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chartered surveyors

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Arboricultural Method Statement & Tree Protection

Property address
Flat A
25 Maresfield Gardens
London
NW3 5SD

Client:
Barak Cohen

Prepared by
Robin Howorth
B.Sc. M.Sc. MRICS, MICFor.
Chartered Arboriculturist

Inspection date: Friday 27th January 2021

Date of Report : 28th January 2021

Contents

1 Limitations

This report is solely for the use of Barak Cohen, legal and architectural advisors, friends and family and cannot be relied upon by others without the sole approval of the author, Robin Howorth of R Howorth & Co Ltd.

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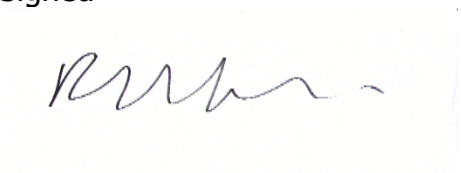
Signed



Robin Howorth, B.Sc. M.Sc. MRICS MICFor
CHARTERED ARBORICULTURIST
CHARTERED BUILDING SURVEYOR

28th January 2021

2 Introduction

This report is based on my tree inspection in addition to my academic training and professional experience.

Please note all orientation within the report is based on viewing the property and the tree from the front of the house.

3 My Experience

I am a qualified and experienced Chartered Arboriculturist with over 23 years professional practice as a forester and arboriculturist.

I have a B.Sc. (Honours) degree in Forestry and Wood Science from Bangor University and a M.Sc. in Building Surveying from Southbank University, London.

I am a Council member and trustee of the Institute of Chartered Foresters.

As part of my ongoing Continual Professional Development, I have completed training in: City & Guilds- tree climbing and aerial rescue: CAVAT- tree valuation: Arboricultural Association (Lantra) – professional tree surveying and Quantified Tree Risk Assessment (QTRA).

In my regular professional life, I am involved with resolving tree related subsidence claims; tree safety inspections and reports; arboricultural implication assessments for planning applications; tree root exposure and mapping and tree and wood decay assessments.

4 Brief

I have been instructed by Barak Cohen (the client) to provide a method statement with regard to construction works and in particular the planning consent no. 2020/4370 and the Eucalyptus tree in the rear garden of 25 Maresfield Gardens, London, NW3 5SD and this report is based on my 27th January 2021 tree survey.

5 Background information

The property is currently empty.

6 Documents and information provided

MG25A EX1/100; MG25 PP1/100 rev C ; MG25A PP1/100 rev C; Planning Permission Consent 2020/4370 and an email from Laura Hazelton of Camden Council to Kasia Whitfield (project Architect).

7 Scope of this Arboricultural Method Statement

This Arboricultural Method Statement and tree protection measures only concerns the Eucalyptus tree which is approximately 14.7m from the house in the rear garden of No.23.

No inspection of any other trees was undertaken on the day of the survey.

However, there are no other rear garden trees near the works that could be adversely affected by the construction work.

The inspection and report do not include an assessment of the structure of the house or any possible impact the tree may have or have had upon the structure of the house or utilities such as drains and the like.

8 Mapping

I have not been provided with a topographical survey of the site or locality.

9 Technical references

This arboricultural report is based upon the following technical references;

Biddle, P.G. 1998. Tree Root Damage to Buildings. Willowmead Publishing, Swindon.

British Standards Institute 2010 BS3998 Recommendations for tree work.

British Standards Institute. 2012. Trees in Relation to Design, Demolition and Construction - Recommendations BS 5837: 2012 HMSO, London.

DETR, 1999 Roots and Routes. Guidelines on Highways Works and Trees. Chapter 3 – Highway Construction and Maintenance, DETR, London, UK.

Lonsdale, D. 1999. Principles of Tree Hazard Assessment and Management. The Stationary Office, London.

Lonsdale, D. 2000. Hazards from trees. A general guide. Forestry Commission, Edinburgh.

Mattheck, C, and Breloer, H. The body language of trees – A handbook for failure analysis. The Stationary Office, London.

J. Robert, N. Jackson & M. Smith (2006) Tree Roots in the Built Environment (ISBN 9780900978593).

Schwarze, F.W.M.R., Engels, J. and Mattheck, C. Fungal strategies of wood decay in trees. Springer, Berlin.

Strouts, R.G. and Winter, T.G. 1994. Diagnosis of ill-health in trees. The Stationary Office, London.

Savill, P.S. 1992. The Silviculture of trees used in British forestry. CAB International Oxon.

