

## B. J. UNWIN FORESTRY CONSULTANCY

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24<sup>th</sup> Oct 2017 - BJU/mmi

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ROY 2017  
17/02251/

Dear [REDACTED]

### OAK Tree inspection @ No.1 Hazebrouck Close.

#### 1. Instruction.

- 1.1 You have lived at No.1 since 2007. Increasing oppression by trees is causing your family and neighbour at No.3 increasingly severe oppression.
- 1.2 Therefore, you have asked B.J.Unwin Forestry Consultancy to inspect the tree and advise, subject to quote.

#### 2. Inspection.

- 2.1 I visited site on 10<sup>th</sup> October, and made an accompanied inspection, with you, in average light conditions.
- 2.2 The survey was from ground level. It involved visual observation, measuring dimensions, and sounding with a hammer: and chisel and long steel rod if required (Visual Tree Assessment: Mattheck and Breloer 1994 and Lonsdale 1999).
- 2.3 The survey was by Jim Unwin, who has forty years' experience working with trees (professional CV attached).

#### **Notes:**

**Copyright:** This report is copyright of BJUFC, and licensed only to the client, site and purpose(s) named above. It may not be assigned without the author's permission.

**Limitation of Report:** The statements made in this Report do not take account of the effects of extremes of climate, vandalism or accident, whether physical, chemical or fire. BJUFC cannot therefore accept any liability in connection with these factors, nor where prescribed work is not carried out in a correct and professional manner in accordance with current good practice. The authority of this Report ceases at any stated time limit within it, or if none stated after two years from the date of the survey or when any site conditions change, or pruning or other works unspecified in the Report are carried out to, or affecting, the Subject Tree(s), whichever is the sooner.

Tree and Woodland Consultancy  
Woodland Valuation and Timber Sales  
Landscape Management

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### 3. The Site.

- 3.1 The site inspected is a small domestic plot, on a 1970s residential estate. The front garden is mostly paved parking. The property's outdoor amenity space is the rear garden south east of the house, about 8.5m deep from rear of house to rear boundary fence, by about 13m wide. The rear garden extends along the northern end of the house as yarding and garden sheds.
- 3.2 The site is low-lying. The whole plot appears adequately drained, but a ditch runs just outside the northern boundary of the plot.
- 3.3 Solid geology from BGS website: Charmouth Mudstone Formation - Mudstone. Sedimentary Bedrock formed approximately 183 to 199 million years ago in the Jurassic Period. Local environment previously dominated by shallow seas. Superficial deposits: None recorded
- 3.4 Google Earth 2007 aerial below. Oak tree marked. It has grown since.





**4. Tree.**

- 4.1 The oak in the middle of No.1's small rear garden is a sessile oak (*Quercus petraea*), which is the western native oak. Stem diameter (DBH) is about 70cm. The oak is 15m tall, with a well-shaped and very dense canopy.
- 4.2 Radial spread is 4.7m north east (where it over-sails a yew canopy), 7.1m south east (5m over the rear boundary), 6.7m south west (2m over the side boundary), and 6.4m north west (where it reaches the house).
- 4.3 View of the oak from the south in photo below. Bedroom windows of No.1 just visible level with base of oak canopy. Note the dense and broad-columnar canopy.



**5. Problems caused by the oak tree.**

- 5.1 The oak stands near the middle of a small rear garden which is the only outdoor amenity space for the property. The photo below shows the exposed and public front garden area, which is unsuitable for use other than parking. (Oak tree rear right.)



**5.2 Shading and domination of rear garden and rear windows:-**

- 5.2.1 Photo north east, below, shows bare rear garden on an early-autumn day. Note absence of vegetation, I believe caused by shading and roots drying soil, from the oak (on right) and to a lesser extent by the yew (centre).



5.2.2



View south showing lack of vegetation. Oak centre.



5.2.3 View upwards along rear of house to the oak's dense canopy.



- 5.2.4 View north west to rear of house in late afternoon, note lights in living room and bedroom / landing above, due to shading from the oak canopy, across top of picture.



**5.3 Root action.**

- 5.3.1 The local geology is mudstone, producing clay and silt-sized particles at foundation depth, which can change volume depending on moisture content. Although there is no evidence of cracking in the house structure, there is ample evidence of oak roots desiccating subsoil to cause settlement of rear-garden patio. See in profile below. Note original paving level on right by house.





