

Tree Condition Assessment with Pruning Specifications



No. 28 The Avenue, Radlett, Herts WD7 7DW

CLIENT:	Mr R Binns
CLIENT REF:	RB/TARH
AAAL REF:	SAL/KMA/11125
AAAL CONSULTANT:	Shane A Lanigan
REPORT DATE:	11th May 2022

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No. 28 The Avenue, Radlett, Herts WD7 7DW

S.A. Lanigan Chartered Arborist, MICFor, Dip.Arb.(RFS),M.ArborA, RCarborA – ISA BCMA & Municipal Specialist
ASCA Registered Consulting Arborist #588

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Page 2 of 26

TABLE OF CONTENTS	PAGE NO.
SUMMARY	4
1. Introduction.... ..	5-6
2. The Trees	7-9
3. Inspection	10
4. Discussion	11
5. Conclusion	12
6. Recommendations	13
7. Assumptions and Limiting Conditions	14
8. Certification of Performance	15
9. Professional Details of Mr S A. Lanigan	16
10. Site Plan	17
APPENDIX 1 - PHOTOGRAPHS	18-24
APPENDIX 2 - REFERENCES.....	25
APPENDIX 3 - STATUTORY TREE PROTECTION	26

Summary

I inspected one small magnolia and two mature oak trees on this site. Having completed my inspection and considered my findings I concluded that all three trees are outgrown for their locations, the oaks considerably so. Both oak trees are causing significant shading to the northern side of No. 28 and the southern side of No. 30 The Avenue. Lateral branches of these trees are encroaching into the curtilage of No. 30. The magnolia has grown on strongly following historic crown reduction pruning. It is not a significant problem but is now growing quite close to the front, western elevation of No. 28 and low branches over the lawn are causing some difficulty in mowing operations.

**S.A. Lanigan – Chartered Arboriculturist
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Reference publications are listed at the back of this report (Appendix 2)

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Page 4 of 26

1. Introduction

1.1 **Instruction:** Mr Richard Binns asked me to visit his property No. 28 The Avenue. He asked that I inspect and report on two English oak trees and one magnolia tree all of which are growing within the property curtilage.

1.2 I made my inspection on Tuesday 10th May 2022 beginning at 1.43 pm after some preliminary discussion with Mr Binns, and concluding at 2.27 pm. During the course of my inspection the weather was fine and bright following earlier rain. Visibility was reasonable.

1.3 The arboricultural issues in relation to the dwelling house are appraised and discussed below with accompanying recommendations where appropriate. Before I began my inspection, I made a visual assessment of the trees. I have prepared a sketch plan of the site in order that those trees discussed may be identified. The plan is not to scale and may exclude certain features which exist on site (section 10). All observations in the report are made as if facing the property from the front of the building.

1.4 **Documents provided:** I have been provided with a copy of Hertsmere Council's refusal of an application for work to the three trees.

1.5 **Tree works:** Any necessary tree works are specified in Section 6 later in this report.

1.6 **Ecological Constraints:** Impacts on wildlife must be considered prior to and during any tree works deemed necessary. Such matters are governed by various pieces of primary legislation, specifically:

- The Wildlife and Countryside Act 1981 as amended by the Countryside and Rights of Way Act 2000 and other more recent regulations, and the European Protected Species legislation. These regulations provide statutory protection for birds, bats and other tree and woodland dwelling creatures. The presence of protected species could impose constraints upon the timing and implementation of the site works. Consultation with an appropriately qualified ecologist must be undertaken should this be deemed necessary.