10 Limitations

The inspection was carried out from ground level and relates only to arboricultural matters.

All visual observations and recommendations, relate, to the condition of the tree and recommendations for protection measures on the day of the survey.

The tree has been viewed over a garden fence separating the two gardens.

11 Time Limit

As the tree is a biological living organism and is potentially subject to disease or decline, this report and any recommendations made are limited to a 12 month period.

Any alterations to the site and any development proposals or construction works could change the current circumstances and may invalidate this report and any recommendations made.

12 Tree Health

Trees are dynamic structures that can never be guaranteed completely safe particularly as this inspection did not involve the use of advanced internal decay testing with specialist equipment.

Even when trees are in good condition, they can suffer damage under average conditions.

Regular inspections can help to identify potential problems before they become acute.

13 Tree Works

Where tree management work and/or tree surgery is recommended, this is based on maximizing the tree's safe useful life expectancy given its current situation or the safety of persons and surrounding targets.

If no work is recommended, this does not imply that a tree is safe and likewise it should not be implied that a tree would be made safe following the completion of any recommended work.

14 Adjacent buildings or structures

As noted above, this report does not consider the structural condition of existing buildings, nor the impact of the existing tree on their foundations.

If there are concerns over such matters, the advice of a structural engineer should be sought.

15 Site Inspection and Observations

I carried out an accompanied site survey on Wednesday 27th January 2021.

The inspection was from ground level.

The weather at the time of inspection was dry and cold with average visibility.

Photographs of the tree and site follow in the appendices of the report where relevant to highlight a specific point.

16 Brief Site Description

Maresfield Gardens is a residential street in North West London. The site at Flat A, 25 Maresfield Gardens consists of an existing flat in a residential house that is currently empty.

Maresfield Gardens has a slight incline and the site is not particularly exposed.

The rear garden is enclosed to all sides.

17 Identification and Location of the Tree

There is only one Eucalyptus tree in the rear garden of No.23 and the tree is prominently positioned approximately 14.7m from the house at No.25.

All the relevant information on the tree is contained within this report.

18 Method of Assessment

I visually inspected the tree and recorded the information as below.

19 Tree assessment

The assessment is as detailed below:

Owner	No.23 Maresfield Gardens
Tree No.	T1
Species	Eucalyptus
Size category	Medium
Age class	Young/semi mature
Height	12 m
Diameter at breast height	45 cm (approximately)
Crown spread	N 3 S 2 E 7.5 W 3
Crown height clearance	4 m
Location	Mid right side rear garden.
Fungi fruiting bodies and location	None visible.
Overall physiological condition	Reasonable
Overall structural condition	Reasonable

Root protection area as radius from tree stem	5.4 m
Remaining expected life (in years)	20 + years
Expected average biological life	80-90 years
Category of tree (BS5837)	C1
Targets within falling distance of the tree	No.23 & 25 Houses Garden walls
Other issues/comments	This is a very vigorous tree known for its invasive root system.
Recommendations	No Works

20 Discussion

The root protection for this Eucalyptus tree is 5.4m in radius from the tree stem.

The soil and ground level in the No.25 garden has been (until the recent construction work) between 1.4m and 1.6m higher than the ground level in No.23's garden where the tree is positioned.

This tree is at least around 30 to 40 years old.

It is unlikely that the ground level to the No.25 garden was raised and it is not known when the No.23 garden level was reduced.

This was probably carried out before the tree was planted around 30-40 years ago.

Some construction work in the form of a reduction in the level of the No.25 rear garden within the rear left section of the garden has already occurred.

Expressed as a percentage of the root protection area, around 2% to the edge of the root protection area has been dug out and disturbed. This work was carried out prior to my inspection or involvement and without my prior knowledge or approval.

Item 5.3.1 b) in BS:5837 notes that if works are planned within the existing root protection area then mitigation measures can be used to improve the soil environment that is used by the tree for growth.

It is difficult to see how any mitigation measured can be implemented as the tree is positioned in the neighbours garden. This section of BS: 5837 does highlight that it can be acceptable to carry out works in root protection areas though.

The previously existing ground level in the main part of the rear garden of No.25 was between 1.4m and 1.6m higher than the ground level of the tree and in the garden of No.23.

Typically, 90% of tree roots are found within the upper metre of the soil (J. Robert, N. Jackson & M. Smith, 2006).

As the soil in the No.25 garden is around 1.4 - 1.6m higher than the tree rooting level, it is unlikely that there will be significant tree roots in this soil due to reduced levels of nutrients, air and water at deeper levels of the soil.

