Use	STOCK REARING
Contributions of Land Use	APPARENT
Land Use Associated Features	ROUGH PASTURE
Contributions of Land Use Associated Features	PROMINENT
Priority Habitat Inventory - Deciduous Woodland (England)	
Main Habitats	Deciduous woodland
Habitat Codes	DWOOD
Habitat Feature Descriptions	
Habitat Feature Codes	
Other Habitat Classification	
Additional Habitats Present	LCGRA
Primary Data Sources	National Forest Inventory 2020
Area In Hectares	23.3
Publication Version	July_23
Unique ID	PHID38450559_017605391
National Forest Inventory (GB)	
Category	Woodland
Interpreted Forest Type	Broadleaved
Area (hectares)	15.06
National Habitat Network All Habitats Combined (England)	
Class	PHI_Other
GUIDANCE – How to use the Network Habitat Map	/Metadata_for_magic/Habitat_Network_Mapping_Guidance.pdf
Priority Species for CS Targeting - Corn Bunting	
Species Common Name	Corn_Bunting
Summarised Botanical Value Map 2022	
Unique 1km grid square reference	ST8475
Based on the number of recorder days, either 'good survey coverage' where 3 or more recorder days, or 'poor survey coverage' where less than 3 recorder days observed.	good survey coverage
Value category for Rare, Scarcely and Threatened (RST) species (high, moderate, low, further survey required)	High
Value category for arable habitats (high, moderate, low, further survey required)	Low
Value category for boundary habitats (high, moderate, low, further survey required)	Moderate
Value category for coastal habitats (high, moderate, low, further survey required)	no indicators,good survey coverage
Value category for fen, marsh and swamp habitats (high, moderate, low, further survey required)	Moderate
Value category for freshwater habitats (high, moderate, low, further survey required)	Low
Value category for grassland habitats (high, moderate, low, further survey required)	High
Value category for inland rock habitats (high, moderate, low, further survey required)	Moderate
Value category for montane habitats (high, moderate, low, further survey required)	no indicators,good survey coverage
Value category for woodland habitats (high, moderate, low, further survey required)	High
Overall Value category (high, moderate, low, further survey required).	High



bawden
tree care

ARBORICULTURAL DEFECT SURVEY TREE REPORT

A survey of trees within influencing distance of

**By Brook, Lower Colham Mill
Castle Combe
Chippenham
SN14 7HZ**

August 2024

Report by
David Softe M. Arbor.A
On behalf of Bawden Tree
Care



PR02419

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7	ITINERY OF TREES REQUIRING WORKS	Page 20

APPENDIX A - SITE PLAN SHOWING TREE LOCATIONS



Figure 1 - Site overview

1 Introduction

- 1.1 On instructions received from resident of property at Lower Colham Hill, David Soffe M. Arbor.A, on behalf of Bawden Tree Care undertook a ground level, visual assessment of trees within influencing distance of the proposed footpath location to the north of By Brook.
- 1.2 The purpose of this inspection was to inspect all trees within influencing distance of the proposed footpath location to assess potential defects, recommend remedial works and identify necessary long term Arboricultural management in preparation for inviting pedestrian traffic through this area.

2 Techniques used

- Visual Tree Assessment (VTA; Lonsdale, 1999).
- Desk-based enquiries (TPO status, mapping).

3 Limitations of this report

- 3.1 The contents are intended for the sole use of the client only. No liability is accepted for their use by any other parties to advance an argument or claim (including legal or financial) without prior consent.
- 3.2 Plants are biological organisms and change with time. As such, no tree can be declared absolutely safe. Above ground risk assessment remains valid for twelve months from the date of inspection, or until a major storm is experienced, after which time a new inspection may be required.

