

PLOT B  
PIPE LANE  
  
ORTON ON THE HILL  
  
NR ATHERSTONE  
  
CV9 3NF

*Report Prepared by*

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## Summary

The purpose of this report is to provide an arboricultural assessment of the trees on land labelled Plot B, Pipe Lane, Orton on the Hill, CV9 3NF. The assessment is based on BS5837-2012 Trees in Relation to Demolition, Design and Construction-Recommendations and the report will provide information on the trees and supply a Arboricultural Implications Assessment Plan to assess the impact the proposal will have on the nearby tree stock.

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## INTRODUCTION

- 1.1 **Brief** I am instructed by Mr W Whitelock on behalf of Mr R Taylor to survey the trees within influencing distance of a planning proposal on land known as Plot B, Pipe Lane, Orton on the Hill, CV9 3NF. The survey will inform an arboricultural report to meet the requirements of BS5837-2012 Trees in Relation to Demolition, Design and Construction (2012)
- 1.2 **Qualifications and experience:** I have based this report on my site observations and the provided information, and I have come to conclusions in the light of my experience. I have experience and qualifications in arboriculture and include a summary in Appendix 1.
- 1.3 **Documents and information provided:** I have been supplied the following information by Mr Whitelock
- Topographical Survey
- 1.4 **Relevant background information:** Using the Hinkley and Bosworth online mapping system it was determined that the site is within a Conservation area and has a Tree Preservation Order on it protecting T1.
- 1.5 **Scope of this report:** This report is only concerned with surveying the trees on the site and adjacent areas to BS5837. It includes a preliminary assessment based on the site visit and the documents provided, listed in 1.3 above.

## SITE VISIT AND OBSERVATIONS

- 2.1 **Site visit:** I carried out an accompanied site visit on the 14<sup>th</sup> November 2023. All my observations were from ground level without detailed investigations, and I estimated all dimensions unless otherwise indicated. I did not have access to trees outside the boundaries and have confined observations of them to what was visible from inside the site. The weather at the time of inspection was dry with reasonable visibility.

- 2.2 **Brief site description:** The site is a paddock area with maintained grass. The site is bounded by Pipe Lane to the south and residential properties to all other boundaries. The site is broadly level and not considered to be exposed.
- 2.3 **Identification and location of the trees:** I have illustrated the approximate locations of the significant trees and groups on the sketch plan included as Figure 1 at Appendix 4 to this report. This plan is for illustrative purposes only and it should not be used for directly scaling measurements. All the relevant information on the trees is contained within this report and the provided documents.
- 2.4 **Collection of basic data:** I inspected each tree and have indicated the numbering on the site plan extract enclosed as Figure 1 in Appendix 4. For each tree I collected information on species, height, diameter, maturity and potential for contribution to amenity in a development context. I have recorded this information in the tree schedule included as Appendix 2. I stress that my inspection was of a preliminary nature and did not involve any climbing or detailed investigation beyond what was visible from accessible points at ground level.

## APPRAISAL

- 3.1 **Relevant references:** The tree protection distances used in Appendix 3 are based upon the recommendations in BS5837 Trees in Relation to Demolition, Design and Construction (2012)
- 3.2 **Trees on site:** I have taken into consideration 5 individual trees and two hedges in the production of this report. T1 is a significant Horse Chestnut with a large spreading crown. The tree is on a small, elevated platform and the stem leans to the north. Throughout the crown old pruning wounds have decayed and led to potential habitat spaces. The crown of the tree is well balanced, and the visual amenity of the tree is considered high.
- 3.3 T2 and T3 both Ashes are located on the eastern boundary of the site. The trees are self-set and adjacent to the fence line. Given their size and age the trees are likely to be susceptible to Ash Dieback.

- 3.4 T4 a Norway Spruce and T5 an Ash are on the southern boundary of the site against the fenceline here. Both trees have a high degree of Ivy on their stems. The Norway Spruce has low needle density and will become more susceptible to the Ivy dominating it. The Ash has a low union at 2m, but this could not be examined further because of the Ivy content.
- 3.5 H1 is a typical Cypress hedge that is well maintained along the eastern boundary. H2 along the southern boundary is a mixture of Prunus species and maintained on the roadside.
- 3.6 **The Proposal:** It is proposed to construct a new dwelling on the site with access off Pipe Lane. The proposal will require the removal of both T4 and T5 a Norway Spruce and an Ash respectively. Neither tree was graded above a C within the BS5837 classification scheme. The proposal is clear of T1 the most important tree on the site and within the locale.
- 3.7 The scheme has been designed so that no part of it is within the Root Protection Area of T1. A Tree Protection Plan has been drawn up that indicates where the protective fence should be placed to exclude all storage of materials and construction works.

