

Anderson Tree Care Limited,
Garden Cottage, Park Street,
Barlborough,
Chesterfield, S43 4TJ.
Phone; 01246 570 044
Fax; 01246 570 045
e-mail; info@andersontreecare.co.uk
company registration no. 5872995



ANDERSON
TREE CARE

Tree Survey; **Drummore/Mayfield,
Barnsley Road, Dodworth.**

Client; **Matthew Stephens Esq.
Quest Property, Barnsley, S35 3SP.**

Date of Survey; **May 9th 2011,
and numerous occasions since 2006.**

Weather at time of Survey; **Fine.**

File reference **Mayfield Court 01**

Introduction.

This site is the large rear garden of a detached property (Drummore), along with the rear garden of the adjoining property (Mayfield). I understand that the properties are to be demolished and new buildings erected. The gardens are now substantially overgrown and all but impenetrable. This report uses some photographs and measurements taken during past visits.

Tree Preservation Orders.

A Tree Preservation Order (TPO) was served on both properties in 2006 (TPO no 7. 2006). Trees alongside the site in the grounds of the neighbouring hotel are included in the TPO by means of an “area.” An objection was raised to the TPO at the time of serving but was summarily dismissed and the TPO confirmed.

The Survey.

I have taken ‘British Standard 5837 2005 Trees in relation to construction – Recommendations,’ as the basis for this report. The Local Planning Authority should consider this Standard in its deliberations about this site. The Standard states its objectives of achieving “a satisfactory juxtaposition of trees, including shrubs, hedges and hedgerows, with structures.”

It provides us with a ‘flow diagram’ that summarises how trees should be considered on a potential development site. The flow diagram suggests trees should be surveyed and categorised after the initial Land (Topographical) Survey, but prior to the initial design for the site. The categorisation process is an appraisal of the suitability of the trees for retention in the development.

The Standard recommends the preparation of a “Tree Constraints Plan” (TCP) to assist the designer in preparing the layout. It suggests that the survey should include all trees over 75mm trunk diameter. Also, trees that are outside the site but close to, or overhang the site should be considered.

I have marked the trees I have considered on a “Tree Location Plan” (TLP) appended to the rear of this report. I may have marked some of the trees on site in order to help orientation on site. I may have omitted some trees that other people might have included; there will always be differences of opinion over the significance of individual trees, but I am bearing in mind the advice of the Standard. I routinely include hedges and hedgerows and deal with some trees as groups where their proximity to one another means that their crowns have merged and their retention as individuals would be questionable.

I shall summarise the information I have tabulated, the reasons for gathering it and its uses:

- 1. Tree no & species.** I hope this is self-explanatory. I routinely use common names but will use scientific names where necessary to clarify the identification. Some trees are dealt with as groups. The categorisation system suggests this is reasonable.

2. **Height.** (Ht) measured in metres. This is estimated from ground level. I use a clinometer to assist. While these are reasonably accurate, actually seeing the top of a tree from ground level can be difficult so the height should always be regarded as an estimate.
3. **Trunk Diameter.** (TD) measured in millimetres. This is required in order to calculate the “root protection area.” It is usually measured at 1.5 metres above the ground but deformities or peculiarities have to be avoided. If we were to measure an ‘average’ tree we would find little variation in measuring the trunk anywhere between 1 & 2 metres. I have attempted to measure the trees at a ‘typical’ point. Where trees have multiple stems the Standard instructs us to measure below the branch union but above the root flare; I indicate this within the data with the letters ‘af.’ Alternatively it is acceptable to measure each individual stem and calculate an equivalent single TD¹. Obviously a pragmatic approach needs to be adopted.
4. **Age class.** BS5837 also requires the age class of the tree. The categories are Young (Y), Middle-aged (EM for early-mature), Mature (M), Over-mature (OM) and Veteran (V). A veteran tree is one that has probably exceeded its ‘normal’ life span and has developed attributes such as wildlife habitat, biodiversity benefits, historic association or such-like. To quote from the Standard: It is a tree that *by recognised criteria, shows features of biological, cultural or aesthetic value that are characteristic of, but not exclusive to, individuals surviving beyond the typical age range for the species concerned.*
5. **Category.** BS5837 requires us to assess a ‘retention category’ for each tree. I shall interpret the standard:

TREES FOR REMOVAL	
Category and definition	Criteria
Category ‘R’ Those in such a condition that any existing value would be lost within 10 years and which should, in the current context, be removed for reasons of sound arboricultural management	Trees that have a serious, irremediable, structural defect, such that their early loss is expected due to collapse, including those that will become unviable after removal of other R category trees (i.e. where, for whatever reason, the loss of companion shelter cannot be mitigated by pruning). Trees that are dead or are showing signs of significant, immediate, and irreversible overall decline. Trees infected with pathogens of significance to the health and/or safety of other trees nearby (e.g. Dutch elm disease), or very low quality trees suppressing adjacent trees of better quality. NOTE: Habitat reinstatement may be appropriate (e.g. installation of bat box in nearby tree).
‘R’ category trees do not have to be removed. If the site layout does not require their removal and there are no safety issues they can be allowed to decline naturally to perhaps provide a habitat or to contribute to biodiversity.	

¹ This system of calculating a trunk diameter was suggested by Rodney Helliwell and is widely accepted by the Arboricultural industry. The cross sectional area of each stem is measured and calculated. The figures are added and an equivalent single trunk diameter is then calculated.

TREES FOR RETENTION			
Category and definition	Criteria - Subcategories		
	1. Mainly arboricultural values	2. Mainly landscape values	3. Mainly cultural values
<u>Category A</u> Those of high quality and value: in such a condition as to be able to make a substantial contribution (a minimum of 40 years is suggested)	Trees that are particularly good examples of their species, especially if rare or unusual, or essential components of groups, or of formal or semi-formal arboricultural features (e.g. the dominant and/or principal trees within an avenue)	Trees, groups or woodlands which provide a definite screening or softening effect to the locality in relation to views into or out of the site, or those of particular visual importance (e.g. avenues or other arboricultural features assessed as groups)	Trees, groups or woodlands of significant conservation, historical, commemorative or other value (e.g. veteran trees or wood-pasture)
<u>Category B</u> Those of moderate quality and value: those in such a condition as to make a significant contribution (a minimum of 20 years is suggested)	Trees that might be included in the high category, but are downgraded because of impaired condition (e.g. presence of remediable defects including unsympathetic past management and minor storm damage)	Trees present in numbers, usually as groups or woodlands, such that they form distinct landscape features, thereby attracting a higher collective rating than they might as individuals but which are not, individually, essential components of formal or semi-formal arboricultural features (e.g. trees of moderate quality within an avenue that includes better, A category specimens), or trees situated mainly internally to the site, therefore individually having little visual impact on the wider locality	Trees with clearly identifiable conservation or other cultural benefits
<u>Category C</u> Those of low quality and value: currently in adequate condition to remain until new planting could be established (a minimum of 10 years is suggested), or young trees with a stem diameter below 150 mm	Trees not qualifying in higher categories	Trees present in groups or woodlands, but without this conferring on them significantly greater landscape value, and/or trees offering low or only temporary screening benefit	Trees with very limited conservation or other cultural benefits.
The Standard states that C category trees “will usually not be retained where they would impose a significant constraint on development.”			
NB. This is an interpretation not a reproduction of BS5837’s table 1.			

- 6. Comments.** This column is simply to impart additional information and may cover reasons for the trees' categorisation or anything else that I feel is worthy of mention. Peculiar crown formation might be mentioned, or an unusual branch configuration. BS5837 recommends we measure the "*radius of branch spread at the four cardinal points.*" This section will contain that information if I feel it necessary to measure unusual crown formation. Otherwise the presumption is that the trees are fairly typical for the species. The Standard also suggests that we record the height of crown-clearance; that is how far from the ground the branches grow. I shall not mention this unless it is unusual or particularly relevant. I shall broadly confine my assessment of the trees physiological condition to poor, fair, good, or dead and mention it here. All trees are assumed to be in good condition unless mentioned otherwise. The Standard asks us to include the "*estimated remaining contribution in years.*" This is rather a "how long is a piece of string" question. I shall include a rough assessment of remaining life where I deem it necessary. By and large this will have been included as part of the 'category' assessment. If necessary I shall comment here.
- 7. Root Protection Area. (RPA)** Measured in square metres. This is calculated as a circular area with a radius of 12 times the diameter of the tree if measured at 1.5 metres, or 10 times the diameter if measured below the fork and above the root flare (af). An 'R' category tree obviously will not require any RPA. (See BS5837's table 2) I shall round the figure up to the nearest square metre. The Standard suggests that the area does not need to be round but may change shape where this can be achieved while maintaining the necessary tree to building distances. The square root of the RPA gives us the length of the sides if the shape was a square. Half the side conveniently gives us a minimum 'tree to building distance.' The Standard suggests this distance can be reduced by 20% in one direction as long as the protected area can be maintained. (The circular area can be "offset"). Peculiar site restrictions might also have a bearing on the layout. For example if root growth might have been anticipated in a certain area due to a nearby building or road restricting root development, then obviously this area cannot be omitted from the RPA. In reality such a situation would probably mean the tree would be graded as category 'R.'
(The RPA is 'capped' at 707m^2 , i.e. a circle with 15m radius or a square with 26m sides.)

