

ARBORICULTURAL REPORT

Summary Report for Copeland Borough Council

Prepared by Alistair Hearn

Reference: 4/24/2039/TPO

Location: ELMSIDE, 14A RHEDA CLOSE, FRIZINGTON.

Officer: Chloe Wootton

Date: 08 September 2023

CONSULTANTS REPORT

DESCRIPTION OF PROPOSAL

APPLICATION TREE NO.	SPECIES	PROPOSED WORKS
T94 & T95	2x Ash	Removal of two Ash trees protected by a Tree Preservation Order.
REASON		
<p>'Cumberland County Council Tree Preservation (No.23) (Rheda Estate, Frizington) Order 1950</p> <p>Trees T94 & T95 (ash trees) are both believed to suffer from ash die back. During the recent storms a significant number of broken branches have been found between 14 & 14A Rheda close, indicating that these two trees have disproportionately been affected by the storm compared to all other trees down the B5294 (from visual inspection of the other surrounding trees on the B5294).</p> <p>Upon collecting the majority of the branches that have fallen, it became worrying how easy the branches were to snap (indicating that they were very dry and brittle) & upon inspection of the larger branches, it looked very evident that they were dried out (approximately 80% of outer branch diameter was dry, with only ~20% near the centre looking 'alive and well'.) Please see attached photographs as additional evidence.</p> <p>In particular, there was one large branch that fell (approx 1m long and easily 2inch in diameter) - this was found by the roadside so may have fallen onto the B5294 during the storm. From the weight of this branch and height it would have fallen from, it easily could have caused significant damage to a road user if it hit them when it fell. This has elevated my cause for concern in relation to these trees remaining - it is known these trees have dieback, every day that passes runs the risk of more of the tree being affected/drying out, reducing the structural integrity of the branches, increasing the risk to pedestrians, road users & the home owners surrounding. I do not believe there is any remedial action for dieback - so logically these trees will only continue to degrade until failure.</p> <p>In the light of the recent storms, and confirmation of the ever diminishing structural integrity of the larger branch/tree itself, it is requested that a review is undertaken to determine whether these trees can be removed. Removal of these trees will increase highway safety in the area & to avoid potential legal costs/damages associated from damage caused by known diseased trees, as the deterioration continues to occur. The recent storm has highlighted that acceptance of these degraded conditions has only by luck not incurred an injury/damage.</p> <p>A replacement tree for (T94) can be arranged if required.</p> <p>This application has been completed for several reasons:</p> <ol style="list-style-type: none">1. To highlight the imminent danger from falling branches from known diseased trees2. To request a review is completed to determine if T94 & T95 can be felled/severely cut back in the interest of public/highway safety/ due to the trees being diseased with no known remedy.		

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3. To demonstrate that I have, to the best of my ability, attempted to use the legal methods available to have these, believed degrading in condition (potentially dangerous), trees removed in the interest of public safety & to avoid damage to property.

Note: Cumbria County Council has confirmed that no trees on the B5294 were part of the dieback survey.'

DISCUSSION

Both Ash trees are in the mature age class and show signs of declining health due to Ash Dieback disease. The current guidance for identifying and managing Ash Dieback disease can be found at the following website [Ash dieback \(*Hymenoscyphus fraxineus*\) - Forest Research](#).

The trees are growing in the verge on the north side of Meadowcroft Road (B5294). We understand Cumberland Council Highways Authority manage this roadside verge.

From the Cumberland Council website, Tree Preservation Order (TPO) No.23:1952 protects these two Ash trees as tree T94 and tree T95.

Our TEMPO assessment (page 3) shows a TPO is indefensible for these trees.

The removal of these trees will have an impact on the tree-lined nature of Meadowcroft road. Therefore, we recommend attaching a condition requiring the planting of replacement trees.

RECOMMENDATIONS

Inform the applicant Cumberland Council Highways Department possibly own/manage this highway verge and the trees. Therefore, they should clarify the ownership of the trees prior to carrying out any work.

We recommend informing the applicant they can carry out the work detailed in the application.

Subject to the following condition:

1. The two felled trees are to be replaced during the first planting season following the work. Plant 2x Sycamore (*Acer pseudoplatanus*) trees, 6-8cm girth and 'light-standard', within 2m of the felled trees they replace. Alternatively, another size, species, location, or period should be agreed in writing by the Local Planning Authority. If a replacement tree is diseased, dies, or is damaged within 5 years of the date of planting, it must be replaced in the next available planting season by another of a similar size and species.

Reason: To ensure the continuity of amenity in accordance with 'Policy DM28 – Protection of Trees' of the Copeland Local Plan 2013-2028

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TEMPO Assessment							
Part 1: Amenity Assessment							
a) Condition & Suitability:	5-Good = <i>Highly Suitable</i> 3-Fair/Satisfactory = <i>Suitable</i> 1-Poor = Unlikely to be <i>suitable</i> 0-Dead/dying/dangerous = <i>Unsuitable</i>	T94	T95	b) Retention span (in years) & suitability for	5-100+ = <i>Highly Suitable</i> 4-40-100 = <i>Very suitable</i> 2-20-40 = <i>Suitable</i> 1-10-20 = <i>Just suitable</i> 0-<10 = <i>Unsuitable</i>	T94	T95
		1	1			1	1
c) Relative public visibility & suitability for TPO:	5-Very large with some visibility, or prominent large trees = <i>Highly Suitable</i> 4-Large trees, or medium trees clearly visible to the public = <i>Suitable</i> 3-Medium trees, or large trees with limited view only = <i>Suitable</i> 2-Young, small, or medium/large trees visible only with difficulty = <i>Barely suitable</i> 1-Trees not visible to the public, regardless of size = <i>Unsuitable</i>	4	4	d) Other factors – trees must have accrued 7 or more points (with no zero score) to	5-Principal components of formal arboricultural features, or veteran trees 4-Tree groups, or principal members of groups important for their cohesion 3-Trees with identifiable historic, commemorative or habitat importance 2-Trees of particularly good form, especially if rare or unusual 1-Trees with none of the above additional redeeming features (inc. those of indifferent form) -1-Trees with poor form or which are generally unsuitable for their location	0	0
Part 2: Expediency Assessment trees must have accrued 10 or more points to qualify:					Part 3: Decision guide		
5-Immediate threat to tree inc. s.211 Notice 3-Foreseeable threat to tree 2- Perceived threat to tree 1-Precautionary only	T94	T95	Any 0 = <i>Do not apply TPO</i> 1-6 = <i>TPO indefensible</i> 7-11 = <i>Does not merit TPO</i> 12-15 = <i>TPO defensible</i> 16+ = <i>Definitely merits TPO</i>		T94	T95	
	0	0			5	5	