ABBOTS ARBORICULTURAL ADVICE

Bedmond Yard, Bedmond Road, Abbots Langley, Hertfordshire, WD5 0RP
t: 01923 606551 e: shane.lanigan@abbotsarboriculturaladvice.com
w: www.abbotsarboriculturaladvice.com

TREE CONDITION REPORT PERTAINING TO ONE SWAMP CYPRESS TREE

No. 12 Fringewood Close, Northwood, Middx HA6 2TB

CLIENT:	**Mr Chirag Shah**
CLIENT REF:	**CS/FCNM**
AAAL REF:	**SAL/KMA/12008**
AAAL CONSULTANT:	**Shane A Lanigan**
REPORT DATE:	**7th May 2024**

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SUMMARY

I was asked to attend site and inspect one swamp cypress tree growing within the property curtilage of No. 12 Fringewood Close. Having inspected the tree and considered the findings of my inspection I concluded that the tree is an exotic introduced species and surmise that it was planted to be part of a historic landscape that perhaps surrounded an older, pre-existing property. It is a tall tree growing in isolation from the nearby Ruislip Woods to the southeast. It was previously inspected by an arboriculturist in August 2021 after successive failures of significant-sized branches over the previous seven years (see Photographs 2, 3 & 4, Appendix 1, at the back of this report). These were supplied by Mr Shah and had been included within the earlier report produced by Russell Ball of Arbol Euro Consultancy. The tree is quite close to the dwelling house (7 m to the southwest) and immediately adjacent to the southeastern boundary with No. 14 Fringewood Close and the dwelling house within that property curtilage. All the broken branches have fallen into the southeastern section of the garden area of No. 12. This garden is quite small and so it seems reasonable to presume that the area where the fallen branches are shown is used by Mr Shah, his wife and their children. The fallen branches seem to be quite large. I estimate their diameter range as being between 70 – 150 mm (at their largest, proximal ends). They are therefore capable of causing significant harm to garden infrastructure and the two adjacent dwelling houses. In the worst-case scenario, even the smallest of these could cause serious personal injury or even death upon impact with a person, including young children.

S.A. Lanigan – Chartered Arboriculturist
MICFor, Dip.Arb. (RFS), M.Arbor A, RCArborA – ISA, BCMA, CUEW,
ASCA Registered Consulting Arborist #588

Reference publications are listed at the back of this report (Appendix 3)

1. Introduction

1.1 Mr Chirag Shah contacted my office on 29th February 2024 requesting a fee proposal to inspect one tree and subsequently prepare a Tree Condition Report.

1.2 **Instruction**: After receiving my email and fee proposal Mr Shah asked me to prepare a tree condition report on the swamp cypress tree growing within his property curtilage.

1.3 **Tree works**: Any necessary tree works are specified in Section 5 later in this report.

1.4 **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, including the Habitats Regulations 2017 which consolidate all the various amendments made to the Habitats Regulations 2010 in respect of England and Wales, and the European Protected Species legislation. These regulations provide statutory protection for birds, bats and other animals that use trees and woodland as habitat niches. 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.

1.5 **Statutory Tree Protection**: I have made enquiries of the Local Planning Authority which in this instance is Hillingdon 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 mapping system shows that the swamp cypress tree is protected by Tree Preservation Order Areas: Reference TPO 265 (Scarlet Spring, Ducks Hill Road & 6-28 Fringewood Close (24/09/1980) but the property does not appear to lie within a designated conservation area (see Appendix 4 '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 advised at the time of writing.

1.6 **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-three years of experience in this discipline. A summary of these matters is appended at Section 6.

2. The Inspection

2.1 I visited the site on Friday 3rd May 2024 beginning my inspection at 9.07 am and concluding at 9.58 am. As instructed, I inspected one swamp cypress tree growing within the property curtilage of No. 12 Fringewood Close. This was a level two inspection, being a ground level survey by a suitably qualified arboriculturist using simple tools such as binoculars, hypsometer, mallet, and metal probe. Tree details are summarised in the tabulation below:

