

**Plot 7
West End
Rheda Park
Frizington**

Memorandum

**Prepared for
Mr J. Copsey**

Date: 07/11/2023

**By
Eddie Cruickshank M.Arbor.A., MICFor., FDS*c Arb***

Treescapes Consultancy Ltd.

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SUMMARY

Treescapes Consultancy Ltd. have been instructed by Mr J. Copsey, to inspect significant trees growing within Plot 7 in the West End of Rheda Park, that are close to the site of a new dwelling and its associated features. Some or all the trees in the plot are believed to be protected by a Tree Preservation Order.

Mr Copsey is concerned about some of the trees falling and causing harm during adverse weather conditions such as windstorms and/or heavy snowfall.

My understanding is that he has been advised by others to apply to the local planning authority under Section 73 of the Town and Country Planning Act 1990 for permission to undertake any recommended tree works as their retention was/is a planning condition.

We have been asked by Mr Copsey to assess the condition of all the trees in the plot to advise whether they should still now warrant retention.

Based on the information discussed in Section 13 of this memorandum and the attached references I recommend felling a total of seven trees.

I also recommend, if those trees are to be removed, that the revised tree planting plan (Reference D) be implemented in due course as mitigation.

1. This memorandum refers to the Pre-development Arboricultural Report of 19/01/20 for Plot 7 Rheda Park, Frizington prepared by Treescapes Consultancy Ltd in support of a planning application to build a house and a detached garage there. That report was written in accordance with the current British Standard BS5837:2012 Trees in relation to design, demolition, and construction – Recommendations. Such limitations that might apply to that report, and any explanatory note contained there also apply here.
2. Section 7.1 of that report notes that there was an existing Tree Preservation Order (TPO), and that “*part of Plot 7 falls within the extent of the TPO. Also, that “full planning consent allows the minimum work required to implement the development proposals to be carried out to protected trees.”*”
3. I believe Mr and Mrs Copsey now to be the owners of Plot 7 and that consent has been granted to construct a house with detached garage. During our initial telephone conversation on 10/10/23 Mr Copsey told me that construction of the house was underway.
4. Mr Copsey has asked that I assess the condition of the trees now in the plot as he is concerned about the possibility of some falling and causing harm during adverse weather conditions such as windstorms and/or heavy snowfall.
5. Mr Copsey told me that he had already approached his local planning authority with his concerns and been advised that permission for any further tree works might best be “*granted via Section 73*”. I have taken this to be Section 73 of the Town and Country Planning Act 1990 <https://www.legislation.gov.uk/ukpga/1990/8/section/73> accessed 06/11/23).
Mr Copsey said that he had been told that his application should be supported by a suitable “*tree report*” and a “*replanting plan*”.
6. I visited Plot 7 at the west end of Rheda Park during the afternoon of 12/10/23 when there were no other people on site.
I observed a building under construction that I took to be the house, and inspected a total of 14 trees, being all the trees in the plot.
7. For reference during that visit, I used a pdf copy of Plan 2. Tree Constraints Plan and Appendix 5. Tree Data Schedule from the Treescapes Consultancy Pre-development Arboricultural Report of 19/01/20 (Reference E).
Together, I used these to help me identify which of the trees then present in the plot were those included in the report dated 19/01/20.
NB, the position, and extents of the building under construction in Plot 7 appeared to coincide with those as set out in the proposals in that Plan 2 of the report dated 19/01/20, but I am not a surveyor.
8. On 26/10/23 Mr Copsey subsequently provided me with a pdf of drawing number 0146-307 dated 07-2022 and titled, Setting Out (Reference C).
As a pdf I can only assume this drawing reflects the layout and extents of the buildings shown in the Plan 2 of the report dated 19/01/23, and of any planning consent.
Also, I can only assume that the layout and extents shown in drawing number 0146-307 coincide with those of the building currently under construction.
9. Accompanying this memorandum is a plan, dated 07/10/23 of the trees then on site when I visited on 12/10/23 (Reference A). I have based that latest plan on some of the digital information used for the Plan 2 of the report dated 19/01/20 and using information I gathered during my visit of 12/10/23.
Where I have added any trees to the drawing that were not recorded on earlier surveys, I estimated their positions relative to trees that had been then plotted.
I have recorded these extra trees on the drawing as Tree Nos 999.01 – 999.05.