## CONCLUSIONS

- 4.1 On the basis of the above information and discussions, I summarise my conclusions as follows:-
- The proposal can be achieved with the removal of T4 and T5 for development purposes.
  - The proposal is outside of the Root Protection Area of T1 the most significant tree on the site.
  - A protective fence can be erected at the distances contained within the data sheet at Appendix 3 to this report to protect the retained trees on site.

## RECOMMENDATIONS

- 5.1 **Present requirements:** Works identified to the trees are made on arboricultural grounds alone and do not consider development requirements.
- 5.2 **Tree Protection Zones:** These are an indication of the trees soil volume requirements to both survive and prosper after a potential development of the site.
- 5.3 **Implementation of works:** All tree works should be carried out to BS 3998 *Recommendations for Tree Work* as modified by more recent research. It is advisable to select a contractor from the local authority list and preferably one approved by the Arboricultural Association. Their Register of Contractors is available free from The Malthouse, Stroud Green, Standish, Stonehouse, Gloucestershire GL10 3DL website [www.trees.org.uk/contractors.htm](http://www.trees.org.uk/contractors.htm).
- 5.4 **Statutory wildlife obligations:** The Wildlife and Countryside Act 1981 as amended by the Countryside and Rights of Way Act 2000 provides statutory protection to birds, bats and other species that inhabit trees. All tree work operations are covered by these provisions and advice from an ecologist must be obtained before undertaking any works that might constitute an offence.
- 5.5 **Arboricultural Impact Assessment:** The impact the proposal will have on the site is to remove two poorly formed trees of limited visual amenity. Both trees are covered in Ivy and are considered out of management as ownership was not determined. The retention of T1 is the most important feature of the design as the proposal is out of the Root Protection Area of this tree. I therefore consider the impact to be minimal in this well treed rural area.

A L Smith M Arb CEnv MICFor F Arbor A

Chartered Arboriculturist

## Appendix 1 Qualifications

### Qualifications and experience of Andrew L Smith

#### 1. **Qualifications:**

Certificate in Arboriculture Royal Forestry Society 1986  
Technicians Certificate Arboricultural Association 1988  
Master of Arboriculture Royal Forestry Society 1989  
Advanced Diploma in Arboriculture and Community Forestry 2001  
Cardiff University Accredited Expert Witness 2006  
Licensed Practitioner of Quantified Tree Risk Assessment 2006  
Professional Tree Inspection, Arboricultural Association / Lantra 2007

#### 2. **Professional Body memberships**

Fellow of the Arboricultural Association  
Chartered Forester, Institute of Chartered Foresters  
Chartered Environmentalist, Society of the Environment  
Professional Member of the International Society of Arboriculture

#### 3. **Practical experience:** I have been involved in arboriculture for 50 years and have experience of private and local authority work practices.

#### 4. **Continuing Professional Development:** This is collated and monitored by the professional associations to which I belong and reaches and agreed amount hours per year.

## Appendix 2 Tree Schedule and Data

| Tree No | Species        | Crown Spread as radii from Trunk (m) |     |     |     | Height (M) | Age Class | Stem Diameter (mm) | Lowest Branch | Life Estimate | Condition |
|---------|----------------|--------------------------------------|-----|-----|-----|------------|-----------|--------------------|---------------|---------------|-----------|
|         |                | N                                    | S   | E   | W   |            |           |                    |               |               |           |
| 1       | Horse Chestnut | 9                                    | 7   | 10  | 10  | 28         | M         | 1300               | 2             | 40            | F         |
| 2       | Ash            | 1                                    | 1   | 1   | 1   | 7          | EM        | 150                | 1             | 20            | F         |
| 3       | Ash            | 2                                    | 2   | 2   | 2   | 7          | EM        | 200                | 2             | 20            | F         |
| 4       | Norway Spruce  | 3                                    | 2   | 4   | 1   | 12         | M         | 320                | 2             | 20            | F/P       |
| 5       | Ash            | 4                                    | 4   | 4   | 4   | 14         | M         | 600                | 2             | 20            | F         |
| H1      | Cypress        | 0.5                                  | 0.5 | 0.5 | 0.5 | 2          | M         | 100                | 0             | 20            | F         |
| H2      | Prunus         | 1                                    | 1   | 1   | 1   | 1.5        | M         | 100                | 0             | 20            | F         |