4 Site visit and collection of data

- 4.1 The site was visited on the 15th August 2024. All observations were from ground level without detailed investigations and all dimensions estimated unless otherwise indicated. The weather at time of inspection was dry and overcast with good visibility.
- 4.2 Every tree within influencing distance was inspected and trees requiring action recorded and marked with yellow paint and tagged.
- 4.3 A site plan showing locations of trees requiring works is included in Appendix A.

5 Survey results

- 5.1 The area surveyed consist predominantly of hazel stands with some dense understory vegetation and mature ash trees showing symptoms of Ash dieback (*Hymenoscyphus fraxineus*).
- 5.2 T01 is a mature hazel stand situated on the bank of the river, close to the proposed new footbridge location. Re-coppicing of this stand has been recommended to facilitate the installation.
- 5.3 G02 includes an area of dense vegetation, predominantly hazel and bramble, situated in the southern section of the proposed footpath location. Recommendations have been made to prune low level, lateral branches and clear understory vegetation to provide access through this area. No re-coppicing required within this area.
- 5.4 Trees T03, T05, T06, T07, T08, T09, T10, T12, T14, T15, T16 and T17 are all mature ash with significant Ash dieback symptoms. These trees have significant defects or infection level exceeding 50% and have been recommended for removal for public safety.
Note: Ash trees showing some resistance to the local infection should be retained for as long as feasible to encourage regeneration of resistance specimens. It is recommended that remaining ash trees are surveyed every two years to manage any foreseeable risk to the footpath.
- 5.5 Trees T04 and T11 are mature hazel that have fallen across the proposed location. These trees have been recommended for re-coppicing to facilitate access.
- 5.6 Tree T18 is a large, mature ash situated on the western bank of the river, close to the proposed footbridge location. The Ash dieback infection of this tree is assessed to be circa. 25% and is considered worthy or retention. Deadwood removal has been recommended and inspections carried out to manage any foreseeable risk every two years.
- 5.7 In addition to the recommended works, additional deadwood removal of any significant deadwood (>50mm) over the proposed footpath location will be required.
- 5.8 Arisings and deadwood should be stacked into deadwood habitat piles to support insects, provide a refuge and hunting ground for small mammals, reptiles and amphibians, and shelter for over-wintering and hibernating wildlife. Trees requiring removal should be left as standing deadwood monoliths where safe to do so.

6 **Photo records**



T01 – Hazel adjacent to new footbridge location to be re-coppiced



G02 – Dense area to be cleared to allow pedestrian access (South)



G02 - Fallen stem across proposed access route to be cut and stacked (North)



