

ARBORICULTURAL REPORT

Summary Report for Cumberland Council

Prepared by Alistair Hearn

Reference: 4/24/2392/TPO

Location: WOOLLEN MILL, HALLTHWAITES

Officer: Chloe Unsworth

Date: 29 January 2024

CONSULTANTS REPORT

DESCRIPTION OF PROPOSAL

APPLICATION TREE NO.	SPECIES	PROPOSED WORKS
1-10	Ash & Alder trees	Reduce the height of trees protected by a tree preservation order.
APPLICANT'S REASON		
'We contacted a tree surgeon a short while before Storm Debi which happened on the 13th of November. We were getting concerned about the height of some of our trees. We did lose one during the storm. If given permission the tree surgeon indicated that he could undertake to reduce the height of some of our trees. The enclosed sketch map shows the location of all of the TPO trees in our garden.'		

DISCUSSION

I visited Mr and Mrs Hyde on 11 January 2024 and discussed the health and condition of the trees in their rear garden. I pointed out that their application was ambiguous and required a more detailed specification to avoid confusion if permission is granted to prune or fell trees. They agreed and asked if I would help them provide a suitable specification.

The Alder trees (Nos.1, 2, 3, 4, 6, & 9) in the rear garden are in the mature age class and showing signs of normal vitality and no significant defects. We expect the Alder trees can last for more than 20 years.

The four Ash trees (Nos.5, 7, 8 & 10) are in the mature age class and in various stages of declining health due Ash Dieback disease ([Ash dieback \(Hymenoscyphus fraxineus\) - Forest Research](#)). Their structural condition varies from 'moderate' to 'poor' and I expect they will require removal within ten years to avoid failure causing damage or injury.

This trees in the garden area are included in Tree Preservation Order (TPO) 40 (1989), so have statutory protection.

Our TEMPO assessment below indicates the trees 'definitely merits a TPO' as a group due to their size, health, life expectancy and the visual amenity they provide to the local and wider area.

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The work specification 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 Government's current guidance for TPO applications ([tposguide.pdf](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/612347/tposguide.pdf) ([publishing.service.gov.uk](https://www.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. A proposal simply to 'top' the tree or to 'lop' or 'cut back' some branches is too vague because it fails to describe the extent of the work.'* 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 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.'*

Given this, I discussed with Mr and Mrs Hyde the best way to maintain the health of the trees is to carry out minimal or no pruning as removing foliage reduces a tree's capacity to photosynthesise. However, given the Ash trees in the garden are suffering from Ash Dieback disease, we agreed it would be acceptable to remove some of these trees. We amended the application to provide the following specification:

- remove three Ash trees – Nos. 5, 6, and 10 on the plan.
- remove a dying Alder tree – No.9 on the plan.

RECOMMENDATIONS

We recommend informing the applicant they can carry out the following work, as discussed at our meeting:

- remove three Ash trees – Nos. 5, 6, and 10 on the plan.
- remove a dying Alder tree – No.9 on the plan.

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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>	3	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>	4
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	4
Part 2: Expediency Assessment <i>trees must have accrued 10 or more points to qualify:</i>			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	2		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>		17