### Appendix 3 Works Required and Tree Protection Distances

| Tree No | Species        | Remarks                                                                   | BS 5837 Classification | Works Required         | RPA (m <sup>2</sup> ) | Radius of RPA (m) |
|---------|----------------|---------------------------------------------------------------------------|------------------------|------------------------|-----------------------|-------------------|
| 1       | Horse Chestnut | On raised area, stem leaning to north, habitat holes, well balanced crown | A1                     | No tree works required | 707*                  | 15*               |
| 2       | Ash            | Two stems, within 300m of fence, unsustainable location                   | C1                     | No tree works required | 10                    | 1.8               |
| 3       | Ash            | Located in hedge, three stems                                             | C1                     | No tree works required | 18                    | 2.4               |
| 4       | Norway Spruce  | On edge of site, stem covered in Ivy                                      | C1                     | Sever Ivy              | 46                    | 3.8               |
| 5       | Ash            | Stem and lower crown covered in Ivy, low union at 2m                      | C1                     | Sever Ivy              | 163                   | 7.2               |
| H1      | Cypress        | Maintained hedge                                                          | C1                     | Maintain               | 5                     | 1.2               |
| H2      | Prunus         | Maintained hedge                                                          | C1                     | Maintain               | 5                     | 1.2               |

\*Root Protection Area capped at 707m<sup>2</sup> and 15m radius in line with BS5837 recommendations

## Explanatory Notes

- **Measurements/estimates:** All dimensions are estimates unless otherwise indicated.
- **Species:** The species identification is based on visual observations and the common English name of what the tree appeared to be is listed first. In some instances, it may be difficult to quickly and accurately identify a particular tree without further detailed investigations. Where there is some doubt of the precise species of tree, it is indicated with a '?' after the name in order to avoid delay in the production of the report. The species listed for groups and hedges represent the main component and there may be other minor species not listed.
- **Mathematical abbreviations:** > = Greater than; < = Less than
- **Height:** Height is estimate height to the nearest metre.
- **Spread:** The maximum crown spread is visually estimated to the nearest metre from the centre of the trunk to the tips of the live lateral branches.
- **Diameter:** These figures relate to 1.5m above ground level and are recorded in millimetres. If appropriate, diameter is measured with a diameter tape. 'M' indicates trees or shrubs with multiple stems.
- **Estimated Age:** Age is estimated from visual indicators and it should only be taken as a provisional guide. Age estimates often need to be modified based on further information such as historical records or local knowledge. Y= < 20Yrs, SM = Half the expected mature age, EM = Two Thirds the expected mature age, M = Mature age, OM = Over mature going into senescence, V = Veteran
- **Distance to Structures:** This is estimated to the nearest metre and intended it as an indication rather than a precise measurement.
- **BS 5837** Trees in Relation to Design, Demolition and Construction- Recommendations 2012 lists 4 categories that trees should be placed into to aid in the Design, Planning and Implementation of Construction works near trees, these categories are as follows
  - Category U Trees (less than 10 Years)
  - Those trees that are 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
  - Category A Trees (More than 40 Years) Those of such high quality and value, that they are able to make a substantial contribution to the finished development.
  - Category B Trees (minimum of 20 years) Those of moderate quality and value and that are able to make a significant contribution to the finished development.
  - Category C Trees (Minimum of 10 years) Those of low quality and value and can remain until new planting can be established or young trees below 150mm diameter.