Additionally, the concrete foundations for the separating fence between the gardens of No.23 & No.25 close to the tree effectively form a root barrier to stop tree roots spreading into the No.25 garden.

Unfortunate as it is that some digging work has been carried out in the theoretical root protection area of the tree; in view of the above, I think it highly unlikely that any significant roots have been disturbed.

This is further confirmed by the below photograph showing the ground reduction works that do not show any large roots adjacent to the trench. The small scale visible roots may also emanate from the ivy bush as seen in the photograph.

The canopy of this tree extends above the proposed construction area. However, this canopy breaks at a height over 4m and as the extension is single story, the tree canopy should not be disturbed by the works.

Photograph 01 showing the trench to the rear of the No.25 garden. Note the concrete foundations above the clay and the lack of visible significant roots.

21 Tree Protection

The existing fence between the tree and the construction work will protect the tree from damage to the tree stem.

The canopy ground clearance is over 4m from ground level and there should therefore be no disturbance to the canopy form scaffolding or the construction activities.

There will be no diggers or machinery due to restricted access.

All work will be carried out by hand.

As discussed above, ground reduction work has already been undertaken in the root protection area prior to my involvement.

Due to the higher level of the ground in the No.25 garden and the concrete fence foundation between the tree and the No.25 garden, it very unlikely that there were any tree roots in the No.25 garden that have been disturbed.

The infilling of the trench with a concrete retaining wall should form no disturbance to the existing tree roots, stem or canopy.

22 Arboricultural Method Statement

- No further excavation work should be undertaken in the root protection area.
- No cutting of any tree branches should be undertaken without the written advice of an arboriculturist and local authority approval.
- Any further digging or changes in ground level or disturbances to the rooting area are only to be carried out under arboricultural supervision by the author or by another chartered arboriculturist.
- Any tree roots to a maximum of 25mm in diameter, if required, may be pruned back, as per item 7.2.3 in BS:5837 allows (making a clean cut with secateurs or handsaw or similar).

- Any larger roots should only be cut under the direct supervision of a chartered arboriculturist.

- The contractor is to inform the project manager of the need for arboricultural input with at least 5 working days' notice by email so that a written record is available to council officers if required.

- The arboriculturist will provide written dated site notes detailing the work carried out in the root protection area and photographs by email to the project manager when attending site to provide a written & photographic record which will be available to council officers if required.

- The reporting of the above required arboricultural input is to be the responsibility of the contractor and depending on the frequency of site inspections, the project manager/Architect.

23 Statutory Controls

It is strongly advised that prior to undertaking any work on the tree, written consent is granted from the local authority via an application or through the planning process.

A tree preservation order, referred to as a 'TPO', is an order made by a local planning authority ('LPA') in respect of trees or woodlands.

The principal effect of a TPO is to prohibit the: cutting down, uprooting, topping, lopping, wilful damage, or wilful destruction of trees without the LPAs consent. The cutting of roots is potentially damaging and so, in the Secretary of State's view, requires the LPAs consent.

Anyone who, in contravention of a TPO, wilfully damages a tree in a way that is likely to destroy it is guilty of an offence. Anyone found guilty of this offence is liable, if convicted in the Magistrates Court, to a fine of up to £20,000. In serious cases a person may be committed for trial in the Crown Court and, if convicted, is liable to an unlimited fine.

Conservation Areas are areas of special architectural or historical interest with a character or appearance that is desirable to preserve or enhance. Trees may often contribute to the special character of the area.

All trees in a Conservation Area are subject to controls which enable the LPA to protect the special character of the area created by the trees. If trees have a specific Tree Preservation Order (TPO) on them, then the normal Tree Preservation Order controls apply.

You must give the LPA 6 weeks' notice, in writing, of your intention to do any work to trees in a Conservation Area. You must not carry out any work during the six week period, which starts from the date of receipt of your notification by the council, unless you receive written permission to do so. Work which is not exempt and is carried out without formal notification or within the six week period without the written consent of the council is illegal. The LPA may prosecute offenders and fines of up to £20,000 for each tree may be imposed by the Magistrates Court in the event of offenders being convicted of an offence. If proceedings are instituted in the Crown Court fines are unlimited. There is a duty to replace any tree removed without permission.

The Wildlife and Countryside Act 1981 as amended by the Countryside and Rights of Way Act 2000, provide 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.