Tree 1	**Swamp cypress (syn - bald cypress) *Taxodium distichum* (L.) Rich Family: Cupressaceae**
Ownership:	**No. 12 Fringewood Close**
Grid reference:	**TQ 07814 90634**
Elevation (above sea level):	**91 m**
Age Class:	**Mature (being within the middle one-third of its probable life expectancy).**
Height:	**30 m (estimated).**
DBH (diameter at breast height)	**1750 mm (measured with a standard diameter tape).**
Circumference:	**2356.19 mm (calculated from the DBH).**
Physiological condition:	**Good – the tree is currently just coming into leaf (swamp cypress is one of a limited number of deciduous conifers), but shows a probability of reasonable foliar cover when the leaves are fully expanded (see Photographs 7 & 8, Appendix 1, at the back of this report). It shows high genetic vigour, which is inherent within this species, and high vitality (performance in its growing location).**
Structural condition:	**Poor – tree one is inherently compromised because of its low live crown ratio (0.66) which is the relation of the crown's branched area longitudinal length to the tree's overall height. It grows favourably northwards directly toward the dwelling house. Moreover, the tree bifurcates into two similar-sized leading stems at 17-18 m above ground. Bifurcation results in co-dominant stems with a tight 'V' shaped union that is often weaker – sometimes 50% or so - than the more usual 'U' shaped branch to trunk union. Lateral branches have broken out from close to the tree stem, with significant incidents of this nature occurring in 2017 (see**

	Photograph 3 of the Arbol Euro Consultancy report) and again in 2019 (see Photographs 2 & 3 of that report). Other sporadic failures have occurred throughout this seven-year time period. The tree base shows minimal trunk buttressing which contradicts the usual tree form: there are however, no signs of decay or dysfunction in this region.
Comment:	**Tree one is significantly taller than the trees growing in Ruislip Woods to the southeast, and there are no other large trees growing nearby. It stands in isolation, with most of its live crown above the trees within Ruislip Woods. Accordingly, it has no companion cover from wind-forces and being so exposed to these has undergone the incidences of branch break referred to above.**

3. Discussion

3.1 **T1 – Swamp cypress** – Tree one is a North American swamp cypress, a deciduous conifer that due to this growth form is often referred to as 'bald cypress'. This species is native to wet places, rivers and swamps in Southern USA being the dominant tree in the Florida Everglades, though is capable of growing in drier soils providing the pH is not too high (which helps to explain why it has grown so well close to an area of English lowland – mostly oak – woodland on a clay soil of neutral to low [acidic] pH). The species was introduced to the United Kingdom by John Tradescant in about 1640 (Hillers Manual of Trees and Shrubs). It soon grew in popularity throughout Europe particularly Germany, where its use in gardens apparently borders on the fanatical (Dirr. M – 2011).

3.1.1 Collins Tree Guide (Johnson, O, Moore. D – 2006) confirms the above adding that this species can survive, and thrive in colder drier conditions growing well to the north in New Jersey. Johnson, the text author, describes the tree as "Long-lived and healthy, hardly ever blowing down, **though trunks and branches easily shatter".**

3.2 **Physiological condition:** The earlier arboricultural report which was undertaken in 2021 refers to this condition as "Health" and advises that T1 has normal vitality and crown density. Photograph 1 of that report, which was taken in August with the tree in full leaf confirms this (see Appendix 1). My Photograph 1, taken in May 2024 and with due allowance made for the leaves being only partially opened, shows a marked decline in physiological condition. The leaves are presently around 50% of their probable eventual size while the tree canopy density is probably less than 20% of that shown in Photograph 1 of the first report (see Appendix 1). Nonetheless and even having given due consideration to this I do not believe the canopy condition in August this year will equate to that detailed in the photograph taken in August 2021.

3.3 **Structural condition:** A poor live crown ratio, particularly in such a tall tree means that T1 is inherently structurally compromised. This effect is magnified by the tree's wind exposure due to the lack of any other trees nearly. Tree one is of a species which rarely blows down (by the roots), but has a propensity toward trunk and branch shattering (Johnson, O, 2006). It is growing in isolation and hence is exposed to wind-forces, particularly United Kingdom prevailing westerly winds. The effect of even moderate winds in this instance is amplified by the low live-crown ratio and correspondingly long clear trunk. Essentially, this means that significant weight is concentrated on a long lever-arm. In this respect, a useful descriptive analogy is that of a hammer standing on a substrate with its handle end at the base. It would not be stable and easily unsettled using minimal force.

3.3.1 In this instance, it is the wind-force and its amplified effect on the upper lateral branches that have caused them to break and fall rather than any defects such as root or 'hazard-beam' cracks. I discount the theory of summer branch drop. It is more likely that the lateral branches failed due to the inherent propensity of this species to trunk and branch shattering (Johnson, O, 2006).

