

ARBORICULTURAL TREE INSPECTION REPORT

Visual Tree Assessment (ground-level and UAV-assisted) of four Corsican pines (*Pinus nigra* subsp. *laricio*), T1–T4

Site address	5 Church Road, Witherley, Atherstone, CV9 3NA
Client	Stuart Liggins
Date of inspection	8 October 2026
Date of report	9 October 2026
Prepared by	Leon Drake, Level 5 FdSc in Arboriculture
Company	Bathams Tree Care
Report status	Final – issued to client

This report is for the sole use of the named client in relation to the trees identified. It is based on a visual inspection from ground level, supported by drone (UAV) aerial photography, and should be read in full, including the limitations at Section 2.5.

Summary of key findings

- **Trees:** four mature Corsican pines (T1–T4) with long clear stems and high, broad crowns, growing on a raised bed beside a dense hedge. Crowns appear generally green and full. The scattered needle browning is probably normal autumn needle drop, but it should be checked for *Dothistroma* needle blight.
- **Structural findings (inspector’s site observation, supported by aerial imagery):** all four trees contain deadwood. T3 shows snapped or torn branch stubs and old wounds, which indicate previous limb failures. Several long, heavy, sweeping laterals carry significant end-weight. One large curving limb (T1) extends towards or over the roof of the neighbouring dwelling and the client’s timber outbuilding with solar panels. All four trees lean: T1 and T4 lean towards buildings, and T2 and T3 also lean. T4 has branches overhanging the client’s house. T2 shows no previous failures; apart from its lean, its main issue is deadwood. The inspector checked the bases and root flares of all four trees from the garden side and found no visible defects.
- **Targets:** the aerial imagery shows that the trees overhang or are within falling distance of the client’s house (T4), the neighbouring dwelling (T1), the client’s timber outbuilding with solar panels, a garden/patio, a greenhouse, a brick outbuilding and the adjoining paddock. Laterals also overhang the **neighbour’s** block-paved driveway and the vehicles parked on it (adjoining land). Risk is rated T1, T3 and T4 moderate–high, and T2 moderate (qualitative assessment).
- **Priority actions:** (1) notify the neighbouring owner in writing of the bulging retaining wall (which is on their land) and suggest interim precautions and a structural engineer’s assessment, to be agreed with them; (2) confirm TPO status, give the six-week Section 211 conservation area notice and agree access with the neighbour where works need it; (3) within 1–3 months, carry out one programme of works to all four trees under BS 3998:2010: crown height reduction of approx. 3 m, reduction of long, heavy laterals by approx. 3 m (especially the T1 limb over the neighbouring dwelling, T4 branches over the client’s house and laterals over the neighbour’s driveway), T3 failure-prone limb and stub work, and deadwood removal; (4) measure and monitor the lean of all four trees, including ongoing checks for soil heave.

1. Client and site details

Item	Details
Client	Stuart Liggins
Site address	5 Church Road, Witherley, Atherstone, CV9 3NA
Local planning authority	Hinckley & Bosworth Borough Council (Leicestershire)
Conservation area	Within the Witherley Conservation Area (designated October 1993) – see Section 5.7
TPO status	Should be checked with the council before works – see Section 5.7
Date and time of inspection	8 October 2026 (ground photographs approx. 12:45; aerial photographs approx. 11:53–11:57)
Weather at inspection	Sunny, clear with light high cloud; early autumn (as shown in site photographs)
Inspector	Leon Drake, Level 5 FdSc in Arboriculture (Bathams Tree Care)

2. Instructions, scope and method

2.1 Instructions

Leon Drake of Bathams Tree Care was instructed by Stuart Liggins (the client) to inspect four Corsican pine trees at the above site. The instruction was to comment on their general health and structural condition, identify any significant hazards to people and property, and recommend any necessary management with timescales.

2.2 Scope

- Visual inspection of trees T1–T4 only, from ground level and with drone (UAV) aerial photography. Other trees and vegetation on or next to the site (including the hedge, a large broadleaf tree and a large conifer) are outside scope, except where they affect access or interpretation.
- Observation of the brick retaining wall and driveway on the adjoining (neighbouring) property close to the trees, so far as they relate to the trees. This is not a structural survey, and the inspection did not extend to a detailed examination of the neighbouring land.
- No decay detection (for example resistograph or sonic tomography), soil or root investigation, lean measurement or laboratory testing was undertaken. The upper crowns were assessed from ground level and from drone imagery only.

2.3 Method and standards

The trees were assessed using the Visual Tree Assessment (VTA) method (Mattheck & Breloer). VTA infers condition from external symptoms such as form, growth response, wounds, cavities, fungal fruiting bodies, cracks, deadwood and crown vigour. Observations were supported by ground and aerial photographs (Appendix A). Reference is made to:

- BS 5837:2012 Trees in relation to design, demolition and construction – Recommendations (tree quality categories and root protection areas, where relevant).
- BS 3998:2010 Tree work – Recommendations (specification of pruning, deadwooding and other works).
- Relevant guidance on tree risk management, including the National Tree Safety Group's Common sense risk management of trees (2011).