- Categories A B and C have 3 sub categories to cover either Arboricultural (1) Landscape (2) or Conservation (3) values
- **Condition** P = Poor F = Fair G = Good
- **Tree Protection Zone (TPZ) M<sup>2</sup>** The area needed surrounding a tree that contains sufficient rooting volume to ensure its survival.
- **Radius of Tree Protection Zone (M)** Suggested minimum radius of a circular enclosure that ensures the tree has sufficient rooting volume left undisturbed.
- **Works Required**
  - Formative prune generally entails cleaning through the canopy to remove dead, dying, crossing and rubbing branches. It also includes the removal of epicormic and basal growth, the removal of any unbalanced or misshapen limbs, this will leave the tree in a safe attractive and desirable form
  - Crown lift to a specified height is when lower branches are removed to allow either highway access or pedestrian access. This work is specified where the author has felt that damage may occur to the tree if lower branches are left as they are.
  - Remove ivy instructions mean that at least 300mm should be removed from the base of any ivy growing into a trees canopy; the ivy should be allowed to dieback and then be removed from the tree.
  - Monitor refers to an annual check on the condition of a fork that may be prone to movement within it.

## Appendix 4 Plan

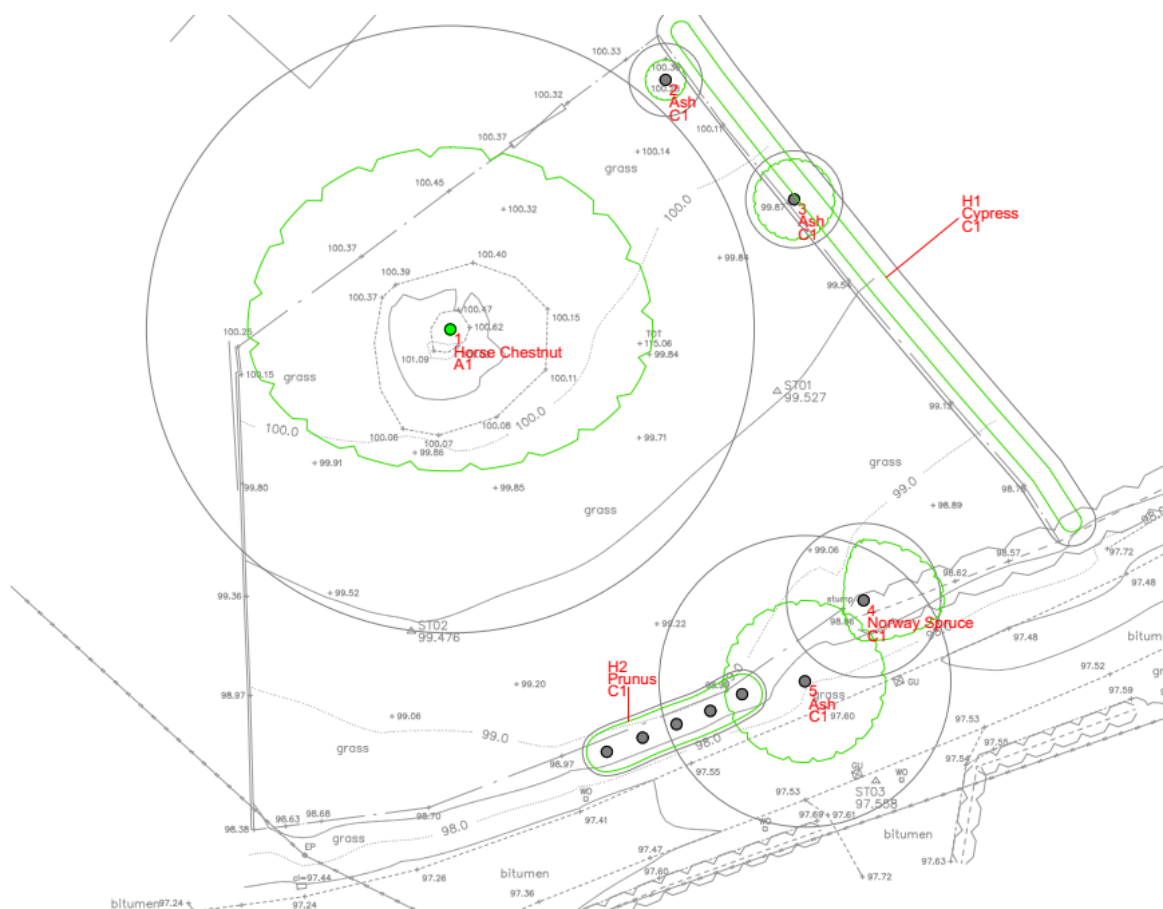


Fig 1 Tree Constraints Plan\*

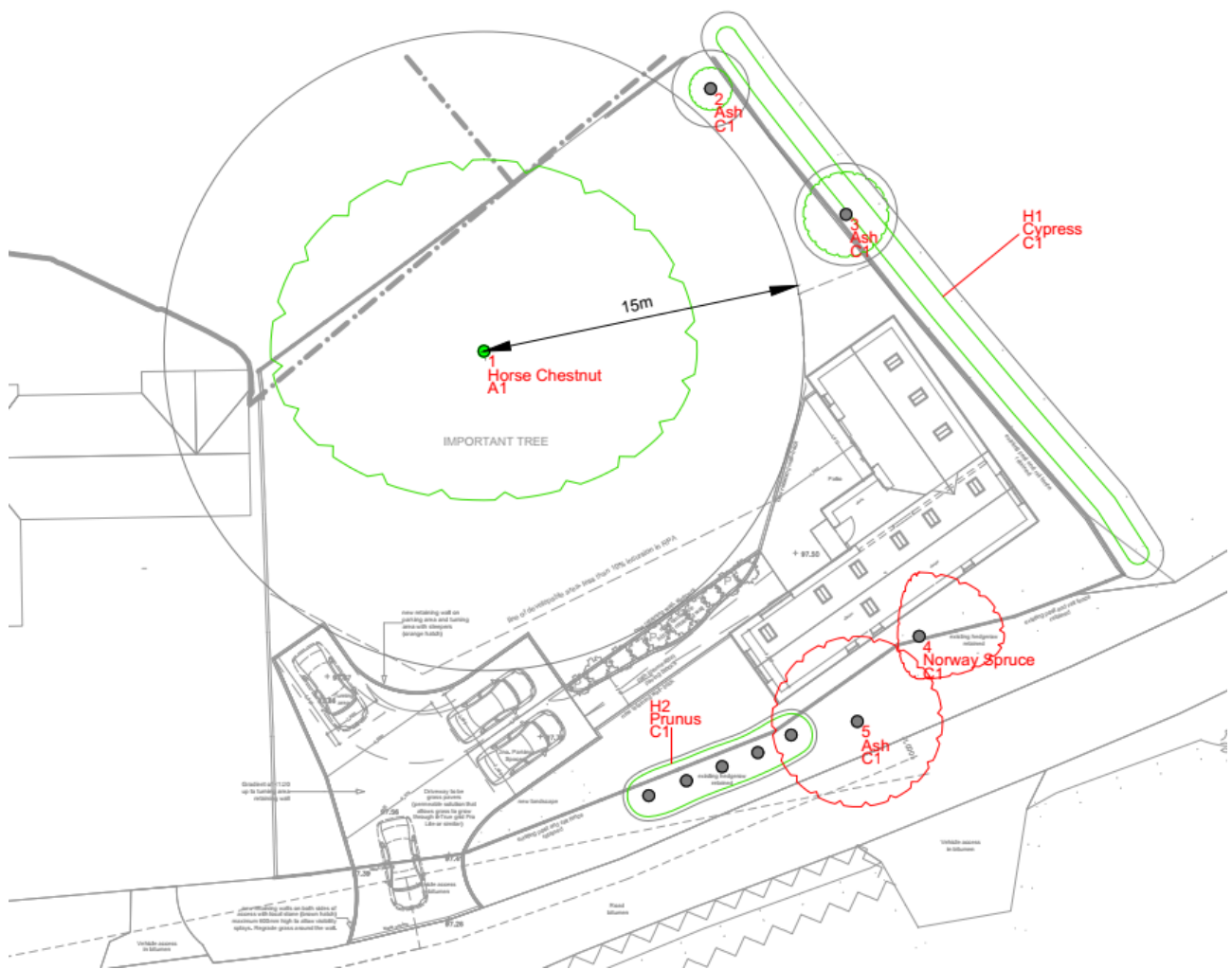


Fig 2 Arboricultural Implications Assessment Plan\*

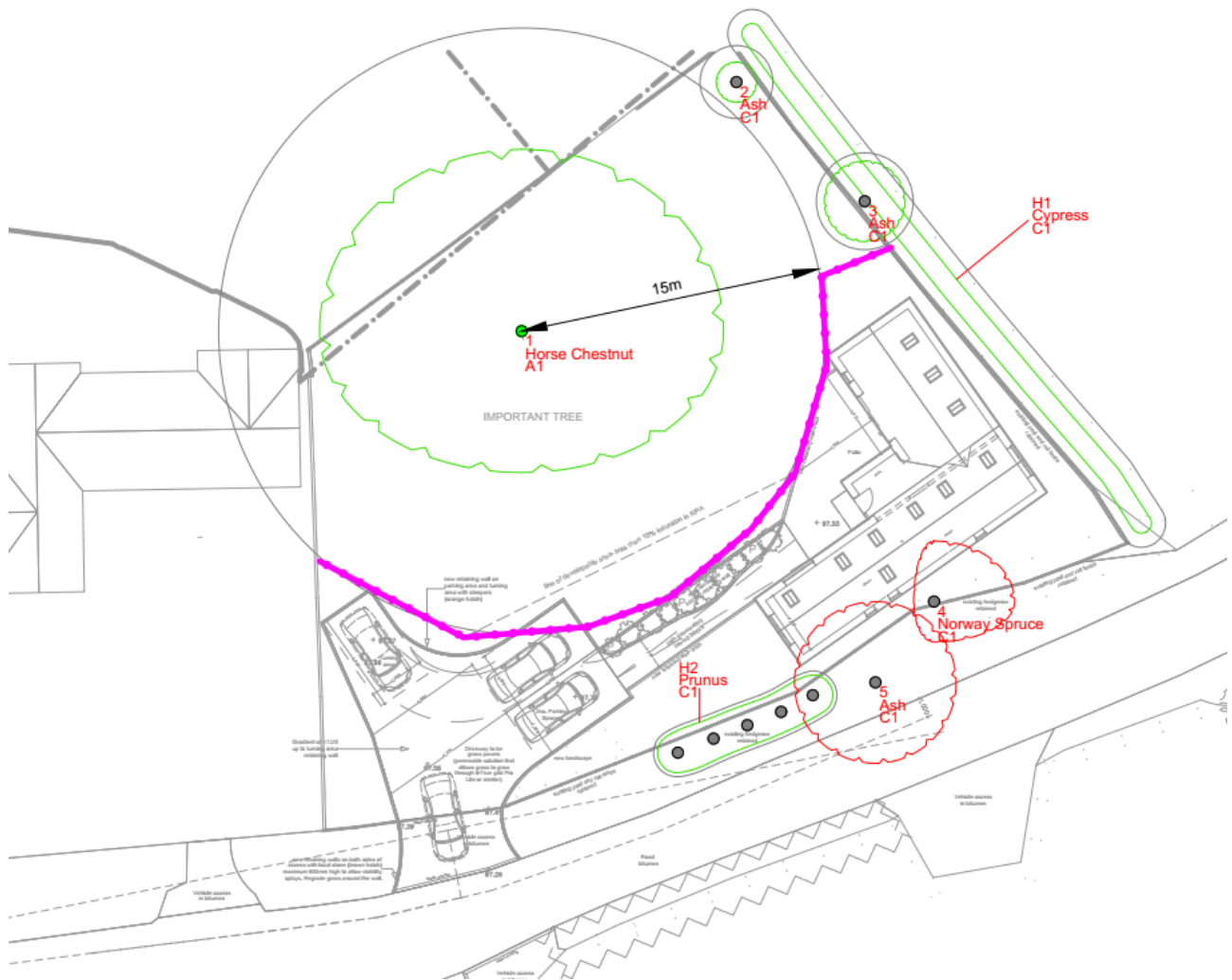


Fig 3 Tree Protection Plan\*

\*Available as pdf and dwg

## LIMITING CONDITIONS/DISCLAIMERS

Unless stated otherwise

### **1. The Service**

1.1 Tree Health Consulting Ltd agrees to supply arboricultural consulting services of a preliminary nature or a more thorough service as advised or as commissioned.

### **2. Fees**

2.1 The client(s) will settle the agreed fee in full, within 14 days of receiving the invoice. Reports will remain the property of Tree Health Consulting Ltd until full payment has been received. No liability is accepted for the contents of a report that is not paid in full. Any queries should be notified to Tree Health Consulting Ltd within 7 days of the invoice date.

2.2 If the client(s) fails to pay within the time specified in 2.1 then Tree Health Consulting Ltd shall charge the client(s) interest on the outstanding fee, both before and after any judgment, at the rate of 4% above the HSBC base rate, until payment is made in full (A part of a month being treated as a full month for the purposes of calculating interest).

