

ARBORICULTURAL REPORT

Summary Report for Cumberland Council

Prepared by Alistair Hearn

Reference: 4/24/2055/TPO

Location: LAND TO REAR OF 15-20 SCOTCH STREET, WHITEHAVEN.

Officer: Chloe Wootton

Date: 27 February 2024

CONSULTANTS REPORT

DESCRIPTION OF PROPOSAL

APPLICATION TREE NO.	SPECIES	PROPOSED WORKS
T1	Birch	Reduction of up to 20% and crown lift up to 2.5m of a Birch tree protected by a Tree Preservation Order.
REASON		
'T1 - Carry out Arb works to crown reduce birch tree by up to 20% and crown lift up to 2.5m Works to be carried out for safe access/egress to and from the garden. Works will allow safe mowing for our maintenance for our maintenance contractor and create a safe space for our tenants to use. A reduction by up to 20% will allow light into the properties to improve the quality of life for those affected. It will also improve the kerbside appeal in the neighbourhood.'		

DISCUSSION

The tree is in the mature age category and show signs of normal vitality.

This tree is on the schedule of Tree Preservation Order (TPO) 3 (2010), so has statutory protection.

Our TEMPO assessment below indicates a TPO is defensible for this tree due to the visual amenity it provides to the area.

The work specification to 'crown reduce by up to 20%', as detailed in the application, is ambiguous and open to interpretation and does not follow current best practice guidance and the British Standard – BS 3998 (2010) *Tree Work – Recommendations*.

Excessive pruning will have a significant effect on the tree's health. Removing a substantial area of a tree's crown reduces its ability to photosynthesise and create carbohydrate. This will affect the tree's longevity and allow decay fungi to exploit dysfunctional wood.

The Governments current guidance for TPO applications ([tposguide.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/671427/tposguide.pdf) (publishing.service.gov.uk)) states: 'It is vitally important that the application sets out clearly what work is proposed.' And goes on to say 'if the proposal is to prune a tree the application should clarify exactly what work is envisaged.' The following section states 'If the LPA receive a vague application they are advised to refer back to the applicant and seek clarification. If they grant consent to an application which is open

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to several interpretations the LPA may find it difficult to take enforcement action in cases where the work falls within one of those interpretations, even though the LPA believe the work exceeds that for which they intended to grant consent. Any clarification of an application should be confirmed in writing, either by modifying the original application or withdrawing it and submitting a new one.'

We recommend reducing the size of the Birch crown by 1-2m to create a balanced and compact crown shape.

The 'crown lift up to 2.5m' will create a clearance of up to 2.5m under the crown. This is clear and measurable.

We recommend asking the applicant if they are willing to amend their work specification for the crown reduction work, in order to make the pruning operations measurable.

RECOMMENDATIONS

If the applicant is willing to amend their work specification, we recommend informing the applicant they can carry out the work in the application subject to the following condition:

1. Carry out all pruning work in accordance with BS3998:2010 *Tree work – Recommendations*, particularly sections 7.6 'Crown Lifting' and 7.7 'Crown reduction and reshaping'. Restrict all pruning wounds to a maximum of 50mm diameter.

Reason: In accordance with Section 198 of the 1990 Town and Country Planning Act and in the interest of good arboricultural practice.

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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>	T1	b) Retention span (in years) & suitability for TPO:	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>	T1
		3			2
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	d) Other factors – trees must have accrued 7 or more points (with no zero score) to qualify:	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	1
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	T1	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>	T1		
	3		13		