Dimensions. Tree heights were measured by the inspector on site. Stem diameters (DBH, at 1.5 m above ground level), crown spreads and root protection area (RPA) radii in the tree schedule are given as approximate ranges, labelled “approx.”. Crown spreads are given as an average radius plus the longest radius and its direction.

2.4 Drone (UAV) aerial inspection

Aerial photographs were taken by the inspector with a DJI Mini 2 SE drone (a sub-250 g UAV with a fixed wide-angle camera). The drone was used to view the mid and upper crowns, the upper sides of limbs and the relationship of the crowns to buildings and other targets, which could not be seen from ground level. Flights were carried out under the UK CAA Open category rules.

Limitations of the aerial imagery:

- The images are a visual aid only. They are not calibrated and have not been used to measure heights, distances, limb sizes or the degree of lean.
- Wide-angle lens distortion and changing camera angles can exaggerate or hide the apparent lean and curvature of stems and limbs. Lean observations therefore rely mainly on the inspector's site observation.
- Strong sunlight, backlighting and overexposure in several frames limit detail. Small cracks, cavities, decay, the condition of branch unions and fungal fruiting bodies may not be visible.
- UAV imagery cannot assess internal decay, root-plate condition or stem bases. It does not replace close inspection or decay detection.
- Neighbouring properties appear in the images. The photographs should be used only for the purpose of this report and handled in line with UK GDPR. Vehicle registration plates have been obscured.

2.5 Limitations

- The bases and root flares were inspected visually from the garden side (Photograph 12). Below-ground roots, internal decay and the condition of roots beneath the raised bed, the wall and the driveway could not be assessed. Fungal fruiting bodies are seasonal, so their absence on the day does not rule out root or butt decay.
- Branch unions and limb surfaces were viewed from the ground and in aerial photographs only, not at close range.

- Tree numbering (T1–T4) runs along the row, with T1 nearest the neighbouring dwelling and T4 at the client's house end, as confirmed by the inspector. Lean (T1–T4), failure history (T3) and the large curving limb (T1) have been attributed by the inspector on site; other features have been attributed to individual trees from the photographs. Tree positions have not been measured; the trees should be tagged and their positions measured at the next visit.
- Trees are living, dynamic organisms. No tree can be guaranteed safe, and condition can change, particularly after severe weather. The findings are valid at the date of inspection only and for the re-inspection period recommended.
- Comments on the wall and hedge are based on images and visual observation only. They must not be relied on as a structural or horticultural assessment.

3. Site description and targets

The four pines stand in a line on a raised bed. The bed is retained, at least in part, by an old, curved red-brick wall, and a dense, mixed hedge runs along the driveway side of the trees. The inspector has confirmed that the retaining wall, the block-paved driveway and the parked cars are on the neighbouring property (adjoining land), not the client's. The bases are accessible from the garden side, where garden items (a bench, a wheelbarrow, pallets and covered items) are stored around the stems (Photograph 12). The bed adjoins the neighbour's block-paved driveway, where vehicles are parked close to the trees. The approximate positions of the trees are shown on the tree location plan (Appendix B). The aerial photographs (Photographs 7–11) show the setting more fully. At the T1 end is the neighbouring dwelling, with a pitched tiled roof, chimney and roof light. Next to it are the client's timber-clad outbuilding with roof-mounted solar panels, a garden/patio, a bin store and gates. A greenhouse and further garden buildings are also present, along with a brick outbuilding with a moss-covered roof beside the drive. The client's house is at the T4 end of the row. On the other side is a fenced grass paddock or field.

Targets within falling distance of the trees and their limbs, and in some cases directly beneath them, therefore include:

Target	Approx. occupancy / use	Notes
Client's house (T4 end) and occupants	Constant (residential)	T4 branches overhang the house; T4 leans towards buildings.
Neighbouring dwelling (T1 end) and occupants	Constant (residential)	Large curving limb (T1) extends towards/over the roof; T1 leans towards buildings.
Client's timber outbuilding with solar panels	Frequent	Directly beneath laterals; panels are vulnerable to falling deadwood and limbs.
Garden/patio	Frequent (seasonal)	Within crown spread and fall zone.
Greenhouse and garden buildings	Occasional–frequent	Glazed structures are vulnerable to small falling branches.
Neighbour's driveway, parked vehicles and users (adjoining land)	Frequent	Laterals overhang the neighbour's drive; the neighbour's retaining wall adjoins it.
Brick outbuilding	Occasional	Within the potential fall zone.
Paddock/field	Occasional	Lower consequence; within the fall zone of the crowns on that side.