- 1.7 **Statutory Tree Protection:** I have made enquiries of the Local Planning Authority which in this instance is Hertsmere Borough Council to ascertain the existence, or otherwise of any Tree Preservation Orders which may be applied to this site, or whether the site falls within a designated conservation area. The local authority's online mapping system shows that the trees referred to in this report are protected by Tree Preservation Order No. TPO/08/2004 but the site does not appear to lie within a designated conservation area (see Appendix 3 'A Brief Explanation of Tree Preservation Orders/ Conservation Areas' at the back of this report). The status of the tree preservation order and conservation area legislation is only confirmed at the time of writing.
- 1.8 **Qualifications and professional experience:** This report is based on my on-site inspection and assessment of the existing trees. I hold formal qualifications in arboriculture and have fifty-one years of experience in this discipline. A summary of these matters is appended at Section 9.
- 1.9 Upon receipt of the agreed compensation ownership of this report passes to Mr Richard Binns. He may use the report to decide upon management options for the trees and is free to pass this report to other professional advisors as he sees fit.
- 1.10 **Relevant Background Information:** Mr & Mrs Binns own and occupy No. 28 The Avenue and have done so for many years. Around nine years ago permission to prune the two oak trees was granted and the work completed by 'Oakapple Landscapes', an arboricultural contracting company. In the intervening years both trees have grown back strongly such that they obstruct both ambient light and direct sun to both No. 28 and No. 30 The Avenue. The northern sectors of both trees encroach into the curtilage of No. 30. This is causing nuisance by way of leaf and general tree litter deposition, as well as light obstruction. Excessive shading has contributed to the growth of moss on the southern section of the roof of No.30 and some lateral branches of T14 are now in contact with the western side chimney of this property. Earlier this year my clients applied for consent to prune the two trees and also the magnolia located west of the front elevation of their dwelling house. The application was refused.

2. The trees

2.1 **Inspection of the trees on site:** I inspected three individual trees in relation to this property, two English oaks and one magnolia tree. Tree details are summarised in the tabulations below:

Tree 12	Magnolia – <i>Magnolia x soulangiana</i> Soul. – Bod. Family: Magnoliaceae
Grid Reference:	TL 163005
Elevation:	84 m
Ownership:	No. 28 The Avenue
Age Class:	Mature
Height:	5 m (estimated)
Trunk diameter	170 mm (at 1 m above ground level)
Crown spread:	N = 3 m / E = 4 m / S = 3 m / W = 2 m
Physiological condition:	Good
Structural condition:	Good – historically crown reduced
Distance from dwelling house:	5 m (estimated)
Comment:	A small, though spreading tree which was once significantly reduced in both height and spread.

Tree 13	English oak – <i>Quercus robur</i> L. Family: Fagaceae
Grid Reference:	TL 163005
Elevation:	84 m
Ownership:	No. 28 The Avenue
Age Class:	Mature
Height:	23.8 m (measured with a 'Haglof' hypsometer)
DBH (diameter at breast height)	970 mm (measured with a standard diameter tape)
Crown spread:	N = 10 m / E = 6 m / S = 7 m / W = 9 m
Physiological condition:	Good
Structural condition:	Good – this tree was once pollarded at around 9.5 m above ground level, and the subsequent regrowth reduced around nine years ago to about 18-19 m above ground level with a commensurate spread reduction.
Distance from dwelling house:	7 m (estimated)
Comment:	Tree 13 has recovered well from its most recent and quite significant crown reduction. It is now 23.8 m high with a significant spread in all four cardinal compass directions, particularly so to the north and west which means that it has encroached significantly into the curtilage of No. 30. The compass orientation is such that it casts significant shade over the southern elevation and garden/driveway of No. 30. Ambient light is largely excluded from areas below the tree within the garden of No. 28.

Tree 14	English oak – <i>Quercus robur</i> L. Family: Fagaceae
Grid Reference:	TL 163005
Elevation:	84 m
Ownership:	No. 28 The Avenue
Age Class:	Mature
Height:	23 m (measured with a 'Haglof' hypsometer)
DBH (diameter at breast height)	940 mm (measured with a standard diameter tape)
Crown spread:	N = 9 m / E = 6 m / S = 6 m / W = 6 m
Physiological condition:	Good
Structural condition:	Good
Distance from dwelling house:	6 m (estimated)
Comment:	This second oak has also been significantly reduced in height and spread though not to the same extent as T13. Lower lateral branches were once truncated at about 5-6 m from the tree trunk, higher lateral branches have been cut back a little less, presumably to retain a basic structural form. As with the former oak, shading of the southern elevation of the neighbouring property and encroachment into its curtilage is significant. Some mid-level lateral branches are in direct contact with the westernmost chimney.