4. Conclusion

4.1 Conditions around T1 have altered hugely since it was planted – likely as a component of a historical landscape. Fringewood Close is a development of contemporary style homes that were likely built within the last thirty years or so. The development has changed a former (probable) open area where the risk of damage or harm from falling tree parts was low, to a heavily populated and used garden area where the risk is high.

4.2 The swamp cypress is of a species with a marked propensity toward trunk and branch shattering (Johnson. O, 2006) and is not suitable for retention within a new development. This aspect should have been considered in the BS 5837 tree survey undertaken at the time of development. It would likely have been Categorised as "B1", being a tree of moderate value with mainly arboricultural qualities. However, this assessment would have been made in the historical open landscape context before any development had taken place.

4.2.1 Clause 5 para 5.1.1 of the current standard discusses constraints posed by trees and exhorts the user to "**avoid misplaced tree retention**". Para 5.2.1 advises at sub para b) that species characteristics – including branch drop – should be viewed as a significant constraint. Further on, paragraph 5.2.3 advises at sub-paragraph g) that "the proposed end use of the space adjacent to retained trees" is a factor that should also be taken into account during the design process. This exhortation is further reinforced in paragraph 5.2.4 with the statement that "Particular care is needed regarding the retention of large, mature, over-mature or veteran trees which become enclosed within the new development. Where such trees are retained, adequate space should be allowed for their long-term physical retention and future maintenance". Seemingly, these, and other similar paragraphs were disregarded when the development was planned and implemented. I have identified that swamp cypress has a propensity to branch-break and in consideration of this believe that this tree should not have been retained within the development.

4.3 Tree 1 is a large tree with inherently poor structural characteristics. Being located in a small, though heavily-used garden area, it represents a risk of damage to property and harm to people by way of falling broken branches and perhaps in future times by trunk-shattering. This risk is, in my view unacceptable and I consider that that swamp cypress should be removed.

5. Recommendations

5.1 **T1 – Swamp cypress** – fell to ground level.

6. Tree Inspection Procedure

6.1 **Overview of tree risk**: The risk of harm from falling trees or tree parts is commonly overrated. This is due in part to media coverage of tree failure events which is often dramatic, including photographs of large trees lying across vehicles, buildings and other inanimate objects. Some may view this as a reflection of contemporary society's thirst for excitement which is nowadays readily fulfilled by the many and varied forms of social media. The reality is that the actual risk from tree failure is extremely low. A useful guidance document addressing tree risk has been produced by the National Tree Safety Group (NTSG). It is entitled 'Common Sense Risk Management of Trees,' and its stated purpose is to provide guidance on trees and public safety in the UK for owners, managers and advisers. The document was produced following consultation with many authoritative industry bodies and related interested organisations. Notable amongst these are:

- Health and Safety Executive
- Centre for Decision Analysis and Risk Management – Middlesex University
- Arboricultural Association
- B/213 Trees Committee of the British Standards Institution (BSI)
- Institute of Chartered Foresters
- London Tree Officers Association
- Royal Institute of Chartered Surveyors
- The Tree Council
- Visitor Safety in the Countryside Group
- British Holiday & Home Parks Association Ltd
- Confederation of Forest Industries (UK) Ltd
- Country Land and Business Association
- English Heritage
- Essex County Council
- Forestry Commission
- National Farmers Union
- Ancient Tree Forum
- Campaign to Protect Rural England
- National Trust
- Woodland Trust

6.2 **Overriding aim:** A fundamental aim of the NTSG is to develop a nationally recognised approach to tree safety management and to provide guidance that is proportionate to the actual risks from trees. This identified aim accords to the need to conserve trees and the benefits they provide in the light of ongoing global warming. The benefits provided by trees and woodlands cannot be enjoyed without the acceptance of some level of risk. Five key principles underpin the NTSG position and are set out below:

- Trees (and other vegetation) provide a wide variety of benefits to society
- Trees are living organisms that naturally lose branches or fall
- The overall risk to human safety is extremely low
- Tree owners have a legal duty of care (under the Occupiers Liability Act 1957 [as amended 1984]) and a Common Law Duty of Care
- Tree owners should take a balanced and proportionate approach to tree safety management

6.3 **Benefits to society:** Societal benefits are considerable, even more so in the current era of significant and harmful climate change which is causing global warming. Briefly, trees sequester carbon by using atmospheric Carbon Dioxide (CO2) to convert it initially to carbohydrates and ultimately to wood. This process 'locks-up' the carbon as long as the wood endures. Other benefits relate to human health and wellbeing – both physiologically and mentally, and property values. An acceptance of a level of risk of harm or property damage is needed to realise these benefits.