4. Tree schedule

Heights were measured by the inspector. DBH and crown spreads are approximate values. Lean, failure and deadwood observations are the inspector's site observations, supported by aerial imagery. Lean (T1–T4), failure history (T3) and the large curving limb (T1) are attributed by the inspector; other features have been attributed from the photographs. Risk ratings are qualitative.

Attribute	T1	T2	T3	T4
Species	Corsican pine (<i>Pinus nigra</i> subsp. <i>laricio</i>)	Corsican pine	Corsican pine	Corsican pine

Attribute	T1	T2	T3	T4
Height (m, inspector-measured)	22	24	18	18
DBH (mm)	approx. 1000–1300	approx. 900–1200	approx. 700–1000	approx. 900–1200
Crown spread (radius, m)	Average approx. 8–10; longest approx. 10–12 towards neighbouring dwelling/client's outbuilding (curving limb)	Average approx. 6–8; fairly even, high compact crown	Average approx. 6–7.5; one-sided	Average approx. 7.5–9.5; longest approx. 9–11 towards neighbour's drive/buildings
RPA radius (12 × DBH, BS 5837:2012)	approx. 12.0–15.0 m (12 × DBH gives up to 15.6 m; capped at 15 m)	approx. 10.8–14.4 m	approx. 8.4–12.0 m	approx. 10.8–14.4 m
Age class	Mature	Mature	Mature	Mature
Physiological condition	Fair–good. Crown green and reasonably dense; scattered browning of older needles.	Fair–good. Crown green and full; scattered needle browning.	Fair–good. Crown green and full; scattered needle browning.	Fair–good. Crown green and full; scattered needle browning.
Structural condition	Fair–poor. Stem leaning towards buildings. Large, long, curving lateral with a pronounced reverse curve and heavy end-weight extending towards/over the neighbouring dwelling roof and the client's solar-panelled outbuilding. Other long sweeping laterals present.	Fair–poor. Long clear stem, leaning (inspector site observation); several long sweeping laterals.	Fair–poor. Clear stem, leaning (inspector site observation); crown partly suppressed and one-sided. Evidence of previously failed limbs.	Fair–poor. Clear stem leaning towards buildings; broad upper crown with long laterals over the neighbour's drive and buildings side. Branches overhang the client's house (inspector site observation).
Base / root flare	Base and root flare inspected from the garden side: no visible defects (no fungal fruiting bodies, cavities, cracks or root-plate heave observed).	Base and root flare inspected from the garden side: no visible defects (no fungal fruiting bodies, cavities, cracks or root-plate heave observed).	Base and root flare inspected from the garden side: no visible defects (no fungal fruiting bodies, cavities, cracks or root-plate heave observed).	Base and root flare inspected from the garden side: no visible defects (no fungal fruiting bodies, cavities, cracks or root-plate heave observed).
Deadwood	Present (inspector observation). Includes a pale, largely needle-less inner-crown lateral seen in aerial imagery.	Present (inspector observation).	Present (inspector observation).	Present (inspector observation).
Previous failures	None identified by inspector.	None identified by inspector.	Yes. Evidence of previously failed limbs (inspector site observation; snapped/torn stubs and old wounds also visible in aerial imagery).	None identified by inspector.
Lean	Yes. Leans towards buildings (inspector site observation); degree not measured.	Yes. Leaning (inspector site observation); degree not measured.	Yes. Leaning (inspector site observation); degree not measured.	Yes. Leans towards buildings (inspector site observation); degree not measured.
Other observations	Stem-mounted bird/bat box. Limb end-weight over buildings, combined with lean towards buildings, is the principal concern.	Possible stem-mounted bird/bat box.	Forms part of the group canopy. Failure history is the principal concern.	Stem-mounted bird/bat box. Branches overhanging the client's house, combined with lean towards buildings, are the principal concern.
BS 5837 category	B2	B2	B2	B2
Risk (qualitative)	Moderate–high (heavy limb over neighbouring dwelling/client's outbuilding; lean towards buildings; base sound on visual inspection)	Moderate (lean; deadwood over targets)	Moderate–high (failure-prone limbs; history of failure; lean)	Moderate–high (branches over the client's house; lean towards buildings, with no root-plate heave seen; laterals over neighbour's drive/buildings)