T04 – Fallen hazel stand to be re-coppiced



T03 – Infected Ash requiring removal



T05 – Infected Ash requiring removal



T06 – Infected ash requiring removal



T07 - Dead tree requiring removal



T08 - Infected Ash requiring removal



T09 – Infected tree with basal decay requiring removal



T10 - Infected Ash requiring removal



T11 – Fallen hazel stand requiring recoppicing



T13 – Fallen hazel stand requiring re-coppice



T12 - Infected Ash requiring removal



T14 – Infected tree leaning over proposed footpath requiring removal



T15 - Infected Ash with basal decay requiring removal



T16 - Infected Ash requiring removal



T17 - Infected Ash requiring removal



T18 – Infected ash recommended for deadwood removal (>50mm) and monitor

7 Itinerary of trees requiring works

Tree ID	Species	Location	Height (m)	Spread (m)	Stem dia (cm)	Age class	Condition/Defects	Recommendations	Priority
T01	Corylus avellana	Riverbank, close to proposed bridge location	6	7	160	Mature	No significant features or defects recorded	Re-coppice	Prior to installation of new footbridge
G02	Corylus avellana	Southend end of proposed route, extending to new bridge location (T01 to T07)	5	4	0	Early-mature	Coppice derived	Prune low level branches and clear other bramble/understory vegetation to allow access to pedestrians. Cut and stack dead stem across footpath. No re-coppicing required in this area.	Prior to directing pedestrians to this area
T03	Fraxinus sp.	Within falling distance of proposed bridge location	22	9	810	Mature	Advanced ash dieback >75%	Fell to monolith	Prior to directing pedestrians to this area
T04	Corylus avellana	Embankment above proposed footpath	6	5	150	Mature	Fallen tree (failed root plate) across proposed footpath	Re-coppice	Prior to directing pedestrians to this area
T05	Fraxinus sp.	Adjacent to proposed footpath	16	8	710	Mature	Advanced ash dieback >50%	Fell to monolith	Prior to directing pedestrians to this area
T06	Fraxinus sp.	Adjacent to proposed footpath	16	5	480	Mature	Advanced ash dieback >75%	Fell to monolith	Prior to directing pedestrians to this area

Tree ID	Species	Location	Height (m)	Spread (m)	Stem dia (cm)	Age class	Condition/Defects	Recommendations	Priority
T07	Fraxinus sp.	Adjacent to proposed footpath	17	9	670	Mature	Advanced ash dieback >100%	Fell to monolith	Prior to directing pedestrians to this area
T08	Fraxinus sp.	Adjacent to proposed footpath	18	10	710	Mature	Advanced ash dieback >50%	Fell to monolith	Prior to directing pedestrians to this area
T09	Fraxinus sp.	On embankment, within falling distance of proposed footpath	22	12	1250	Mature	Advanced ash dieback >25% Exposed buttress rooting from soil erosion. Resisting dieback well due to age and vigour. Foreseeable stability issues.	Reduce to 8m monolith	Prior to directing pedestrians to this area
T10	Fraxinus sp.	Adjacent to proposed footpath	17	8	640	Mature	Advanced ash dieback >50%	Fell to monolith	Prior to directing pedestrians to this area
T11	Corylus avellana	Embankment above proposed footpath	7	5	100	Mature	Fallen tree (failed root plate) across proposed footpath	Re-coppice	Prior to directing pedestrians to this area
T12	Fraxinus sp.	Adjacent to proposed footpath	18	11	710	Mature	Advanced ash dieback >50% Significant basal cavity with active decay (brown rot) Foreseeable stability concerns.	Fell 8m monolith	Prior to directing pedestrians to this area

Tree ID	Species	Location	Height (m)	Spread (m)	Stem dia (cm)	Age class	Condition/Defects	Recommendations	Priority
T13	Fraxinus sp.	Adjacent to proposed footpath	15	5	350	Mature	Fallen dead tree over proposed footpath	Clear footpath	Prior to directing pedestrians to this area
T14	Fraxinus sp.	Embankment above proposed footpath	18	13	690	Mature	Advanced ash dieback >50% Very large and weighted over proposed footpath. Foreseeable stability concerns.	Fell monolith	Prior to directing pedestrians to this area
T15	Fraxinus sp.	Embankment above proposed footpath	19	11	1030	Mature	Advanced ash dieback >25% Very large with active decay of buttress and stem. Foreseeable stability concerns.	Fell to monolith	Prior to directing pedestrians to this area
T16	Fraxinus sp.	Riverbank adjacent to proposed footpath	19	12	700	Mature	Advanced ash dieback >100%	Fell to monolith	Prior to directing pedestrians to this area
T17	Fraxinus sp.	Adjacent to proposed footpath start	14	9	480	Early-mature	Advanced ash dieback >50%	Fell to monolith	Prior to directing pedestrians to this area

Tree ID	Species	Location	Height (m)	Spread (m)	Stem dia (cm)	Age class	Condition/Defects	Recommendations	Priority
T18	Fraxinus sp.	Adjacent to proposed new footbridge location	17	14	1150	Mature	Advanced ash dieback >25% Gradual decline. Manage as appropriate depending on final footbridge location. Deadwood management and monitoring.	Deadwood management as appropriate depending on footbridge location (not confirmed)	Prior to directing pedestrians to this area

APPENDIX A – Site Plan showing Tree