3. Inspection

- 3.1 I inspected the trees from ground level around about 270° of their circumference. Before beginning my individual inspections, I made an overall assessment of the trees, particularly the two oaks, in the context of their surroundings. I saw that the two oaks dominate their surroundings (see photographs 2, 3, 4 & 5, Appendix 1 at the back of this report) and encroach significantly into the curtilage of No. 30. In response to the early very extensive pruning works both trees have regrown strongly, now having more individual second-order branches than before and so carrying commensurately more foliage and consequently casting appreciably more shade than they previously did (see photographs 5, 9, 10 & 11, Appendix 1 at the back of this report). The most recent pruning performed around nine years ago likely addressed the surfeit of foliage to a certain extent but now, unavoidably, the regrowth from this operation is both dense and extensive (see photographs 2, 3, 4 & 5, Appendix 1 at the back of this report). Thus, the leaf area index and overall extent of the tree crowns are now both significantly greater than they were in the trees' 'maiden' forms.
- 3.2 Tree 12 (saucer magnolia) is a much smaller tree which was also once severely pruned. It has regrown back strongly with multiple ascending branches and some aberrant growth within the crown (see photographs 1 & 6, Appendix 1 at the back of this report).

4. Discussion

- 4.1 The two oak trees (T13 & T14) now carry regrown crowns of significant size. They are high, widely spreading and due in part to the historical heavy pruning, now have a much denser branch structure, and consequently a higher leaf area index than when they were maiden trees. Both have developed asymmetrically such that they now encroach significantly into the curtilage of No. 30 (see photographs 7 & 8, Appendix 1 at the back of this report). They are obstructing light to both dwelling houses and their garden areas. Their retention at this size and in this form is untenable. A pruning prescription to address this aspect will be detailed in Section 6 later in this report.
- 4.2 The saucer magnolia (T12) is not a large tree, nor does it cast dense shade. Mr Binns however, reports that it is making mowing operations a little more difficult than they need to be. He feels that the tree is too large in the context of its current location and should be reduced lightly in height and spread whilst also being carefully crown lifted to make mowing easier. I do not disagree with this assessment - the tree has responded to earlier heavy pruning and now is a dense and somewhat outgrown tree.

5. Conclusion

- 5.1 Both oaks are now outgrown and dominate their location between two dwelling houses. They have encroached significantly into the curtilage of No. 30 and are contributing to moss growth on the roof of the dwelling house and tree litter deposition over the driveway. They should be reduced in height and spread to reduce this effect and also the shade that they cast over both properties.
- 5.2 The magnolia is not significantly overgrown but is now beginning to dominate this garden area. A considered crown reduction would reduce this effect whilst simplifying mowing without overly affecting the tree's appearance. Pruning the tree would have no effect on local landscape character.

6. Recommendations

- 6.1 T12 – Magnolia – reduce crown by 1.5m on height and 1m on overall spread, lift crown to 1.8m above ground level – hand saws should be used in this operation.
- 6.2 T13 – Oak – reduce lateral crown spread by around 3.5m on the northern side and 2.5m on all other areas, a height reduction of 2-2.5m would help to balance the crown and create an acceptable aesthetic appearance, lift crown to 6m above ground level by pruning off small diameter – around 10-20 mm epicormic branches.
- 6.3 T14 – Oak - reduce lateral crown spread by around 2.5m on all areas and height by 2-2.5m, lift crown to 6m above ground level by pruning off small diameter – around 10-20 mm - epicormic branches.

7. ASSUMPTIONS AND LIMITING CONDITIONS

- 7.1 Any legal description provided to the consultant/appraiser is assumed to be correct. Any titles and ownerships to any property are assumed to be good and marketable. No responsibility is assumed for matters legal in character. Any and all property is appraised or evaluated as though free and clear, under responsible ownership and competent management.
- 7.2 Care has been taken to obtain all information from reliable sources. All data has been verified insofar as possible, however, the consultant/appraiser can neither guarantee nor be responsible for the accuracy of information provided by others.
- 7.3 The consultant/appraiser shall not be required to give testimony or attend court by reason of this report unless subsequent contractual arrangements are made, including payment of an additional fee for such services as described in the fee schedule and contract of engagement.
- 7.4 Loss or alteration of any part of this report invalidates the entire report.
- 7.5 Possession of this report or a copy thereof does not imply right of publication or use for any purpose by any other than the person to who, it is addressed, without the prior expressed written or verbal consent of the consultant/appraiser.
- 7.6 Neither all nor any part of the contents of this report, nor copy thereof, shall be conveyed by anyone, including the client, to the public through advertising, public relations, news, sales or other media, without the prior expressed written or verbal consent of the consultant/appraiser particularly as to value conclusions, identity of the consultant/appraiser, or any reference to any professional society or institute or to any initialed designation conferred upon the consultant/appraiser as stated in his qualification.
- 7.7 This report and values expressed herein represent the opinion of the consultant/appraiser, and the consultant's/appraiser's fee is in no way contingent upon the reporting of a specified value, a stipulated result, the occurrence of a subsequent event, nor upon any finding to be reported.
- 7.8 Sketches, diagrams, graphs, and photographs in this report, being intended as visual aids, are not necessarily to scale and should not be construed as engineering or architectural reports or surveys.
- 7.9 Unless expressed otherwise, (1) information contained in this report covers only those items that were examined and reflects the condition of those items at the time of inspection; and (2) the inspection was by means of visual examination of accessible items.