10. The extra trees recorded during my visit were all relatively small broadleaved trees in the young-mature age category. I assessed all of these to be of only moderate quality (Retention Category C).
11. Also, accompanying this memorandum is a revised Tree Data Schedule for the trees that were in Plot 7 when I visited on 07/10/23 (Reference B). I have based that latest Tree Data Schedule on some of the information previously gathered on those trees along with the tree data I gathered that day.
12. In Section 6 of the report dated 19/01/20 (Ref E) I made recommendations for various tree works then to facilitate the proposed development, how they should be implemented and how any retained trees should be protected. Additional to those earlier recommendations I now recommend further works to some of the trees.
13. These further recommendations are recorded in the attached Tree Data Schedule, and I discuss some of them below:
 - **Tree 1.20** (Photo 1). Recommendation: Fell – If permission is granted.
A mature larch tree that is of only moderate quality that may become infected with *Phytophthora ramorum* disease of larch. This novel tree disease is endemic in the area and subject to statutory plant health controls. There is only a very low risk of significant harm arising from this tree, but any anticipated works might be done most easily and economically at the same time as other tree works in the plot.
 - **Tree 999.04** (Photo 1). Recommendation: Fell – If permission is granted.
A young-mature sycamore tree that is growing close to the boundary with Plot 8, in which there are other buildings under construction. This tree has three co-dominant stems. Though the stem unions are currently non-acute, and apparently stable, it might reasonably be anticipated that this tree may be of sufficient concern in future to the occupiers of either plot that, if not now, they soon will be seeking permission to fell this tree. Such anticipated work(s) might therefore best be done most easily and economically soon, and at the same time as any other permitted tree works in the plot.
 - **Tree 1.26.** (Photo 2). Recommendation: Fell – If permission is granted.
A larch tree that is of only moderate quality and may become infected with *Phytophthora ramorum* disease of larch. This novel tree disease is endemic in the area and subject to statutory plant health controls. There is only a very low risk of significant harm arising from this tree, but any anticipated works might be done most easily and economically at the same time as any other permitted tree works in the plot.
 - **Tree 999.03** (Photo 3). Recommendation: Fell – If permission is granted.
A young-mature beech tree that has grown under the canopy of the nearby mature Scots pine to develop a crown that is weight biased in the direction of, and within less than six metres of, the building now under construction.
 - **Tree 2.13.** (Photo 3). Recommendation: Fell – High Priority.
An old-mature Scots pine tree that due to crown damage long ago is now weight biased in the direction of the building under construction. There is an old wound at the base of the trunk that I consider to be a major defect (Photo 4) because it will be affecting the wood tissues under tension there to oppose the tree's weight bias towards the new building under construction.
 - **Tree 999.05** (Photo 3). Recommendation: Fell – If permission is granted.
A young-mature sycamore tree whose crown, on its west side, is already overhanging the building under construction. The overhanging foliage is at a

point where it might soon interfere with the structure of the building, and in places occupants might want not to be heavily shaded (e.g., a french, and other windows that are all facing morning light from the east).

- **Tree 2.18.** (Photo 5). Recommendation: Fell – If permission is granted.

A substantial, old-mature Scots pine tree that is weight biased to the north-east, and in the general direction of the building now under construction. Currently, there are not any obvious indications of the root plate being unstable, but I note that on this relatively wet site this tree was previously growing within the mutual shelter of other trees that have now been removed.

There is a feature at the base of the stem which may be either an old wound, or a natural separation space/flute between two buttresses (Photo 6). The significance of this feature I have therefore recorded as unknown.

Further assessment of this tree using techniques such as sonic tomography and/or load testing could be undertaken but, because of time and resources required to conduct such tests they are most appropriate for the assessment of large, mature trees with either high visual amenity and/or considerable historical, cultural, or ecological value. I consider, therefore, that felling this tree soon is most likely to provide, at most reasonable cost, the reassurance the owners and/or eventual occupants of the building currently under construction might always be seeking.

I recommend that, should this tree be felled, the nearby tree and shrub planting previously recommended be slightly extended and enhanced in mitigation.