6.4 **Overall risk to human safety:** The NTSG has utilised the Health and Safety Executive's decision-making framework, known as the Tolerability of Risk (ToR) Framework to define and classify risk. Three levels of risk are defined:

1. Unacceptable – generally more than 1:10,000

2. Tolerable – 1:10,000 risks in this framework region are managed 'as low as reasonably practicable' (ALARP)

3. Broadly Acceptable Region – 1:1,000,000

Research undertaken by the Centre for Decision Analysis and Risk Management (DARM) has demonstrated that the risk to the public from falling trees is extremely low, representing about a one in ten million chance of an individual being killed by a falling tree – or tree part – in any given year.

6.5 **Other risks of harm:** Property damage caused by falling trees or tree parts is a secondary concern. It is not always possible to predict tree or tree part failures as trees are natural organisms which do, on occasions, break and fall. However, in many instances a properly qualified and experienced arboriculturist can identify existing and developing problems. In many instances it is possible to prescribe remedial works to reduce the risk to a level acceptable to the client.

6.6 **The view of the Health and Safety Executive (HSE):** In the UK it is the HSE that defines risk tolerability, primarily by way of its Tolerability of Risk Framework (ToR). HSE recognises that a 'hazard' is something that can cause harm: in this instance the hazard is the tree, or tree part. Risk (of injury or harm) is characterised by reference to potential events and consequences, or a combination of the two. It is often expressed as a combination of an event's consequences and the likelihood of it occurring. Where trees are involved, potential consequences include property damage, death or serious injury. The important part of any tree inspection and consequent assessment is the likelihood of either occurring. Levels of risk are judged against a baseline, which is usually the current overall maintenance or control regime for that hazard (the tree). When assessing a tree, owners and managers need to judge whether the management measures they adopt will fulfil society's reasonable expectations. "Reasonableness" is a key legal concept when considering the risks to the public and tree owners' obligations. Deciding what is reasonable can be undertaken only with regard to the trees' place within the wider management context and how that context influences decisions locally. All the above is underpinned by the HSE risk philosophy which is set out in the executive's Tolerability of Risk Framework. The HSE says that, "for practical purposes, any activity or practice giving rise to risk in the upper zone (the unacceptable region where risks exceed 1:10,000) would be prohibited – unless exceptional reasons could be given. This translates to the risk presented by an obviously unstable or degraded tree, meaning that injury or harm by that tree is foreseeable and so unacceptable. Conversely, a healthy tree, or trees, would fall within the broadly acceptable region (1:1,000,000 – annual risk of death). Thus, a healthy tree might still fail but liability should not attach to the tree owner/manager. In this respect HSE states: "Risks *falling in this region are generally regarded as insignificant and adequately controlled. We, as regulators, would not usually require further action to reduce risks unless reasonably practicable measures are available. The levels of risk characterising this region are comparable to those that people regard as insignificant or trivial in their daily lives."*

Hazards with risk levels falling in the intermediate region (1:10,000 – tolerable region) may be tolerated in order to secure the associated (societal) benefits, providing that:

- The nature and level of the risks are adequately assessed and the results are used to determine control measures. This means that the assessment of risk needs to be based on the best available evidence and, where evidence is lacking, on the best available scientific advice. It is therefore, quite clear that a suitably qualified and experienced arboriculturist must make this judgement regarding tree hazard and associated risk of injury or harm.
- The residual risks are not unduly high and kept as low as reasonably practicable (the ALARP principle.)
- The risks are periodically reviewed (trees are re-inspected as specified) to ensure that the risk is controlled so far as is reasonably practicable (SFAIRP) and they continue to meet the ALARP criteria, for example by ascertaining whether further or new control measures need to be introduced to take account of new knowledge or new techniques for reducing or eliminating risks.

As before, this requires ongoing inspection by a suitably qualified and experienced arboriculturist.