24 Tree Pruning or Removal 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:

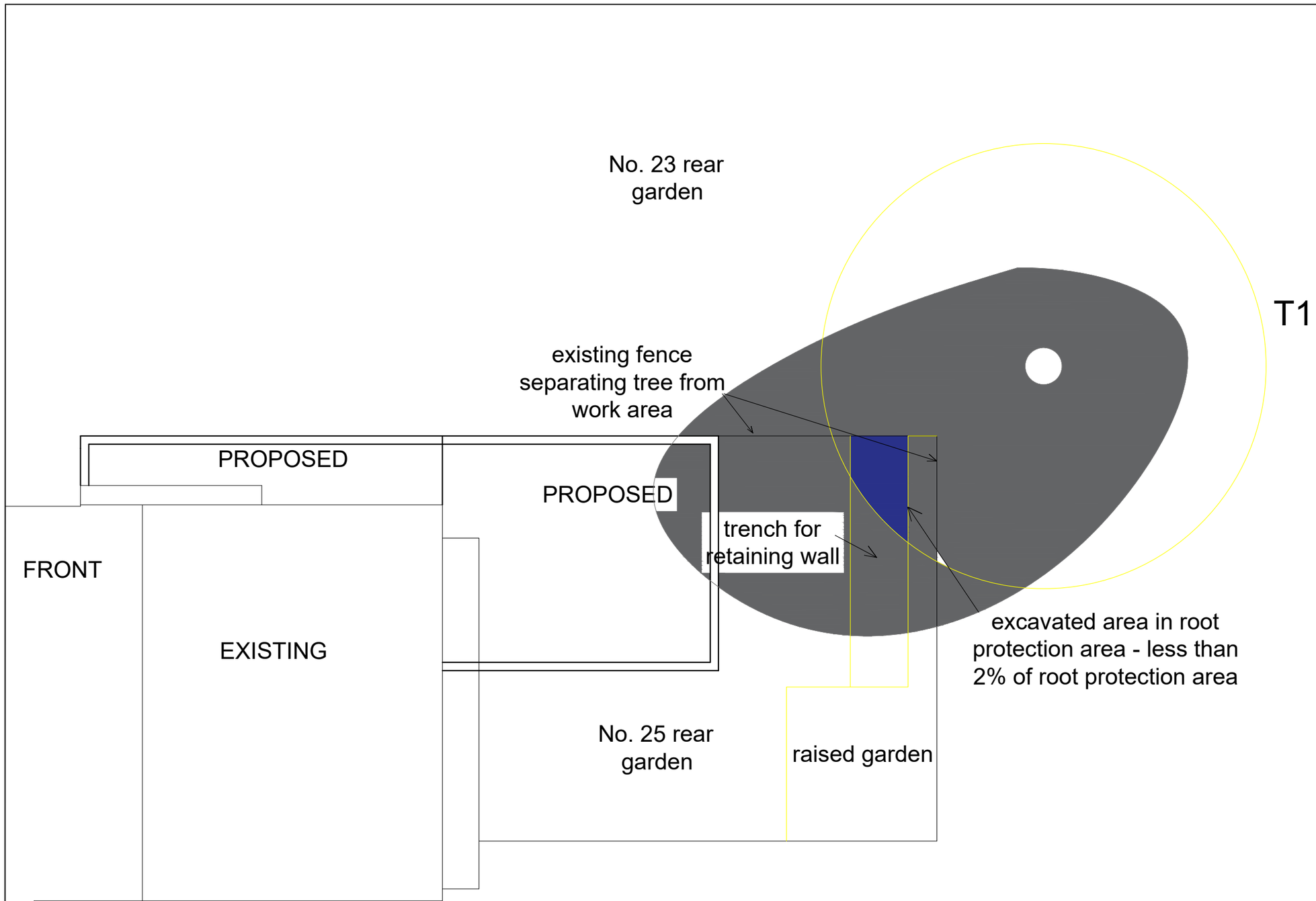
Arboricultural Association
Tel: +44 (0)1242 522152
Email: admin@trees.org.uk
Website:www.trees.org.uk/contractors.htm

25 Appendix - Photographs

Photograph 02 – showing the tree stem

Photograph 03 showing the garden fences separating the tree from the No.25 rear garden

Photograph 04 – showing the tree and No.25 rear garden. Note the No.23 tree ground level is approximately at the bottom of the block wall



KEY

- Tree protection fencing
- Category B tree canopy
- Category C tree canopy
- Category U tree canopy
- Root protection area
- Ground protection

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scale 1:100 @ A3

date 28.01.2021 | drawn by RNH

drg. tree protection plan