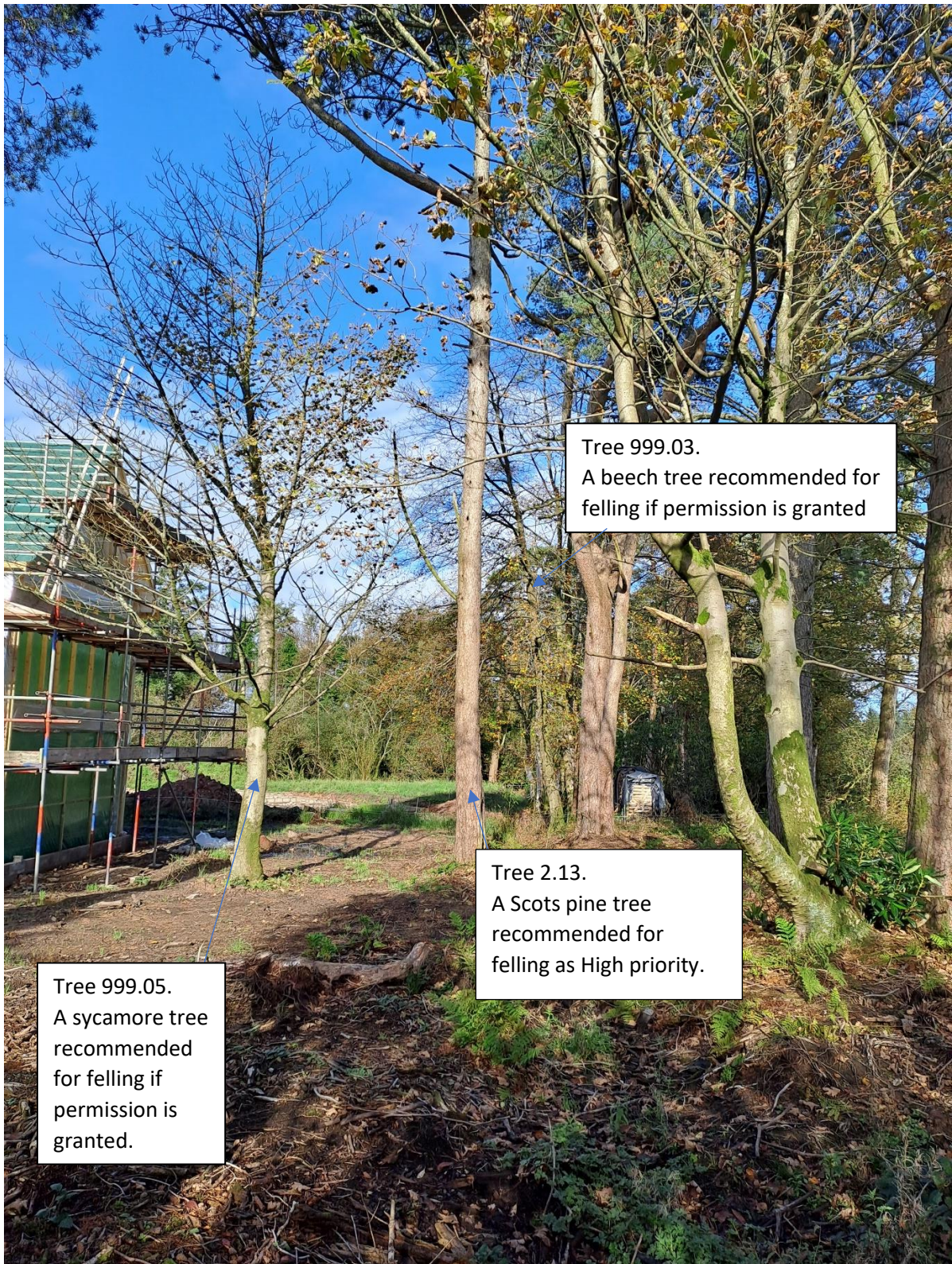
Tree 999.04.
Sycamore tree
recommended for felling if
permission is granted.

Tree 1.20.
Larch tree
recommended for
felling if permission is
granted.

Photo 1. - 12/10/23.
Trees 1.20 and 999.04.



**Photo 2. - 12/10/23.
Tree 1.26**



Tree 999.05.
A sycamore tree
recommended
for felling if
permission is
granted.

Tree 2.13.
A Scots pine tree
recommended for
felling as High priority.

Tree 999.03.
A beech tree recommended for
felling if permission is granted

Photo 3. - 12/10/23.
Trees 2.13 and 999.05, and 999.03



Old wound
at base of
the trunk of
Tree 2.13 –
Feature
assessed to
be a major
defect.

Photo 4. - 12/10/23.
Old wounding at base of Tree 2.13.



Tree 2.18.
A weight biased Scots pine recommended for felling if permission is granted

Photo 5 - 12/10/23.
Tree 2.18



Feature at the base of the trunk of Tree 2.18

**Photo 6. - 12/10/23.
Base of the trunk of Tree 2.18.**

14. Conclusions

- I recommend felling of of the following trees whose retention I believe currently to be a condition to the current planning consent:
Tree 1.20 – Larch.
Tree 999.04 – Sycamore.
Tree 999.03 – Beech.
Tree 1.26 – Larch.
Tree 2.13 – Scots pine.
Tree 999.05 – Sycamore.
Tree 2.18 – Scots pine.
- If those trees are to be removed, I recommend that the revised tree planting plan (Reference D) be undertaken in due course as mitigation.