## 5.4 Discussion

- 5.4.1 The oak is a healthy and well-shaped tree. I would estimate it to be early-mature, with the potential to increase by a quarter to a third in dimension, which would be a doubling of canopy volume.
- 5.4.2 However, the combination of the oak's location, its dense canopy, and the small size of No.1's rear garden, combine to create excessive domination, over-bearing, and shading of the rear of the house and rear garden.
- 5.4.3 No.1 is robbed of an outdoor amenity space by the oak. The tree cannot be retained as it is, particularly with the potential to increase in size.
- 5.4.4 A lesser concern is the proximity of the tree to the rear of No.1 on shrinkable subsoil.

## 5.5 Recommendation.

- 5.5.1 There is no option to retain the oak as it is, so crown pruning or tree removal are the possible options:-
- 5.5.2 Crown lifting:- This would have to be excessive (at least to half tree height) to improve light conditions under the tree, leaving a 'lollipop tree', with much-reduced amenity value.
- 5.5.3 Crown reduction & / or thinning:- Given the health of the tree, any crown reduction with or without thinning would be mitigated by rapid regrowth. Further, any pruning sufficient to give a longer return period would involve high pollarding with 'skeletonising' of the canopy. This would remove the tree's amenity value.
- 5.5.4 Removal:- The oak has a smaller but well-shaped yew 6.7m to its north, a large plane tree stands a little further north, and a mixed belt of trees and hedging runs north west from No.1. North of the large plane is a small area of public open space containing several trees, some of similar size to the oak. Therefore, removal of the oak would not completely denude local tree cover.
- 5.5.5 The impact on local amenity value of oak-tree removal would not be great, because the public area closest to the tree is parking at the end of Ennerdale Road, which appears not to have intensive use. The oak could be replaced by a more-suitable tree planted near the south-east corner of No.1's rear garden, such as an ornamental rowan, a fruiting pear on a Quince A rootstock, or fruit tree such as an apple fruit tree on a vigorous M25 rootstock.

## 5.6 Treework informatives

### 5.6.1 Disturbance to wildlife.

It is essential to check for nesting birds, bat roosts, badgers and hibernating animals such as hedgehogs under trees, before pruning or removing trees, as negligent disturbance is an offence under the EC Habitat Directive 1992 as amended and strengthened 21<sup>st</sup> August 2007 to protect European Protected Species (bats are most relevant concerning trees) and CROW Act 2000.

In general, autumn tree work: September, October and November is least disruptive to bats

and birds. However, with appropriate risk assessment work can proceed at any time.

#### 5.6.2 Permission.

Trees may be protected by a TPO, or lie within a Conservation Area. Either are possible here and should be checked with the local planning authority.

A Felling Licence may be required for felling or thinning > 5 tonnes of wood in any calendar quarter.

As part of a felling licence, European Protected Species must be considered.

Therefore, a contractor must satisfy himself that all necessary permissions are in place before touching trees.

#### 5.6.3 Contractor.

All off-ground tree work should be done by insured tree surgeon with certificates in aerial chainsaw use (new designations:- NPTC 020-04, 0020-05, 0020-07, 0021-01, 0021-07; LANTRA 600/5703/8, 600/5717/8, 600/5715/5, 600/5704/X, 600/5714/2), and working to BS3998:2010, and "Treework at Height", the Arboricultural Association's ICoP. (Stumps can be left to shoot again, ground out, or grubbed out, or poisoned depending on location.)

Thinning work can be done by a competent woodland contractor.

### 6.0 Conclusions:-

- 6.1 On the evidence seen at No.1 Hazebrouck Close I have strong sympathy for Mr & Mrs Ling and their children, where the oak creates difficult living conditions.
- 6.2 We consider the oak tree in the rear garden of No.1 Hazebrouck Close creates completely unreasonable levels of shading, oppression, over-bearing, vegetation suppression, and diminution of private amenity value to the property.
- 6.3 We strongly recommend removal of the oak tree, and its replacement by a smaller ornamental or fruiting tree.

This report may be submitted to local council for permission, and to contractor for quote.

Please contact us if you have any queries, or require further assistance.

Yours sincerely,



B J Unwin Forestry Consultancy.