6.7 **Overview of the legal aspects of tree ownership:** Tree owners (and managers) have a legal duty of care and consequent liability for injury to others (and property damage) caused by the fall of a tree or branch. Under both the civil law and criminal law, an owner of land on which a tree stands has responsibilities for the health and safety of those on or near the land and has potential liabilities arising from the falling of a tree or branch. The civil (common) law gives rise to duties (of care) and potential liabilities to pay damages in the event of a breach of those duties. The criminal law gives rise to the risk of prosecution in the event of infringement of that law. If a person is injured by a falling/fallen tree or branch, potential causes of action arise against the tree owner in negligence for a breach of the duty of care, in the tort of nuisance and, where the injured person was on the land of the tree owner at the time of injury, under the Occupiers Liability Act 1957 (as amended 1984) – in England.

6.8 **Tree inspection:** The NTSG guidance incorporates aspects of historical Forestry Commission Guidance. In the first instance, it advocates effective record-keeping; a professionally prepared arboricultural report often constitutes the foundation of the necessary record. Zoning is often employed to determine the necessity for and frequency of inspection. In this manner the frequency and level of detail of inspection can be determined. Large and aged trees growing in a 'high-use' area will clearly need more detailed and intensive inspection than smaller trees located in lightly trafficked areas. In similar fashion, inspection by an arboricultural professional is not always needed. Where a number of young smaller trees are growing on a lightly used area inspection by the land owner or perhaps an employee who knows the site well might well prove sufficient. However, the inspection is made, and by whom, detailed record-keeping is essential.

6.9 **Tree inspection by Abbots Arboricultural Advice:** Currently, I undertake all inspections and subsequent report preparation personally. Reports include zoning and unless otherwise specified are made at International Society of Arboriculture Level 2. Such reports are undertaken from ground level using simple tools and related equipment commonly including binoculars, clinometer, diameter tape, metal investigative probe, small trowel, sounding mallet. On some rare occasions a more detailed Level 3 inspection is needed, this may be a climbing inspection or entail the use of electronic investigative inspection. Detailed inspections such as these will only be undertaken after a fee proposal has been provided and client instruction received. Individual trees will be inspected following the bullet points below:

- View the tree as a whole from around as much of the outer circumference as is possible
- View and assess the tree crown (branch structure, twigs and leaves using binoculars as needed)
- Closely inspect the trunk from the crown breakout point to ground level using steel probes as needed to investigate any dysfunctional or suspect areas
- Visually inspect the root crown area (the region where the trunk produces root buttresses and then roots) using steel probes as detailed above (if this is deemed necessary)

Results of the inspection will be presented in a written report with conclusions and any necessary work recommendations within an appropriate time frame. Photographic images will be appended to the report where these will serve to clarify issues identified during the inspection.

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 initialled 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 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-three years.

S.A. Lanigan – Chartered Arboriculturist
MICFor, Dip.Arb. (RFS), M.Arbor A, RCArborA – ISA - BCMA, CUEW,
ASCA Registered Consulting Arborist #588

9. PROFESSIONAL DETAILS OF SHANE 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 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.

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

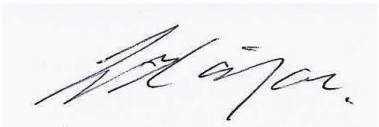
My professional memberships include:

- 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.



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APPENDIX NO. 1

PHOTOGRAPHS – 1 – 8

PHOTOGRAPH NO. 1 – T1 – Swamp cypress – viewed from the northeast

PHOTOGRAPH NO. 2 – Base and lower trunk of T1 viewed from the east and showing the favourable growth disposition to the north

PHOTOGRAPH NO. 3 – T1 – Swamp cypress viewed from the northwest within Fringewood Close

PHOTOGRAPH NO. 3 – T1 – Swamp cypress viewed from the west while within Fringewood Close

PHOTOGRAPH NO. 5 – T-junction of Fringewood Close showing that T1 cannot be seen from points to the northwest other than from points near to No. 11