2.3 In the event that it is necessary to recover any outstanding fees from the client(s), the client(s) will fully reimburse any costs and expenses incurred during the recovery period, including court costs. Tree Health Consulting Ltd reserves the right to make a charge for every letter sent and telephone/fax call made, in connection with the recovery.

2.4 Should the arboriculturist be unable to complete the site investigation as a result of conditions outlined in 3.5, then Tree Health Consulting Ltd will charge the client(s) the costs of travel and time spent.

### **3. Site Investigation**

3.1 The scope of the site investigation is preliminary in nature, unless otherwise agreed with the client(s). Where a more detailed investigation is required, the client(s) will be advised accordingly.

3.2 No investigation will be made of any covered, inaccessible, or underground structures (unless specifically stated).

3.3 Investigation of Private Covenants is to be the responsibility of the client/landowner or agent.

3.4 Site investigations are undertaken by experienced and suitably qualified arboriculturists. Observations are taken from ground level only, within the curtilage of the site and public accessible areas, where this can be done safely and without undue difficulty. Binoculars are

used where necessary. Tree heights, age range and future growth potential are approximate. Unless stated otherwise: 1) information contained within our reports covers only those trees that were examined and reflects the condition of those trees at the time of the inspection: and 2) the inspection is limited to visual examination of the subject trees from ground level only and without dissection, excavation, probing or coring. There is no warranty or guarantee, expressed or implied, that problems or deficiencies of the subject trees may not arise in the future.

3.5 During the site investigation if the arboriculturist considers their personal safety is at risk, or that they would breach the conditions of the Health and Safety at Work Act (1974), then they are entitled to abandon the investigation and advise the client(s) accordingly.

3.6 The inspection may require on-site soil profile analysis and excavation and we cannot be held responsible for damage to any underground services not made known to us by the client/landowner or agent.

3.7 Identification of fungi, insects, or tree disorders is based on field observations and does not include a laboratory analysis (unless specifically stated).

3.8 Soil profile samples are extracted using a hand auger. The identification of soil profile types and soil conditions is based on field observations. No samples are taken for laboratory analysis (unless specifically stated).

#### **4. The Report**

4.1 If any part of the report is lost, or altered without the written consent of Tree Health Consulting Ltd, then the entire report becomes invalid.

4.2 The general format of reports is a licensed/certified product and cannot be shown, copied or distributed to third parties without the permission of Tree Health Consulting Ltd. No liability is accepted for the contents of the report, other than to that of the client(s).

4.3 The report will purport not to express any opinion or comment as to the condition or structural integrity of any building and no reliance should be made on any such comments.

4.4 The report does not represent legal advice and no reliance should be placed on any such comments.

4.5 If tree/s are on neighbouring land, the tree owner is ultimately responsible and therefore we would advise that the neighbouring tree owner check with his/her insurance company in order to ascertain if adequate building insurance cover is available in the event of any claims arising from the action of the tree/s.

4.6. Trees are dynamic living organisms and constantly change; therefore, all trees to be retained on site should be further inspected every two years by a qualified Consulting Arboriculturist.

4.7. Scale drawings, technical land surveys and accurate tree plotting data will be supplied if necessary and at extra cost. Non-scale sketch plan drawings may be included as part of the report.

## **5. Insurance Cover**

5.1 All work carried out by Tree Health Consulting Ltd is covered by a £5,000,000 Third Party, Public Liability insurance and a £1,000,000 professional Indemnity insurance.

## **6. Quality of Craftsmanship**

6.1 When appointing a Tree Contractor, please use only suitably qualified and experienced companies (The Local Authority Tree Officer may be able to provide a select list of such companies) and always check that they carry Public and Products Liability Insurance with a minimum of £2 million cover and the relevant Employers Liability Insurance. All tree works must conform rigorously to BS 3998 (2010) 'Recommendations for Tree Work' and as modified by more recent research. Any stump treatment (poisons) must be carried out by a licensed chemical operative.

6.2 Tree Health Consulting Ltd will not accept liability for any works undertaken by any other companies, or contractors.

## **7. Statutory Provisions**

7.1 Before authorising these, or any other tree works, you should contact your Local Planning Authority to ascertain if the trees are the subjects of any Tree Preservation Order or if they are within a Conservation Area, as if either applies, statutory permission will be required before any works can take place