Eddie Cruickshank MIC.*For.*, M.*Arbor.A.*, FDSC.*Arb.*

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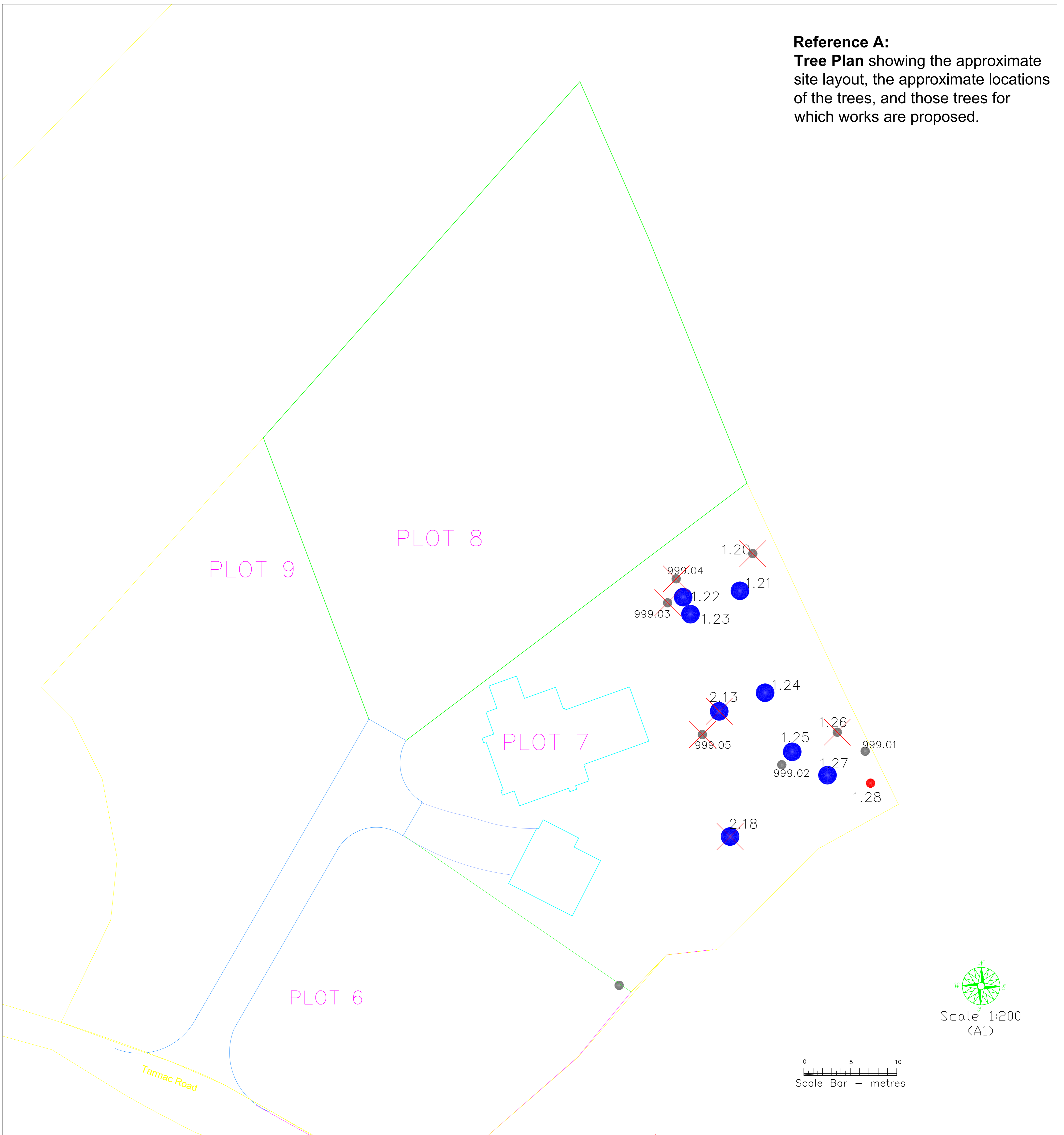
Website: www.treescaplesconsultancy.co.uk

References:




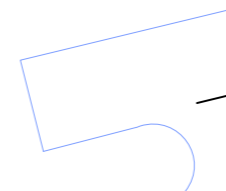

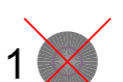
- A. Tree plan of site - 12/10/23.pdf-attached.
- B. Tree Data 07/11/23.pdf - attached.
- C. Drawing number 0146-307 dated 07-2022.pdf – attached.
- D. Tree Planting Plan – 07/11/23.pdf – attached.
- E. Pre-development Arboricultural Report by Treescaples Consultancy Ltd. dated 19/01/20 for Plot 7, Rheda Park, Frizington. – not attached.

Rheda Park, Plot 7

Reference A:
Tree Plan showing the approximate site layout, the approximate locations of the trees, and those trees for which works are proposed.



Key to Plan

-  The approximate location of a tree and its respective number.
-  Trunk
- Green Retention Category A
- Blue Retention Category B
- Grey Retention Category C
- Red Retention Category U
-  The approximate extents of Plot 7.
-  The approximate outline of a proposed new driveway and other hard surfaces
-  The approximate outline of a proposed new building
-  Tree to fell

Reference B: Plot 7, Rheda Park, Frizington.