Attribute	T1	T2	T3	T4
Recommendations	Crown height reduction of approx. 3 m. Reduce the large curving limb over the neighbouring dwelling/client's outbuilding and other long laterals by approx. 3 m (end-weight reduction). Remove deadwood (BS 3998:2010). Baseline lean measurement and ongoing monitoring, including soil heave checks.	Crown height reduction of approx. 3 m. Reduce long, sweeping laterals by approx. 3 m to balance the crown. Remove deadwood (BS 3998:2010). Baseline lean measurement and ongoing monitoring, including soil heave checks.	Crown height reduction of approx. 3 m. Reduce or remove failure-prone limbs; cut torn stubs back to sound tissue or the branch collar; remove deadwood (BS 3998:2010). Baseline lean measurement and ongoing monitoring, including soil heave checks.	Crown height reduction of approx. 3 m. Reduce branches over the client's house by approx. 3 m to give clearance from the roof, and laterals over the neighbour's drive and buildings by approx. 3 m (end-weight reduction). Remove deadwood (BS 3998:2010). Baseline lean measurement and ongoing monitoring, including soil heave checks.
Priority	High – lean baseline within 1 month; works within 1–3 months	Medium-high – lean baseline within 1 month; works within 1–3 months	High – lean baseline within 1 month; works within 1–3 months	High – lean baseline within 1 month; works within 1–3 months

Group comment: T1–T4 form a visually prominent group of mature conifers with significant collective landscape and screening value. The B2 category reflects their value mainly as a group. It may be reviewed at re-inspection.

5. Discussion

5.1 Long laterals, end-weight and targets

The aerial imagery confirms the ground-level finding that the trees carry several long, heavy, sweeping laterals (Photographs 1, 4, 8 and 9). The most significant is a large, curving limb with a pronounced reverse curve on T1. It extends from the stem towards or over the roof of the neighbouring dwelling and the client's timber outbuilding with roof-mounted solar panels (Photograph 9). On mature pines, long horizontal or recurved limbs develop considerable end-weight and leverage. They typically fail at or near the union, or at points of bending, under wind, snow or ice loading. Because the targets beneath include two dwellings (the neighbouring dwelling under T1 and the client's house under T4), the client's solar-panelled outbuilding, a garden/patio and vehicles parked on the neighbour's driveway, the consequences of failure could be serious. Because T1 also leans towards buildings, its risk has been upgraded to moderate-high. T4 also leans towards buildings, and the inspector found that its branches overhang the client's house. It also has long laterals over the neighbour's drive and buildings. No defects or root-plate heave were seen at its base, but because the client's house is a constantly occupied target beneath a leaning tree, T4 is also rated moderate-high. T3 has a history of limb failure and also leans, so it is rated moderate-high. T2 leans and contains deadwood but has no failure history, and is rated moderate.

A crown height reduction of approx. 3 m on all four trees is recommended, together with reduction of the long, heavy laterals by approx. 3 m, to reduce sail area, leverage and end-weight. This matters most because all four trees lean (T1 and T4 towards buildings) and because limbs extend over the neighbouring dwelling (T1), the client's house (T4), the client's solar-panelled outbuilding and the neighbour's driveway. Laterals that show signs of being failure-prone during the works should be reduced or removed. Pines respond poorly to heavy reduction: they do not reliably regenerate from bare wood, and cutting back to sections without live needles is likely to cause dieback. Each cut should be made to a suitable needle-bearing growth point, with the crown shape kept balanced and the group canopy retained. Heavy topping or blanket reduction is not appropriate. The works are specified in Section 6.1.

5.2 Previous failures and deadwood

The inspector confirmed on site that T3 has evidence of previously failed limbs. Snapped or torn branch stubs and old wounds are also visible in the aerial photographs (Photographs 8 and 11). No previous failures were identified on T1, T2 or T4. Some may be natural self-pruning of shaded lower branches, but torn stubs on larger limbs show that failures have occurred in the crown. Earlier failure is a recognised indicator of a raised likelihood of future failure in similar parts of the tree, so T3 is regarded as failure-prone. Torn stubs can also

allow decay to enter. During the works, T3's remaining limbs with similar form or defects should be identified and reduced or removed, and its torn stubs cut back. All four trees also contain deadwood, including a pale, largely needle-less lateral visible in the inner crown (Photograph 7). Dead branches over the client's house, the neighbouring dwelling, the client's solar-panelled outbuilding, other outbuildings, greenhouse, patio and the neighbour's driveway could cause damage or injury if they fall. Deadwood over targets should be removed (typically dead branches over about 25 mm in diameter, or as specified), and torn stubs cut back to sound tissue or the branch collar, under BS 3998:2010.

5.3 Leaning stems

The inspector confirmed on site that all four trees lean. T1 and T4 lean towards buildings (dwellings and outbuildings); T2 and T3 also lean, and the direction of their lean has not been recorded. The amount of lean was not measured, and lean cannot be reliably judged from the wide-angle aerial imagery. The key question is whether the lean is historic and self-corrected, or recent and possibly progressive:

- **Historic / self-corrected lean** is usually shown by a stem that curves back towards the vertical in its upper part, an upright, well-balanced upper crown, reaction wood or buttressing on the appropriate side, and no disturbance of the root plate or soil. It is generally of lower concern.
- **Recent or progressive lean** may be shown by soil heave, cracking or mounding on the side away from the lean, exposed or torn roots, gaps at the root collar, a straight stem leaning without corrective growth, or changes in the lean over time. It needs urgent attention.