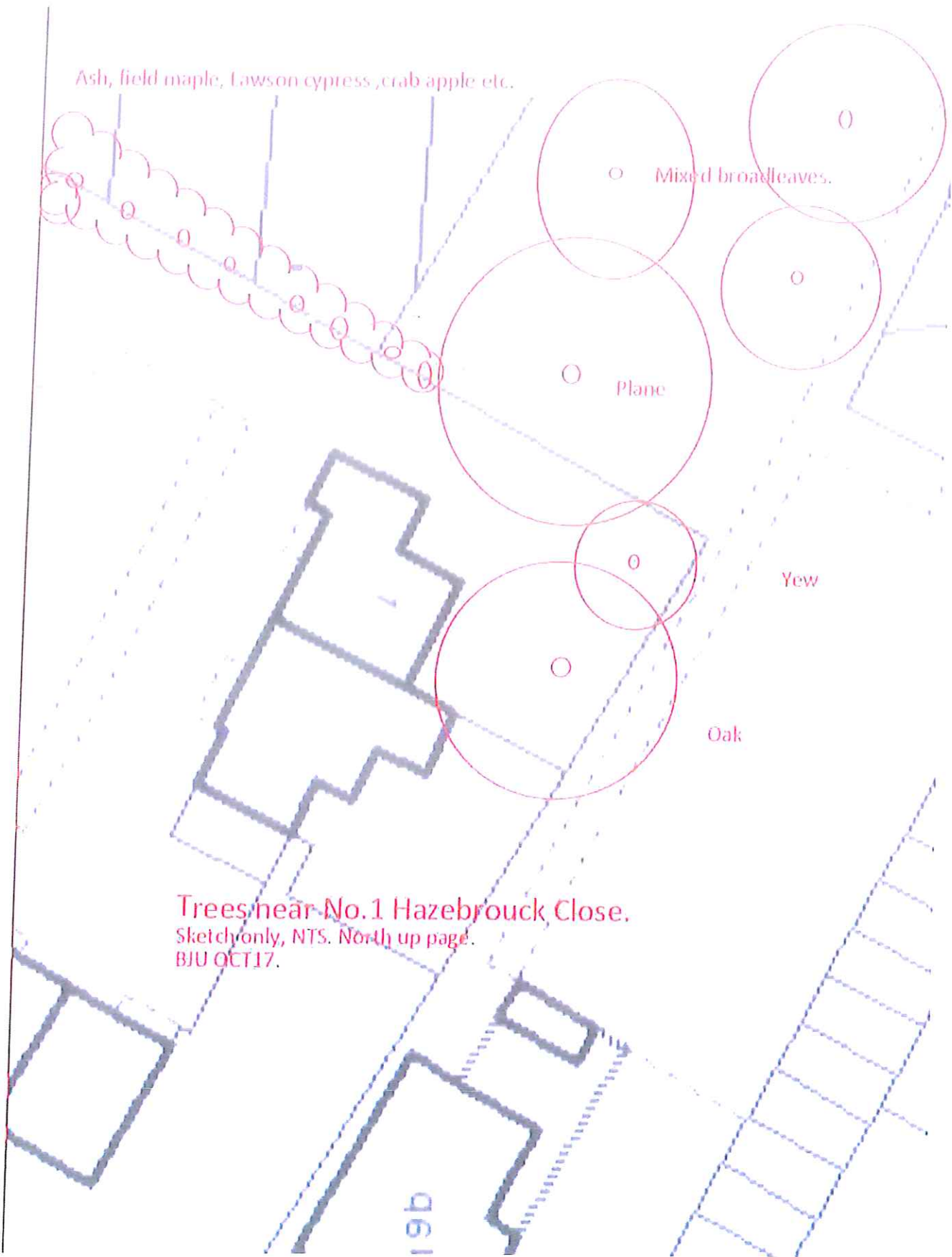
#### References:

- "The Body Language of Trees". Claus Mattheck and Helge Breloer. HMSO 1994.  
"Principles of Tree Hazard Assessment and Management". David Lonsdale. HMSO 1999.  
BS 3998: 2010 "British Standard Recommendations for Treework".

Attached:

- Sketch plan.
- BJUFC professional CV.





Trees near No. 1 Hazebrouck Close.  
Sketch only, NTS. North up page.  
BJU OCT17.