Id No.	Species	Height (m)		Age Class	Life Expectancy	Health	Crown Radius (m)				RPA Radius Area	Defects			BS 5837 Retention Category						
		Trunk Ø (cm)					N	E	S	W		NE	SE	SW		NW	Location of Defect	Description of Defect	Severity		
1.2	Larch	47 @	1.5								5.6 m 100 m ²	<ul style="list-style-type: none"> Whole Tree Whole Tree 	Weight biased to NE over boundary with field May be susceptible in future to Phytophthora ramorum disease of larch.	Observation Unknown	C2						
Clear Stem (m): Notes:												Height to Lowest Part of Crown (m): Low Crown Direction:	<table border="1"> <thead> <tr> <th>Recommended Tree Work</th> <th>Details</th> <th>Work Priority</th> <th>Category</th> </tr> </thead> <tbody> <tr> <td>• None</td> <td>Will eventually require felling if Phytophthora ramorum disease of larch is diagnosed in future.</td> <td>If permission is granted</td> <td>2</td> </tr> </tbody> </table>	Recommended Tree Work	Details	Work Priority	Category	• None	Will eventually require felling if Phytophthora ramorum disease of larch is diagnosed in future.	If permission is granted	2
Recommended Tree Work	Details	Work Priority	Category																		
• None	Will eventually require felling if Phytophthora ramorum disease of larch is diagnosed in future.	If permission is granted	2																		
1.21	Sycamore	42 @	1.5	Early mature							5.0 m 80 m ²	<ul style="list-style-type: none"> No significant defects to report 			B2						
Clear Stem (m): Notes:												Height to Lowest Part of Crown (m): Low Crown Direction:	<table border="1"> <thead> <tr> <th>Recommended Tree Work</th> <th>Details</th> <th>Work Priority</th> <th>Category</th> </tr> </thead> <tbody> <tr> <td>• None</td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Recommended Tree Work	Details	Work Priority	Category	• None			
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• None																					
1.22	Scots Pine	18 @	1.5	Old Mature	Normal Vitality						5.4 m 92 m ²	<ul style="list-style-type: none"> Lateral branch Crown Trunk 	Broken and hanging branch NE at #16m Weight biased to NW Ivy previously growing up this tree has been severed.	Moderate Observation Observation	B2						
Clear Stem (m): Notes:												Height to Lowest Part of Crown (m): >16 Low Crown Direction:	<table border="1"> <thead> <tr> <th>Recommended Tree Work</th> <th>Details</th> <th>Work Priority</th> <th>Category</th> </tr> </thead> <tbody> <tr> <td>• Make safe any unstable, dead or defective branches</td> <td>particularly broken and hanging branch - NE at #16m</td> <td>If permission is granted</td> <td>1</td> </tr> </tbody> </table>	Recommended Tree Work	Details	Work Priority	Category	• Make safe any unstable, dead or defective branches	particularly broken and hanging branch - NE at #16m	If permission is granted	1
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Reference B: Plot 7, Rheda Park, Frizington.

Id No.	Species	Height (m)		Age Class		Crown Radius (m)				RPA Radius Area	Defects			BS 5837 Retention Category								
		Trunk Ø (cm)		Life Expectancy	Health	N	E	S	W		Location of Defect	Description of Defect	Severity									
1.23	Scots Pine	22		Old Mature	Normal Vitality					9.7 m	<ul style="list-style-type: none"> Lateral branches Whole Tree Co-dominant stems 	dead wood - NW at #18m	Moderate	B2								
		81 @	1.5										297 m ²		Weight biased to E	Observation						
Clear Stem (m):		Height to Lowest Part of Crown (m): #>18			Low Crown Direction:																	
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<ul style="list-style-type: none"> Make safe any unstable, dead or defective branches 		If permission is granted	1																			
1.24	Scots Pine	22		Old Mature	Normal Vitality					8.5 m	<ul style="list-style-type: none"> No significant defects to report 			B2								
		71 @	1.5										228 m ²									
Clear Stem (m):		Height to Lowest Part of Crown (m): >15			Low Crown Direction:																	
Notes:		<table border="1"> <thead> <tr> <th>Recommended Tree Work</th> <th>Details</th> <th>Work Priority</th> <th>Category</th> </tr> </thead> <tbody> <tr> <td> <ul style="list-style-type: none"> None </td> <td></td> <td></td> <td></td> </tr> </tbody> </table>													Recommended Tree Work	Details	Work Priority	Category	<ul style="list-style-type: none"> None 			
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<ul style="list-style-type: none"> None 																						
1.25	Scots Pine	18		Old Mature	Normal Vitality					6.4 m	<ul style="list-style-type: none"> No significant defects to report Small, previously unrecorded sycamore growing close by (now recorded as 999.02). 			B2								
		53 @	1.5										127 m ²									
Clear Stem (m):		Height to Lowest Part of Crown (m):			Low Crown Direction:																	
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Reference B: Plot 7, Rheda Park, Frizington.

Id No.	Species	Height (m)		Age Class		Crown Radius (m)				RPA Radius Area	Defects			BS 5837 Retention Category								
		Trunk Ø (cm)		Life Expectancy	Health	N	E	S	W		Location of Defect	Description of Defect	Severity									
1.26	Larch	#8		Mature						4.6 m	<ul style="list-style-type: none"> Whole Tree Whole Tree 	Weight biased to E - Field	Observation	C2								
		38 @ 1.5								65 m ²		May be susceptible in future to Phytophthora ramorum disease of larch.	Unknown									
Clear Stem (m): _____ Height to Lowest Part of Crown (m): _____ Low Crown Direction: _____ Notes: _____											<table border="1"> <thead> <tr> <th>Recommended Tree Work</th> <th>Details</th> <th>Work Priority</th> <th>Category</th> </tr> </thead> <tbody> <tr> <td>• None</td> <td>Will eventually require felling if Phytophthora ramorum disease of larch is diagnosed in future.</td> <td>If permission is granted</td> <td>2</td> </tr> </tbody> </table>				Recommended Tree Work	Details	Work Priority	Category	• None	Will eventually require felling if Phytophthora ramorum disease of larch is diagnosed in future.	If permission is granted	2
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1.27	Scots Pine	17								7.0 m	<ul style="list-style-type: none"> Structural branches Co-dominant stems Whole Tree 	Wounded, little apparent decay upper crown	Observation	B2								
		58 @ 1.5								152 m ²		stem union (stable at time of inspection) at #4m	Minor									
Clear Stem (m): _____ Height to Lowest Part of Crown (m): #8m Low Crown Direction: _____ Notes: _____											<table border="1"> <thead> <tr> <th>Recommended Tree Work</th> <th>Details</th> <th>Work Priority</th> <th>Category</th> </tr> </thead> <tbody> <tr> <td>• None</td> <td></td> <td></td> <td></td> </tr> </tbody> </table>				Recommended Tree Work	Details	Work Priority	Category	• None			
Recommended Tree Work	Details	Work Priority	Category																			
• None																						
1.28	Unknown			Dead							<ul style="list-style-type: none"> Whole Tree 	Dead	Observation	U1								
Clear Stem (m): _____ Height to Lowest Part of Crown (m): _____ Low Crown Direction: _____ Notes: _____																						