8. CERTIFICATE OF PERFORMANCE

I, Shane A. Lanigan, certify that:

8.1 I have personally inspected the trees and the property referred to in this report and have stated my findings accurately. The extent of the evaluation or appraisal is stated in the attached report and the Terms of Assignment.

8.2 I have no current or prospective interest in the vegetation or the property that is the subject of this report and have no personal interest or bias with respect to the parties involved.

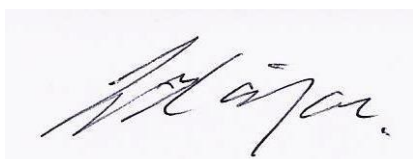
8.3 The analysis, opinions and conclusions stated herein are my own and are based on current scientific procedures and facts.

8.4 My analysis, opinions, and conclusions were developed and this report has been prepared according to commonly accepted arboricultural practices.

8.5 No one provided significant professional assistance to me, except as indicated within the report.

8.6 My compensation is not contingent upon the reporting of a predetermined conclusion that favours the cause of the client or any other party nor upon the results of the assessment, the attainment of stipulated results, or the occurrence of any subsequent events.

8.7 I further certify that I am a Chartered Arboriculturist being a professional member of the Institute of Chartered Foresters and a Registered Consultant of that professional body. I am a Registered Consultant of the Arboricultural Association, and a Registered Consulting Arborist (#588) of the American Society of Consulting Arborists. I am also an ISA Board-Certified Master Arborist and hold the Royal Forestry Society Professional Diploma in Arboriculture. In matters of tree inspection, I hold the International Society of Arboriculture 'Tree Risk Assessment Qualification' (TRAQ) and have completed the LANTRA Professional Tree Inspection Module with integrated assessment and update training. I have worked full time in the field of Arboriculture for a period of fifty years.



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Date: 11th May 2022 - Our Ref: SAL/KMA/11125

Page 15 of 26

9. PROFESSIONAL DETAILS OF MR S.A. LANIGAN

Qualifications: I hold the City and Guilds Certificate in Tree Surgery and am an International Society of Arboriculture Certified Arborist, also holding the International Society of Arboriculture Municipal Arborist Accreditation and being a Board- Certified Master Arborist of that professional body.

In addition, I hold the Royal Forestry Society's Professional Diploma in Arboriculture which is a degree level qualification rated as level 6 on the qualifications and curriculum framework. It is a qualification specific to the arboricultural profession. In matters of tree safety and risk assessment I have undertaken and completed the LANTRA Awards Professional Tree Inspection Course and integrated assessment, I also hold the International Society of Arboriculture Tree Risk Assessment Qualification (TRAQ).

I am a registered consultant of the American Society of Consulting Arborists (ASCA RCA#588), a Chartered Arboriculturist, being a Professional Member of the Institute of Chartered Foresters and a Registered Consultant of the Arboricultural Association.

With regard to legal issues, I am also a Cardiff University Law School Certified Expert Witness in both civil and criminal proceedings.

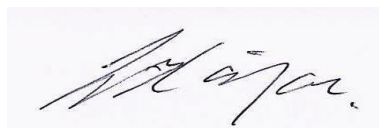
My professional memberships include:

- The American Society of Consulting Arborists
- The Arboricultural Association
- The Consulting Arborist Society
- The International Society of Arboriculture
- The Institute of Chartered Foresters
- The Royal Forestry Society

Career details: I am a second- generation arborist having worked from 1971 to 1979 for a private tree care company before forming my own arboricultural company in 1979.

