

1. Executive Summary

This addendum has been commissioned to specifically deal with matters arising from recent trial excavations undertaken within the rear garden of 1 Ellerdale Road, the purpose of which was to establish the presence, size and significance of any tree roots emanating from the adjacent Ash tree (T1) located in the rear garden of 83 Fitzjohn's Avenue.

As a result of the trial excavations to a depth of approximately 1.25m tree roots have been uncovered; the main purpose of this secondary report is to assess what impact severing one or more roots would have on the health and vigour of the tree, which as previously stated is the subject of a Tree Preservation Order, and further to advise on the most appropriate method of severing those encroaching roots.

2. Trial Excavations

These were conducted using only hand tools, so as not to damage any roots. The extent of the exploratory trench can be seen on the drawing extract below (Fig.1) and in the photographs (Figs.2 & 3).

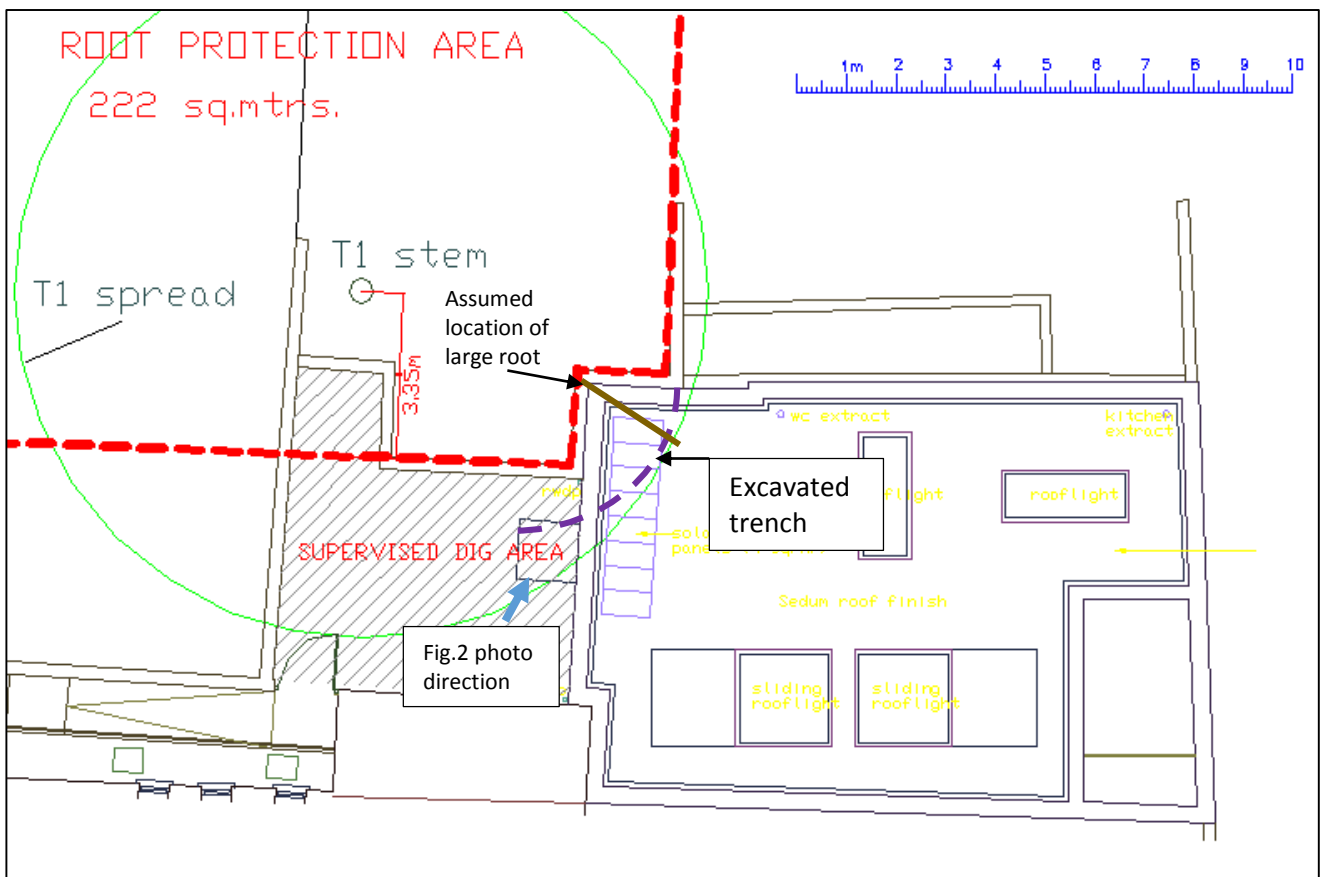


Fig.1 Extract from proposed layout drawing showing approximate location of trial excavation trench



Fig.2 View of excavated trench



Fig.3 View of trench showing single large root at approx. 90cms depth

One large diameter root of approximately 75mm diameter was uncovered – see Fig.1 & Fig.3; a small number of minor roots i.e. less than 20mm diameter were also uncovered along the length of the trench – see example at Fig.4.



Fig.4 Small diameter root

3. Legal Position

Every landowner possesses common law rights of abatement in respect of encroaching roots and branches from another's tree; in this regard he/she is entitled to abate that nuisance by cutting either roots or branches back to the legal boundary line. Providing that the landowner taking the action offers the arisings back to the tree's owner he/she will be acting within the common law constraints.

Legal difficulties may arise however, where the tree is either the subject of a Tree Preservation Order or is within a designated Conservation Area; if the action to abate the nuisance gives rise to the death, destruction, decline or eventual structural instability of the tree in question, this would be a contravention of statute law, and thus a prosecutable offence.

4. Contextual Assessment

The process of constructing the permanent contiguous pile wall approximately 650mm from the boundary with 83 Fitzjohn's Avenue will effectively sever all tree roots from the Ash tree at that point, including the large partially exposed root referred to above. Since the area concerned is only a small quadrant of the potential rooting area of the tree, the termination of the large root, and additional small diameter roots, will not have a detrimental impact upon the health and vigour of the tree.

Notwithstanding the above statement it is to be recommended that the large root is initially further exposed by careful hand digging as far as the property boundary, where it shall be severed using a sharp pruning saw and the cut end immediately wrapped in water soaked hessian followed by an impermeable geotextile held in place with adhesive tape.

The area marked for 'Supervised Dig Area' on the previously submitted drawing (extract at Fig.1) shall continue to be treated as described in the main report dated December 2015 (section 6.1).