Reference B: Plot 7, Rheda Park, Frizington.

Id No.	Species	Height (m)		Age Class	Life Expectancy	Health	Crown Radius (m)				RPA Radius Area	Location of Defect	Defects		BS 5837 Retention Category
		Trunk Ø (cm)					N	E	S	W			Description of Defect	Severity	
2.13	Scots Pine	47 @	1.5	Old Mature	Normal Vitality	6				5.6 m 100 m ²	<ul style="list-style-type: none"> • Crown • Base of trunk • Stem(s) 	Weight biased to W	Moderate	C1	
						Wounded and decaying 0 - 1m		Major							
						The main stem leader has been broken in the past so that the structural branch at #14m has grown to become ascending.		Observation							

Clear Stem (m):
Notes:

Height to Lowest Part of Crown (m):

Low Crown Direction:

Recommended Tree Work	Details	Work Priority	Category
• Fell		High	1 & 2

2.18	Scots Pine	20	Old Mature	Normal Vitality	#4	#4	#3	#3	7.2 m 163 m ²
		60 @			1.5				

• Whole Tree	Appearance of slight lean, and associated weight bias to NE	Observation
• Base of trunk	Wounds (occluded) S	Unknown

Clear Stem (m):
Notes:

Height to Lowest Part of Crown (m):

Low Crown Direction:

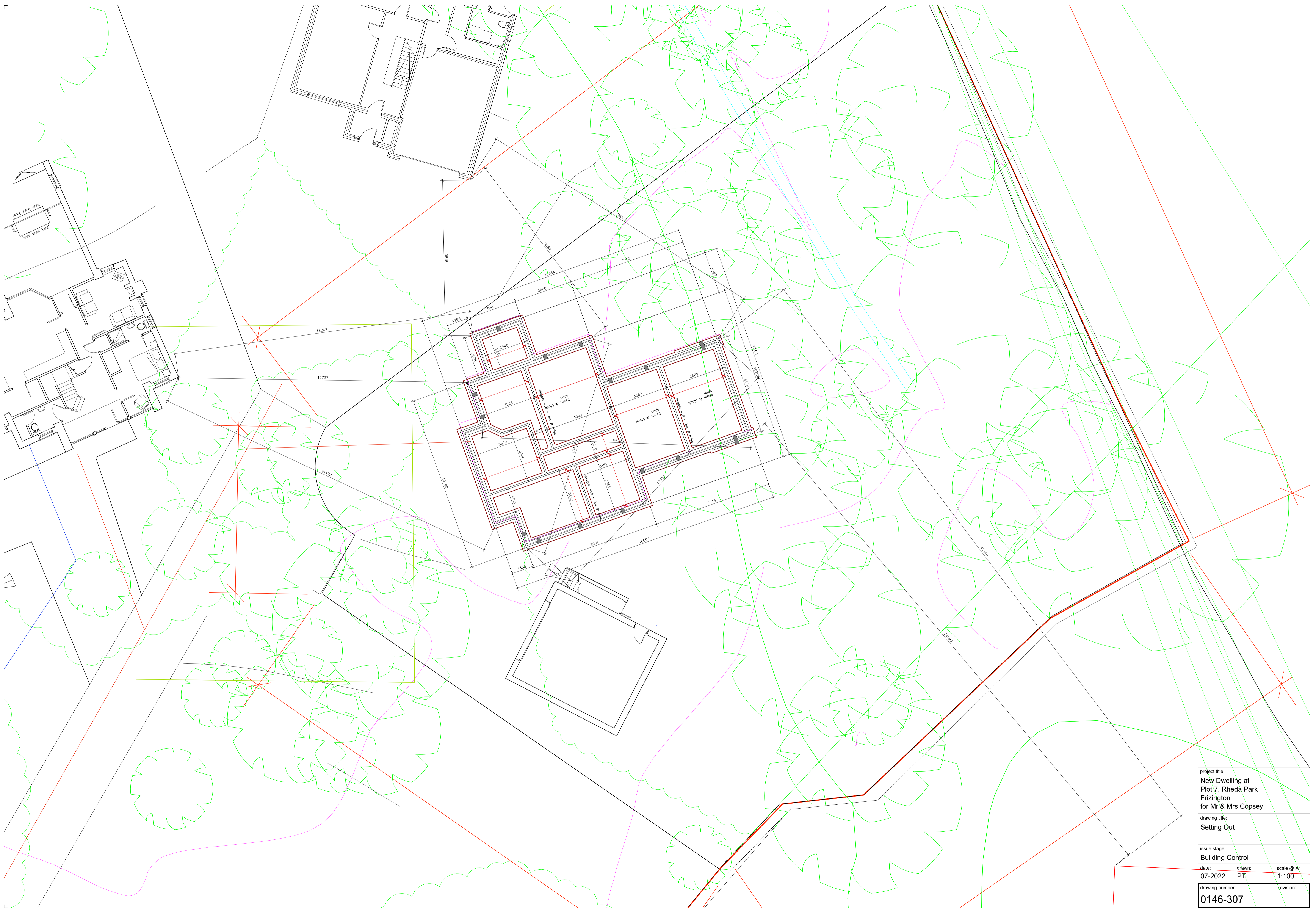
Recommended Tree Work	Details	Work Priority	Category
• Fell		If permission is granted	
• Inspect after gales	particularly the ground around the base of this tree for visual indications of instability. Indications of instability might include ground cracks, soil voids and/or ground "steps" due to the root plate having lifted.	When appropriate	1 & 2.