Continuing professional development: I maintain and improve my professional knowledge by being an active member of the five professional bodies referred to above. In addition, I attend a high number of arboriculture related seminars and the annual conferences of the International Society of Arboriculture, the Arboricultural Association and the Institute of Chartered Foresters (ICF). I was also privileged to serve on the credentialing council of the International Society of Arboriculture educational certification department for seven years. Having served two consecutive terms as an elected member. I 'rolled off' the council in late 2020.

Currently, I am the senior consultant within Abbots Arboricultural Advice Limited. This is my consulting practice which is a forward-looking operation. In order to keep abreast of changes in arboriculture and consulting practice I attend many conferences and seminars which contribute to my CPD/CEU obligations. Currently, all of these events are delivered online.



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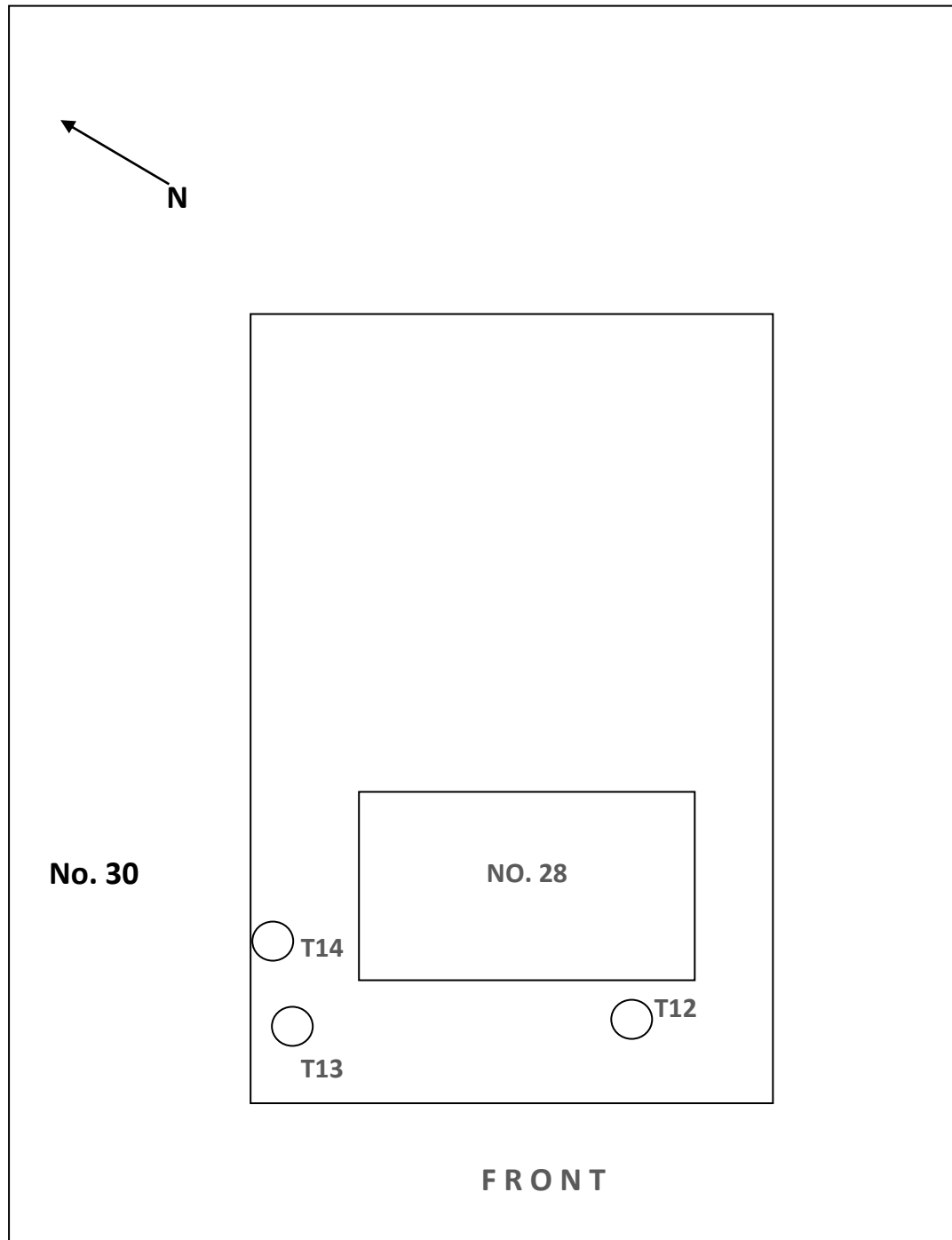
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Date: 11th May 2022 - Our Ref: SAL/KMA/11125

Page 16 of 26

10. PLAN OF TREES NO. 28 THE AVENUE, RADLETT, HERTS WD7 7DW



This sketch plan is not to scale and may exclude certain features that are on site.