Tree Constraints Plan.

BS 5837 is quite clear about the TCP being a 'tool' for the designers of a site layout. It is not clear to me whether a Planning Department can reasonably ask to see a tool that an applicant has used in order to design a layout. The ODPM has issued guidance on the use of planning conditions (circular 11/95). Suffice to say that a planning condition needs to be reasonable.

BS5837 also suggests that trees be coloured on the TCP in the following way: R category - Dark Red, A category - Light Green, B category – Mid Blue, C category – Grey. It occurs to me that a plan marked with RPAs, actual crown spreads, and then areas likely to be shaded by trees, would be at best complicated, and at worst hopelessly confusing.

The Trees.

Tree No.	Species.	Ht	TD	Age class	Category	Comments.	RPA
1.	Yew	7	400	M	C1	A reasonable specimen, very close to the neighbouring property. Pruned in 2009. T6 in the TPO.	73
2.	Magnolia	4	170af	M	C1	A shrub, only included by virtue of it being included in the TPO (T5).	10
3.	Norway Maple	8	340	M	C1	Purple leafed cultivar. Suppressed Rowan in its shade. T4 in the TPO. Close to the boundary wall.	53
4.	Norway Maple	6	270	M	C1	Another purple leafed cultivar, as tree 3 but not included in the TPO.	33
5.	Leyland Cypress group	6	180	Y	C1	An overgrown hedge between the two houses.	15
6.	Apple	6	300	M	C1	An interestingly shaped specimen but irrelevant outside the garden.	41
7.	Cherry	4	200	OM	C1	Half dead and poor form.	19
8.	Magnolia	4	150	M	C1	Another shrub, not included in the TPO.	11
9.	Pussy Willow	7	300	M	C1	Previously pollarded, hard against the boundary wall.	41
10.	Rowan	4	-	OM	R	Dead. Off site in neighbouring garden.	0
11.	Silver Birch	9	-	M	C1	Off site in neighbouring garden.	-
12.	Cabbage Palm	4	300	OM	R	Dead. Killed by last winter's frost. (Almost certainly)	0
13.	Cherry	5	180	M	C1	An upright cultivar of Japanese Cherry, probably the cultivar "Amanogawa."	15
14.	Walnut	8	300	M	C1	A reasonable specimen. Could be T3 in the TPO (see discussion below).	41
15.	Walnut	8	300	M	C1	Branches have been hacked off by a neighbour. Fly tipping at the base. Could be T3 in the TPO (see discussion below).	41

Tree No.	Species.	Ht	TD	Age class	Category	Comments.	RPA
16.	Golden False Acaia	6	250	M	R	Nearly dead.	0
17.	Walnut	8	320	M	C1	T1 in the TPO. A reasonable specimen albeit small and overshadowed by trees outside the site.	47
18.	Golden Elm	8	150	Y	C1	T2 in the TPO. Almost completely overgrown. Close to wall.	11
19.	Group	15 max	490 max	M	C2	Cherry, Norway Maple, Lime, Rowan, Hybrid Black Poplar, some Leyland Cypress. These trees are all poor specimens due to having been grown in close proximity to one another and never received any silvicultural maintenance work. Some have obviously suffered root damage, some Maples are (unusually) suffering from some sort of Bleeding Canker and all the Cherries are showing signs of Bacterial Canker. Also, there are numerous Cherry seedlings emerging within the group, these are actually suckers from roots of other trees. Area 1 in the TPO. One of the Poplars is severely decayed. Some trees are very close to the boundary wall.	109

Discussion.

I first visited this site in the late summer of 2006, I had been asked to appraise the trees after the TPO was served. Quest Property did not understand why the TPO had been served and the proprietor had concluded, rightly or wrongly, that the Order had been served mischievously. My appraisal of the trees at that time concluded that there was no real justification for the TPO and I presumed that the Council would not confirm it. I was wrong, I had no idea that the Council's procedures for considering objections would be non-existent and that the seriously flawed TPO would be rubber stamped without a second glance. If this sounds like an outrageous accusation it should be noted that the "tree location plan" that forms a part of the TPO shows T3 to be a Walnut but in a position where no Walnut grows. This ought not to be a problem and the Blue Book (that is "Tree Preservation Orders; a guide to the law and good practice" DETR 2000.) states that a minor discrepancy as to a tree's position should not mean that the TPO is invalid as long as it is clear which tree it was intended to protect. In this case, with T3 being midway between two more or less identical Walnuts (trees 14 and 15) it is impossible to say which tree is protected.