Reference B: Plot 7, Rheda Park, Frizington.

Id No.	Species	Height (m)		Age Class		Crown Radius (m)				RPA Radius Area	Defects			BS 5837 Retention Category								
		Trunk Ø (cm)		Life Expectancy	Health	N	E	S	W		Location of Defect	Description of Defect	Severity									
999.01	Sycamore	#6		Young mature	Normal Vitality					2.3 m	<ul style="list-style-type: none"> No significant defects to report 	Unknown	C2									
		19 @	1.5			16 m ²																
Clear Stem (m):		Height to Lowest Part of Crown (m):		Low Crown Direction:																		
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999.02	Sycamore	11		Young mature	Normal Vitality					4.4 m	<ul style="list-style-type: none"> Co-dominant stems 	non-acute stem union (stable at time of inspection)	Observation	C1								
		22 @	1.5			60 m ²																
		29 @	1.5																			
Clear Stem (m):		Height to Lowest Part of Crown (m): #3m		Low Crown Direction:																		
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• Fell	to favour nearby SP (Tree No 1.25)	If permission is granted	2																			
999.03	Beech	17		Young mature	Normal Vitality					3.8 m	<ul style="list-style-type: none"> Whole Tree 	weight biased as a result of having been growing close to a dominant tree (1.22) weight biased to SW and in direction of the house under construction.	C2									
		32 @	1.5			46 m ²																
Clear Stem (m):		Height to Lowest Part of Crown (m): 3		Low Crown Direction:																		
Notes:		extent of crown on the SW is # to be within 6m of the footprint of the building under construction.																				
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		25 @	1.5			78 m ²																
		24 @	1.5																			
		23 @	1.5																			
Clear Stem (m):		Height to Lowest Part of Crown (m): 4 N		Low Crown Direction:																		
Notes:		<table border="1"> <thead> <tr> <th>Recommended Tree Work</th> <th>Details</th> <th>Work Priority</th> <th>Category</th> </tr> </thead> <tbody> <tr> <td>• Fell</td> <td></td> <td>If permission is granted</td> <td></td> </tr> </tbody> </table>													Recommended Tree Work	Details	Work Priority	Category	• Fell		If permission is granted	
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Reference B: Plot 7, Rheda Park, Frizington.

Id No.	Species	Height (m)		Age Class		Crown Radius (m)				RPA Radius Area	Defects			BS 5837 Retention Category								
		Trunk Ø (cm)		Life Expectancy	Health	N	E	S	W		Location of Defect	Description of Defect	Severity									
999.05	Sycamore	29 @ 1.5		Young mature	Normal Vitality	4.6	#3	5	#4	3.5 m 38 m ²	<ul style="list-style-type: none"> Roots wounded Crown Overhanging to W and over the footprint of the building under construction. 	Unknown Observation										
<p>Clear Stem (m): Height to Lowest Part of Crown (m): 4 W Low Crown Direction:</p> <p>Notes:</p>												<table border="1"> <thead> <tr> <th>Recommended Tree Work</th> <th>Details</th> <th>Work Priority</th> <th>Category</th> </tr> </thead> <tbody> <tr> <td>• Fell</td> <td></td> <td>If permission is granted</td> <td></td> </tr> </tbody> </table>			Recommended Tree Work	Details	Work Priority	Category	• Fell		If permission is granted	
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project title:
New Dwelling at
Plot 7, Rheda Park
Frizington
for Mr & Mrs Copsey