The inspector checked the bases and root flares of all four trees from the garden side (Photograph 12) and found no fungal fruiting bodies, cavities, cracks or root-plate heave. This suggests that the lean of the trees is more likely to be long-standing than recent, but it does not prove this. Because the trees grow on a raised bed with a moving retaining wall, the soil around all four trees should continue to be checked for heave or cracking as part of ongoing monitoring. The lean of all four trees should be measured (for example with a clinometer or inclinometer from fixed, recorded reference points) to give a baseline, and photographs should be taken from fixed positions. Measurements should be repeated at each re-inspection and after severe wind. Any increase in lean, or signs of root-plate movement, should be treated as urgent.

5.4 Brick retaining wall movement (neighbouring property)

The curved brick wall retaining the raised bed (Photograph 6) is on the neighbouring property (inspector confirmation). It shows outward bulging, vertical and stepped cracking, open or lost mortar joints and displaced bricks, immediately next to the neighbour's driveway. Possible contributing factors include lateral soil pressure from the raised bed, poor drainage, frost action, the age and condition of the mortar, and radial root growth from the pines and hedge. The trees may have contributed, given their proximity, but this cannot be confirmed without investigation, and other causes are equally possible. Displaced bricks could fall onto the drive, and further movement could lead to partial collapse.

Because the wall is not on the client's land, it is a matter to raise with the neighbouring owner. The client is advised to notify the neighbour of the wall's condition promptly, preferably in writing, and to share the relevant findings of this report. The neighbour should be invited to consider interim precautions, such as keeping vehicles and people away from the bulging section and removing loose bricks. A structural engineer's assessment is recommended, with its scope, commissioning and cost to be agreed with the neighbour. Any repair or rebuild should take account of the client's trees: their root protection areas (RPAs) under BS 5837:2012 (radius of $12 \times \text{DBH}$; approx. 8.4–15.0 m across the four trees) are likely to extend beneath the wall and drive. Excavation for new foundations could sever significant structural roots and affect tree stability and health. Tree-sensitive solutions (for example bridging over roots, discontinuous or pier-and-beam footings, or flexible construction) should be considered. Any root exploration should be carried out by hand or air-spade under arboricultural supervision, with the agreement of both owners.

5.5 Corsican pine characteristics

Corsican pine is a large, long-lived conifer that typically self-prunes to produce a long clear stem with a high crown, as seen here. It is generally wind-firm on free-draining soils, although root plates may be shallower

where rooting is restricted, as may be the case on a raised bed. Older trees often develop broad, flat-topped crowns with long, heavy laterals. Pines naturally shed their oldest needles in late summer and autumn, which causes temporary browning of inner needles. The species is susceptible to *Dothistroma* needle blight and *Diplodia* tip blight, and mature pines can be affected by root and butt-rot fungi such as *Heterobasidion annosum* and *Phaeolus schweinitzii*. Their fruiting bodies are typically found at or near the base. None were seen during the basal inspection, but fruiting bodies are seasonal, so bases should be rechecked at each re-inspection.

5.6 Needle browning and *Dothistroma* needle blight

Scattered browning of needles was visible in all four crowns. Its distribution, mainly on inner and older needles, is consistent with normal seasonal needle cast in early autumn. However, Corsican pine is highly susceptible to *Dothistroma* needle blight (red band needle blight, caused by *Dothistroma septosporum*), which causes reddish-brown bands on needles, small black fruiting bodies and premature loss of older needles, leading to thin crowns with ‘lion’s tail’ shoots. Progressive infection over several years can significantly reduce vigour. The trees should be checked for *Dothistroma*, ideally in late spring or early summer when symptoms are most distinct, by examining fallen or accessible needles from the ground, reviewing drone imagery of the crowns, or sampling needles from material removed during the works. Suspected cases can be confirmed through Forest Research’s Tree Health Diagnostic and Advisory Service. If confirmed, management is mainly by monitoring crown density and maintaining tree vigour, as chemical control is not usually practicable for mature trees.