Had the Council properly considered the objection, which unequivocally pointed out this discrepancy, they would have corrected the plan. The fact that they didn't suggests that they did not even read the objection, a blatant disregard of their responsibility. I must say that since this TPO was served I have reported on a couple more TPOs that were served in a similarly cavalier manner by Barnsley Council. In both cases the Council has simply ignored the procedures outlined by the Blue Book.

Part of the garden has been bought by the neighbouring hotel who at the time of my inspection were remodelling that part of the garden. This project is not a major building project, simply the creation of an ornamental area for use as some sort of outdoor backdrop for wedding photographs and the like.



Photograph 1.

Since 2006 the two properties have remained empty and the gardens are now substantially overgrown, sufficiently overgrown to make measuring some of the trees impossible. Thus some of the measurements above have been estimated from measurements taken in 2006 and on other occasions since then. Also some trees have died and some have been pruned, presumably by neighbours who have taken exception to branches encroaching onto their property. The Yew tree 1 was pruned after an application to the Council. I am not aware that anyone has been prosecuted for infringement of the TPO.

Photograph 1 taken in 2006 shows tree 12 the Cabbage Palm, as does photo 2, but in 2011 it is overgrown by bramble and other shrubs and clearly dead; killed by frost, like every other Cabbage Palm in Yorkshire, that was not protected over winter.



Photograph 2.



Photograph 3.



Photograph 4.



Photograph 5.

Photograph 3 shows Walnut tree 15, branches have been cut off where they extend over the neighbouring garden. Coincidentally the debris at the base of the tree is the tops off the dead Cabbage Palm that can just be glimpsed over the wall. The neighbour obviously regards the site as some sort of dumping ground.

Photo 4 shows the Pussy Willow tree 9 adjacent to the boundary wall and photo 5 shows the False Acacia tree 16 now almost dead. There is an as yet unidentified, blight of some sort affecting the yellow leafed form of False Acacia, dying ones can be seen all over the country. In fact the reason for this was the third most frequent query of the Tree Advice Trust when they hosted a stand at the 2009 Chelsea Flower Show. (<http://www.treehelp.info/the-gardening-publics-concerns>)



Photograph 6.

Photo 6 shows Magnolia tree 2 that is included in the TPO. In my opinion this is not a tree but a large shrub. I pointed this out in the original objection to the TPO although I have no idea whether the objection was ever considered. Photo 7 taken in January last year shows tree 17 which is T1 in the TPO. This is quite a handsome tree albeit irrelevant to anyone outside the garden. It is also worth noting that while of reasonable form it is rather small; it is not a tree that anyone would anticipate gaining significant stature.



Photograph 7.



Photograph 8.

Photograph 8 shows the group of trees 19. This photograph is taken from the hotel car park. While it is plain that they provide a reasonable screen between the car park and the garden, the TPO has not led to any of the trees being maintained. This photograph was taken in 2006 although the group looks pretty much the same now albeit taller. It is undesirable to allow them to keep growing unchecked as they are continuing to develop poor form, some are too close to the boundary and the competition between them seems to be allowing diseases to develop: This is the only place where I've ever seen Bleeding Canker on Norway Maples. Some maintenance work should be undertaken.

The maintenance work that I would anticipate for this group would be the removal of some trees where they're too close to the wall or diseased, some pruning to encourage development of better crown form, and some work to improve soil conditions for the trees (mulching). I think it is reasonable to note that building in relatively close proximity to this group is likely to lead to pressure for this management, which is something the TPO has singly failed to achieve. As undertaking work on protected trees involves the completion of a fairly onerous application form it could even be reasoned that the TPO has discouraged prudent management work.

Conclusion.

None of the trees upon or around this site are in a suitable position or suitable condition to develop into trees with reasonable form and stature. If the TPO was intended to encourage their prudent management it has failed.

Trees should not be a constraint on this development. The project should be seen as an opportunity to plant new trees and to promote the better management of nearby trees.

W. L. Anderson. Dip.Arb. (RFS) M.Arbor.A.
ANDERSON TREE CARE.

May 2011.