APPENDIX 1

PHOTOGRAPHS 1 – 11



PHOTOGRAPH NO. 1 – T12 – MAGNOLIA – VIEWED FROM THE ROADWAY



**PHOTOGRAPH NO. 2 – T13 & T14 – OAKS – VIEWED FROM SOUTHWEST
SHOWING THEIR DENSE CROWNS AND OVERBEARING BULK**

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Date: 11th May 2022 - Our Ref: SAL/KMA/11125

Page 18 of 26



PHOTOGRAPH NO. 3 – T13 & T14 SHOWING CROWNS GROWING OVER THE DRIVEWAY AND DWELLING HOUSE OF NO. 28 THE AVENUE

Tree Condition Assessment with Pruning Specifications at :

No. 28 The Avenue, Radlett, Herts WD7 7DW

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Date: 11th May 2022 - Our Ref: SAL/KMA/11125

Page 19 of 26



PHOTOGRAPH NO. 4 – T13 & T14 SHOWING CROWNS GROWING OVER THE DRIVEWAY AND DWELLING HOUSE OF NO. 30 THE AVENUE



PHOTOGRAPH NO. 5 – EASTERN SIDE OF THE TREE CROWN OF T14



PHOTOGRAPH NO. 6 – T12 – MAGNOLIA VIEWED FROM THE NORTHWEST



PHOTOGRAPH NO. 7 – LATERAL BRANCHES OF T13 & T14 ENCROACHING INTO THE CURTILAGE OF NO. 30 THE AVENUE



PHOTOGRAPH NO. 8 – LATERAL BRANCHES OF T13 & T14 ENCROACHING INTO THE CURTILAGE OF NO. 30 THE AVENUE



PHOTOGRAPH NO.9 – SHADED GARDEN AREA WITHIN THE CURTILAGE OF NO. 28 THE AVENUE

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Date: 11th May 2022 - Our Ref: SAL/KMA/11125

Page 23 of 26



PHOTOGRAPH NO.10 – SHADED GARDEN AREA WITHIN THE CURTILAGE OF NO. 28 THE AVENUE



PHOTOGRAPH NO.11 – SHADE CAST BY T14 OVER NORTHEASTERN GARDEN AREA OF NO. 28 THE AVENUE (ARROWED)

APPENDIX 2

References:

Hillier J G (2014). *The Hillier Manual of Trees and Shrubs*. 14th ed. 80 Vincent Square, London SW1P 2PE;(Hillier Nurseries and The Royal Horticultural Society,).

APPENDIX 3

Statutory Tree Protection

Tree Preservation Orders/Conservation Areas

Tree Preservation Orders are made under Section 198C of the Town & Country Planning Act and applied by the 2012 Tree Regulations. They effectively prohibit unauthorised removal and pruning of trees identified within the order. Conservation areas are designated areas defined by geographic limits within which any tree with a stem diameter of more than 75mm (measured at breast height or 1.5m above ground level) is effectively protected. Certain exceptions exist under both sets of legislation, though these are limited and ideally require interpretation by a suitably qualified arboriculturist.

Felling Licenses

Felling licenses may apply for felling significant volumes of timber on sites without full planning permission. The statutory legislation in this case is the Forestry Act 1967 which is administered by the Forestry Commission.

Faculties

Faculties may be required for significant tree works on sites that fall under the jurisdiction of the church authorities. The local Parochial Church Council can advise on the need and requirements for faculties.

Hedgerow Removal Notices

A hedgerow removal notice will be required for the removal of almost any hedge growing in a rural area. Certain works are permitted without notification including (j) “for the proper management of the hedgerow”. The applicable statutory legislation may be cited as “The Hedgerow Regulations 1997” (Statutory Instrument 1997 No. 1160).