5.7 Statutory and wildlife considerations

- Conservation area:** the site lies within the **Witherley Conservation Area**, designated by Hinckley & Bosworth Borough Council in October 1993. This was checked against: (a) the council’s Witherley Conservation Area page (hinckley-bosworth.gov.uk/info/511/conservation_areas/351/witherley_conservation_area); (b) the national planning data service (planning.data.gov.uk, conservation-area dataset, entry ‘Witherley’, reference 6221), which places the mapped location of 5 Church Road inside the boundary; and (c) the council’s Witherley Conservation Area Management Plan photographic survey (May 2007), which refers to 5 Church Road. Under Section 211 of the Town and Country Planning Act 1990, six weeks’ written notice must be given to the council before cutting down, topping, lopping or uprooting a tree in a conservation area with a stem diameter of 75 mm or more at 1.5 m above ground, unless the tree is covered by a TPO (when consent is needed instead) or an exemption applies. This includes the works recommended in this report. The boundary should be confirmed with the council when the notice is given.
- Tree Preservation Order:** no public source confirming whether a TPO applies was found. The council has not published its TPO data to the national planning data service, and its online TPO map was unavailable for maintenance when checked (11 October 2026). TPO status should therefore be checked with Hinckley & Bosworth Borough Council (planning technicians, 01455 238141) before any works. The exemptions for dead or dangerous trees are narrow, and prior notice is still required where they apply.
- Bats and birds:** the stem-mounted boxes may be used by nesting birds or roosting bats. All wild birds, their active nests and eggs are protected under the Wildlife and Countryside Act 1981, and bats and their roosts (including bat boxes in use) are protected under the Conservation of Habitats and Species Regulations 2017. Boxes should not be disturbed except with appropriate checks, and by a licensed ecologist where bats may be present. Tree and hedge works should avoid the main bird nesting season (generally March to August) or be preceded by a nesting check.
- Root protection areas:** garden items are stored around the stem bases (Photograph 12). Storage, vehicle parking, soil level changes and heavy use within the RPAs should be avoided where practicable, to prevent soil compaction and root damage.

5.8 Neighbouring land, access and liability

This section is general information, not legal advice. In neutral terms:

- **Duty of care:** a tree owner owes a duty to take reasonable care that their trees do not cause foreseeable harm to people or property, including neighbours and their property (common law negligence). The Occupiers' Liability Acts 1957 and 1984 set out duties to visitors and others on the owner's own land. Regular inspection by a competent person, and acting on the recommendations, is generally regarded as a reasonable approach.
- **Nuisance:** where roots or branches encroach onto or damage neighbouring property, a claim in private nuisance can arise, typically where the damage was reasonably foreseeable and reasonable steps were not taken. Whether the trees have contributed to the wall movement, and who is responsible for the wall, cannot be determined from this inspection. If this becomes contentious, both parties may wish to take advice from their insurers or a solicitor. The client may also wish to tell their household insurer about the findings.
- **Works over the neighbouring dwelling:** the large curving limb of T1 extends over the neighbouring dwelling (and over the client's own solar-panelled outbuilding). The neighbour should be notified before the works, and their consent obtained for any work carried out over or from their property (including rigging and lowering over their roof).
- **Access and overhanging works:** works from, or over, the neighbour's land need the neighbour's consent. This includes using the driveway for access, work positions, rigging or lowering zones, chipper or vehicle positions, and moving parked cars. Access, timing and any protection for the driveway and vehicles should be agreed in writing before works. If consent is refused for necessary works, the Access to Neighbouring Land Act 1992 provides a court route. A neighbour can generally cut overhanging branches back to the boundary, but in the conservation area the Section 211 notice requirement still applies.

6. Recommendations and timescales

No.	Recommendation	Tree / item	Priority	Timescale
1	Notify the neighbouring owner in writing of the condition of the retaining wall (on their land) and share the relevant findings. Suggest interim precautions (keeping vehicles and people away from the bulging section; removing loose bricks).	Wall (neighbour)	High	Immediately
2	Structural engineer's assessment of the wall, with scope, commissioning and cost to be agreed with the neighbour. Coordinate any repair design with an arboriculturist, in line with BS 5837:2012.	Wall (neighbour)	High	Within 1 month (subject to neighbour's agreement)
3	Confirm TPO status with Hinckley & Bosworth Borough Council. Give the six-week Section 211 conservation area notice for the works in No. 5 (or obtain TPO consent if a TPO applies).	T1–T4	High	Immediately (works not before the notice period ends)
4	Agree access with the neighbour in writing for any works from or over their land (driveway, rigging/lowering zones, vehicle positions, moving parked cars).	T1–T4	High	Before works
5	Carry out the tree works specification in Section 6.1 as one programme under BS 3998:2010: crown height reduction of approx. 3 m, lateral (limb) reduction of approx. 3 m, T3 failure-prone limb and stub work, and deadwood removal.	T1–T4	High (T1, T3, T4); Medium–high (T2)	Within 1–3 months (after Nos. 3 and 4)
6	Measure and record the lean of all four trees (T1–T4) from fixed reference points, with fixed-point photographs. Continue to monitor the soil around their bases for heave or cracking. Repeat at each re-inspection and after severe wind. Treat any increase as urgent.	T1–T4	High	Baseline within 1 month; then each re-inspection
7	Check for Dothistroma needle blight by inspecting and sampling needles. Submit samples for diagnosis if symptoms are suspected.	T1–T4	Medium	From the ground/drone imagery, or by sampling during the works; and late spring/early summer 2027