drawing title:
Setting Out

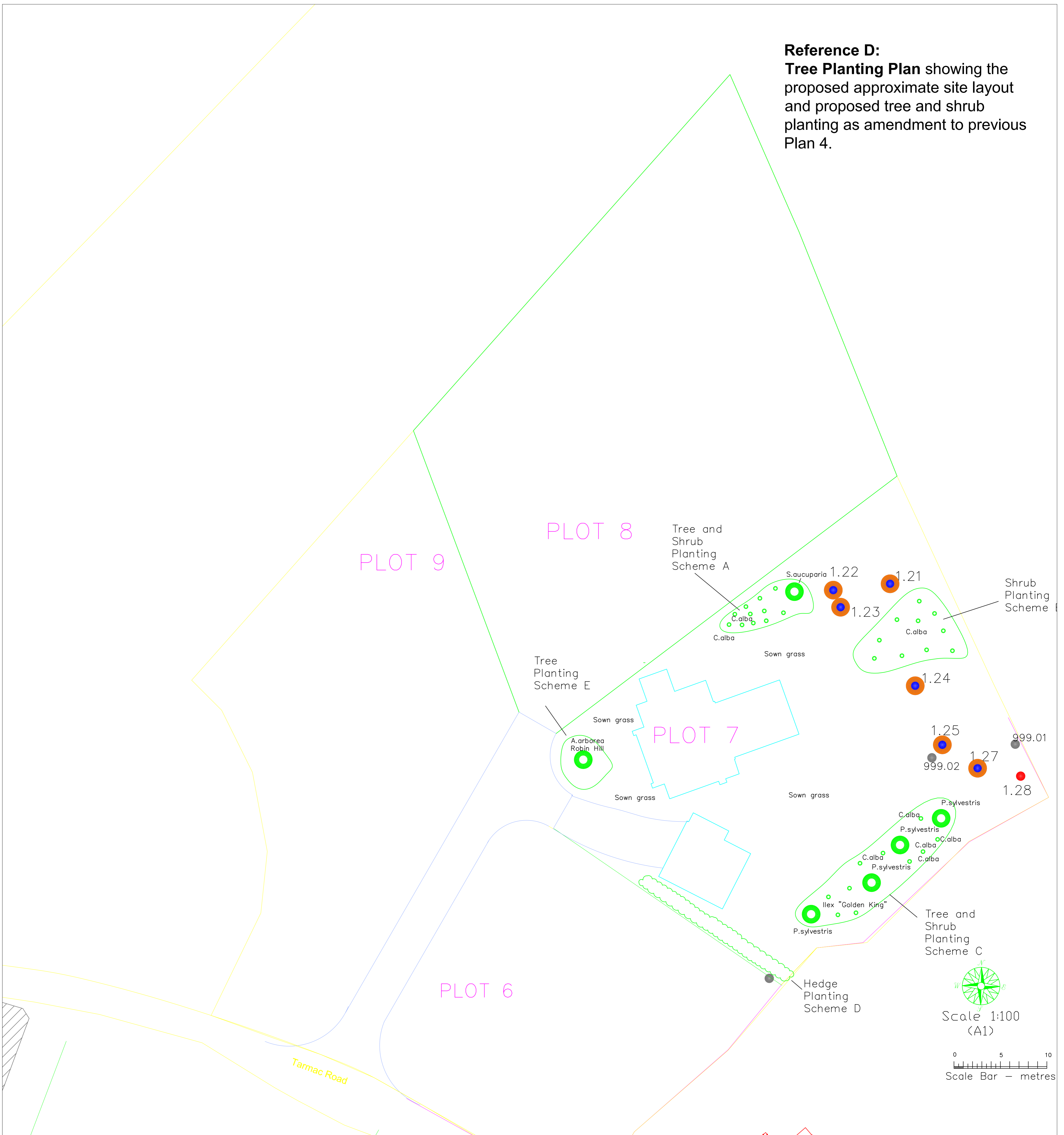
issue stage:
Building Control

date: 07-2022 drawn: PT scale @ A1: 1:100








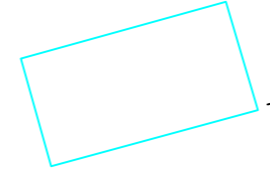
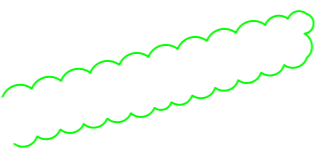
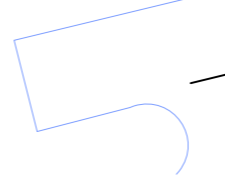
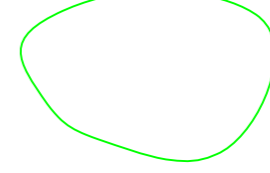



drawing number: 0146-307 revision:

Rheda Park, Plot 7

Reference D:
Tree Planting Plan showing the proposed approximate site layout and proposed tree and shrub planting as amendment to previous Plan 4.



Key to Plan

-  The approximate location of a tree to be retained if possible in or near to Plot 7.
-  Trunk
-  Retention Category A
-  Retention Category B
-  Retention Category C
-  Retention Category U
-  Plot 7
- The approximate extents of Plot 8.
-  The approximate outline of a proposed new building
-  Hedge to be planted
-  The approximate outline of a proposed new driveway and other hard surfaces
-  The approximate outline of mulched tree or shrub planting area
-  Standard tree to be planted in prepared pit
-  Whips or multistem trees to be either notch or pit planted.
-  Shrubs to be notch or pit planted.