PHOTOGRAPH NO. 6 – Base of T1 showing a lack of root buttressing

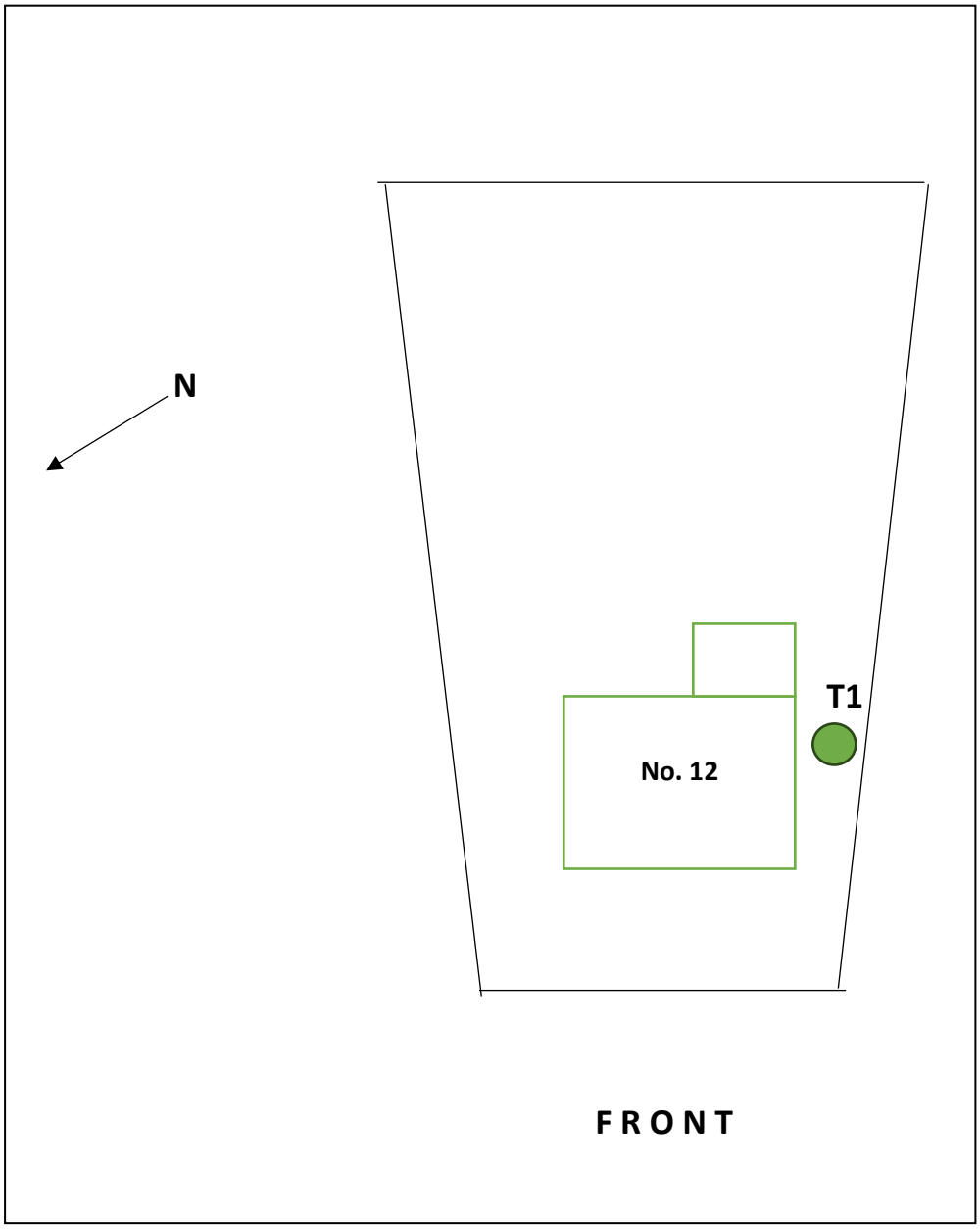
PHOTOGRAPH NO. 7 – Foliage of T1 viewed to confirm that it is a swamp cypress

PHOTOGRAPH NO. 8 – Foliage of T1 viewed to confirm that it is a swamp cypress

PHOTOGRAPHS TAKEN FROM REPORT PRODUCED BY ARBOL EURO CONSULTANCY – RUSSELL BALL

PHOTOGRAPH 1

APPENDIX 2
SITE PLAN – NO. 12 FRINGEWOOD CLOSE, NORTHWOOD, MIDDX HA6 2TB



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

APPENDIX 3

References:

Dirr, M., 2011. *Dirr's Encyclopedia of Trees & Shrubs.* 1st ed. 2 The Quadrant, 135 Salusbury Road, London NW6 6RH: Timber Press Inc.

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,).

International Society of Arboriculture (2015). *The CODIT Principle*. Champaign, Illinois US: International Society of Arboriculture.

Johnson, O. and Moore, D., 2006 *Collins Tree Guide.* 1st ed. 77-85 Fulham Palace Road, London W6 8JB: Harper Collins.

APPENDIX 4

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 Management and 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).