No.	Recommendation	Tree / item	Priority	Timescale
8	Protect stem-mounted bird/bat boxes during all works and carry out a nesting check if works fall in March–August. Seek ecological advice if bats may be present.	T1, T2, T4	Medium	During any works
9	Keep RPAs free of stored materials and soil level changes where practicable. Move stored garden items away from the stem bases to avoid compaction.	T1–T4	Low	Ongoing

6.1 Tree works specification

All works to BS 3998:2010, under the Section 211 conservation area notice (or TPO consent if applicable). The reduction amounts below are specified amounts, measured from the existing branch tips:

Tree	Crown height reduction	Lateral (limb) reduction	Other works
T1 (22 m)	Approx. 3 m	Reduce the large curving limb over the neighbouring dwelling roof and the client's solar-panelled outbuilding by approx. 3 m to a suitable needle-bearing lateral, to remove end-weight and give clearance from the roof and outbuilding. Reduce other long, heavy laterals over buildings and the neighbour's driveway by approx. 3 m.	Remove deadwood. Lean monitoring (No. 6).
T2 (24 m)	Approx. 3 m	Reduce long, sweeping laterals by approx. 3 m to balance the crown with the group.	Remove deadwood. Lean monitoring (No. 6).
T3 (18 m)	Approx. 3 m	Reduce or remove failure-prone limbs (those with similar form or defects to the failed limbs).	Cut torn stubs back to sound tissue or the branch collar. Remove deadwood. Lean monitoring (No. 6).
T4 (18 m)	Approx. 3 m	Reduce branches overhanging the client's house by approx. 3 m to suitable needle-bearing laterals, to give clearance from the house roof. Reduce laterals over the neighbour's driveway and buildings by approx. 3 m (end-weight reduction).	Remove deadwood. Lean monitoring (No. 6).

General requirements:

- Where a cut at approx. 3 m would not reach a suitable growth point, cut to the nearest suitable growth point that retains live foliage, even if this is slightly more or less than 3 m. Overall removal should not exceed about 20–25% of the live crown of any tree.
- Make reduction cuts to suitable growth points (a lateral generally at least one-third the diameter of the part removed). Retain live, needle-bearing foliage beyond each cut. Do not cut back to bare wood with no needles, as pines do not reliably regrow from it.
- Keep a balanced, natural crown shape and the group canopy. Avoid topping, flush cuts and stub cuts.
- Remove deadwood over targets (typically dead branches over about 25 mm in diameter, or as specified).
- The contractor should report any decay, cracks, included bark or other defects found during the works to the inspector, so that further investigation can be considered.
- Carry out works in dry weather. Preferably work outside the main bird nesting season (March–August); otherwise carry out a nesting check first.

All tree works should be carried out by a competent, insured arboricultural contractor (for example an Arboricultural Association Approved Contractor), in accordance with BS 3998:2010 and current health and safety requirements. Works over the client's house, the neighbouring dwelling, the client's solar-panelled outbuilding, glazed structures and the neighbour's driveway will need controlled lowering (rigging) to avoid damage, and access over the neighbour's land must be agreed with them first (Section 5.8). Should conditions deteriorate before works are carried out (for example a new crack, a hanging branch, or an increase in lean or soil movement), the client should keep people away from the area beneath the trees and contact Bathams Tree Care immediately.

7. Re-inspection

Given the targets (including T4's branches over the client's house), the failure history of T3 and the lean of all four trees, the trees should be re-inspected by a competent arboriculturist **within 6 months** of the date of inspection, and again after the recommended works are completed. Inspection intervals may then be reviewed, for example to 12 months, depending on the findings. The trees should also be inspected after any severe weather event (storm or heavy snow) and whenever significant changes are seen. Such changes include crown thinning, increased needle browning, fungal growth at the base (bases should be rechecked at each visit), a change in lean, soil heave or cracking, or further movement of the retaining wall. The client should ask the neighbour to report any further movement of the wall and, where it can be seen from the client's land, keep an eye on it at regular intervals until the structural engineer has given advice.

8. Prepared by

Prepared by	Leon Drake
Qualifications	Level 5 FdSc in Arboriculture
Company	Bathams Tree Care

Appendix A – Site photographs

Photographs 1–6 and 12 were taken from the ground and Photographs 7–11 from a drone, all on 8 October 2026. Car number plates have been hidden.



Photograph 1: Looking up at T1 from the driveway side, showing its long, low, curving side branch.



Photograph 2: The tall, bare lower trunks and high crowns of the pines rising above the hedge. Bird or bat boxes are fixed to two of the trunks.



