

Application to Fell Tree covered by Tree Preservation Order (11/15, Type T1)

3 Forest Hill, Tilehurst

Introduction

The subject site is located off Forest Hill in Tilehurst Reading (No. 3). The site, broadly rectangular in shape, is centered at National Grid Reference NGR 467848, 174673 and occupies approximately 0.08 hectares (ha) of land. Reading Borough Council applied the Tree Preservation Order 2015 (11/15), made in September 2015.

The tree in question relates to a mature poplar located on the western side of the property boundary and is circa. ~18m in height with an approximate canopy diameter of 14m. The tree canopy occupies approximately one third of the rear garden area, and extends over almost the full width of the garden.

The property is occupied by Mr and Mrs Sutherland and they have a 2 year old child. The high tendency for branch drop has resulted in the owners not allowing their child to play within the extent of the canopy. Given the age of the child, managing this is difficult.

As such, this application requests permission for the felling of the poplar. It is also noted that the timing of TPO occurred during an exchange of contracts/selling of the property and therefore the new owners were not made aware that the TPO could be subject to objections until the provisional effect of the order elapsed. Prior to learning of the TPO, Mr and Mrs Sutherland intended to fell the tree after purchasing the property due to the root presence above ground level across the garden (trip hazard), and proximity of the tree to the dwelling.

Application Details

The tree is of a type/species prone to branch loss and its large canopy extends across much of the garden area, which is enjoyed by a family with a young child. It is considered by the landowners that the removal of the tree is a sensible risk mitigation measure to limit any future damage to the dwelling and eliminate the risk of serious harm from branch drop, particularly to their 2 year old child.

The tree has been planted in close proximity to other trees present in neighbouring gardens (notably to the west) and all these trees have reached maturity with significant canopy heights. It is common knowledge, that poplars are naturally prone to branch loss and reach considerable heights. Noting that the tree is mature and large, it frequently loses branches which have been measured over 2m in length. As it ages, this tree will become increasingly prone to shedding branches, especially as the tree is continually exposed to the prevailing wind. The prevailing wind in the area is a south-westerly/westerly wind. Given the elevation of the property (circa 56.5m AOD) the site experiences high winds, this coupled with the site elevation relative to adjacent land and structures, means that there are no wind breaks to this tree for several kilometres (nearest land circa. 7km to the east at a similar elevation).

Considering the above and based on tree branch fall, the tree poses a high risk of shedding branches onto the garden, where small children play. As such, the tree is considered to be in a high risk location, noting the sensitivity of the land use (with small children) and the tree condition. The risk of branch loss is recorded and foreseeable, and also to be expected with poplar trees of this size and age due to natural drop.

The proposal to remove this tree is therefore considered both reasonable land /tree management and also ensures the safety of the site occupants from potential serious harm. The TPO restricts the safe use of the garden for the sake of a limited and short term amenity. The tree is also considered to have a low wildlife value. Several other large, mature tree canopies of more varied species are also present within the property boundary including oaks, beech, maple and fir.

A reasonable risk mitigation measure of felling the tree is therefore requested and, on this basis, permission is required to implement this.

Poplar Tree Characteristics

Based on similar agricultural surveys in the public domain, this statement provides supporting evidence of poplars' natural characteristics and susceptibility to branch loss. Similar reports state that the visual amenity that poplars provide is high but also needs to be considered in the context of the surrounding tree setting. The loss of a poplar's amenity value is foreseeable and an unavoidable feature of mature poplar trees due to this.

Literature available on poplar trees discusses their high likelihood to lose branches and its characteristic to break apart at maturity. Given the size of the tree and branches which have fallen on site, the propensity for branch drop should be considered as a potential hazard for serious harm. As such the landowner requires the permission to manage this risk.

The propensity for branch drop in poplars is due to their rapid growth, less durable wood and lower strength^{1,2}. It is suggested that this is how the poplar species reproduce and grow rapidly so that the loss of individual branches is non-critical if the bulk of the tree remains. Poplar is a tree species which has one of the lowest wood strengths of all. As such, poplars are inherently prone to branch loss due to their natural properties and is a foreseeable management problem when they are located in areas where children play. Critically, the branch drop is a key factor to be considered as part of any tree hazard assessment and its management. Guidance³ states that when assessing a tree's suitability, the object that a tree could hit if it fails (or part of it), particular attention should be paid to trees that are hazardous or might become hazardous in the foreseeable future ("species that are more likely than most to become hazardous (e.g. many types of poplar))."

In addition, other guidance relating to the co-existence of trees, people and property⁴, states that the recognition of "species or cultivars that have a propensity to fail under particular circumstances of tree age, soil type and wind exposure" should be afforded special attention, as do species which have relatively weak wood or a reputation for frequent failure (e.g. poplars)."

As discussed in the opening statement, the site is subject to high prevailing westerly winds. Noting the elevation of the site in relation to its surrounds and the absence of any notable wind breaks for several kilometres, the site setting does not lend itself to the safe enjoyment of this tree as a result of its low resistance to physical damage. Guidance by Lonsdale reiterates that trees, such as poplars, fail "more often than others in high winds, even in the apparent absence of defects." The above guidance also states that "species of poplar generally have wood of low density, and many of them can reach a great size. With this combination of characteristics, specimens exposed to strong winds are often affected by the breakage of tops and branches."

¹ Mattheck & Breloer, *The Body Language of Trees*. 1994.

² Mattheck, *Updated field guide for visual tree assessment*. 2007.

³ Lonsdale, *Principles of tree hazard assessment and management*. 1999.

⁴ Watson, *Trees, their use management cultivation and biology*. 2006.

In the context of their environmental setting, the trees are not of native origin and they are a man-made cultivated variety, planted as part of an area of mixed woodland at Forest Hill. Given its setting, the tree provides little wildlife benefit. The surrounding ground in the area of the poplar canopy has also resulted in a lower amenity value – the extensive canopy blocks out sunlight and the low depth to roots (roots present at ground surface at several locations in the garden), also presents trip hazards to the landowner and family.

Given the height of the tree and its maturity, the tree has reached its maximum amenity potential and its amenity value is understood to likely decline hereafter. As the tree has started to shed branches, its visual amenity has decreased as well as posing a potential hazard for serious to those in the garden.

Closing Remarks

In summary, the loss of branches is a foreseeable incident and the TPO places an unreasonable restriction on the landowner and prevents him from undertaking normal and reasonable management of his land and implementing necessary and reasonable risk reduction measures. Moreover, it is noted that the TPO was placed on the tree without a visual inspection on the property. The tree crown can only be viewed from the road (less than 20% of the tree), and as such should a detailed inspection have been undertaken, the extent of the branch drop, low rooting depth and general low amenity in its setting and the hazard which it presents to the landowner and his family would have been apparent.

Considering the location of the tree and the surrounding cluster of other large mature trees, which do not suffer from a high propensity for branch drop, replacement trees are not considered necessary. Lower level vegetation would be more appropriate which would provide a more manageable asset, which also limits the impact on adjacent landowners. This will also increase the habitat value by planting a broader mix of lower-level shrubs.

Application Request

Unfortunately, the landowner was not aware of the opportunity to object to the TPO as it was undertaken during the exchange of contracts/purchase of the property. Therefore, it is understood that they can no longer object to the TPO. As such, they require permission for the felling of the tree as a risk mitigation measure, principally from branch drop.