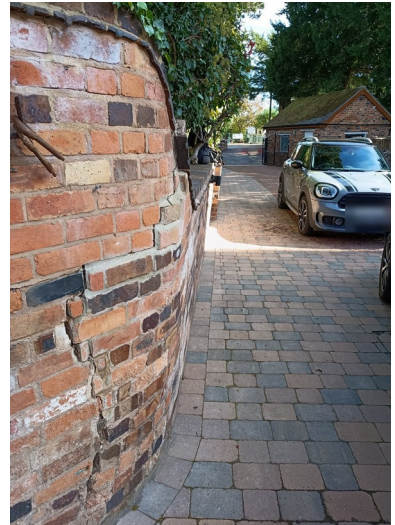
Photograph 3: Looking along the neighbour's driveway, with the pine branches spreading over the drive and the brick outbuilding and houses beyond.



Photograph 4: The row of pines seen from the driveway side. A long side branch reaches out from the left-hand tree, and some brown needles can be seen.



Photograph 5: The pines above the hedge, with cars parked on the neighbour's driveway below and the brick outbuilding and houses beyond.

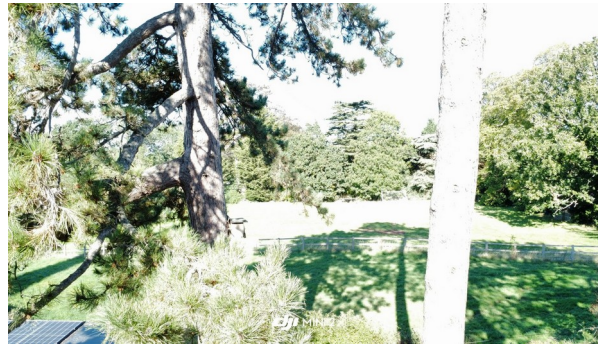


Photograph 6: The curved brick wall beside the neighbour's driveway, which is bulging and cracked, with loose and missing bricks. The car's number plate has been hidden.

Drone photographs and garden photograph



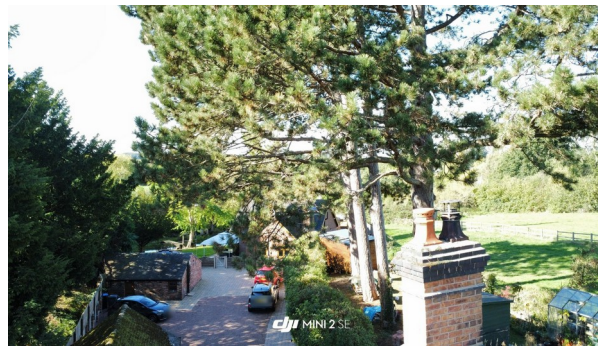
Photograph 7: Drone view between two of the trunks, showing a pale dead branch inside the crown of T1. The neighbour's house roof and a glass-roofed garden building are below, with the paddock beyond.



Photograph 8: Drone view of long, heavy side branches and old broken branch stubs, with one branch hanging down towards the client's outbuilding with solar panels.



Photograph 9: Drone view of T1's large curving branch reaching over the neighbour's house and the client's outbuilding with solar panels.



Photograph 10: Drone view along the neighbour's driveway, showing branches over the drive and parked cars, the brick outbuilding, a chimney, the client's outbuilding, a greenhouse and the paddock. Number plates have been hidden.



Photograph 11: Drone view of T3's trunk, showing short, broken branch stubs where branches have snapped off in the past.



Photograph 12: The base of one of the pines, seen from the client's garden, with a bench, wheelbarrow and other items stored around it. No defects were found at the bases of any of the four trees.

Appendix B – Tree location plan

Figure B1 shows the approximate positions of T1–T4 on the north side of the neighbour’s block-paved driveway (adjoining land), between the driveway and the paddock. Positions were plotted from the site and aerial photographs and from open mapping. T1 is nearest the neighbouring dwelling, with T2–T4 following in order along the row and T4 at the client’s house (No. 5) end (confirmed by the inspector). Crown spread circles use the midpoint of the approximate average crown radius; crowns are asymmetric (see Section 4). Root protection area (RPA) values ($12 \times$ the midpoint of the approximate DBH, BS 5837:2012) are given in the table below and may need to be adjusted for the raised bed, retaining wall and driveway.

Tree Location Plan – 5 Church Road, Witherley, Atherstone, CV9 3NA

T1–T4 Corsican pine



Figure B1: Tree location plan (north up; scale bar in metres). Base map © OpenStreetMap contributors.

Tree	Crown radius used (m)	DBH midpoint used (mm)	RPA radius (m)	RPA area (m ²)
T1	approx. 9.0	approx. 1150	approx. 13.8	approx. 598
T2	approx. 7.0	approx. 1050	approx. 12.6	approx. 499
T3	approx. 6.75	approx. 850	approx. 10.2	approx. 327
T4	approx. 8.5	approx. 1050	approx. 12.6	approx. 499

Crown radii and DBH values are approximate midpoints of the ranges in Section 4.