



**Tree condition survey of
1 no. black pine *Pinus nigra* and 1 no. yew *Taxus baccata*
at**

**14 First Avenue, Havant, PO9 2QN
///ends.cafe.candle**

Surveyed by
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Arboricultural Association Registered Consultant

Report date
20th January 2023

Client
S Smith
New Mills Farm
Hereford Road
Ledbury
HR8 2PR

Report reference
J1466

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Institute of
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1. Instruction

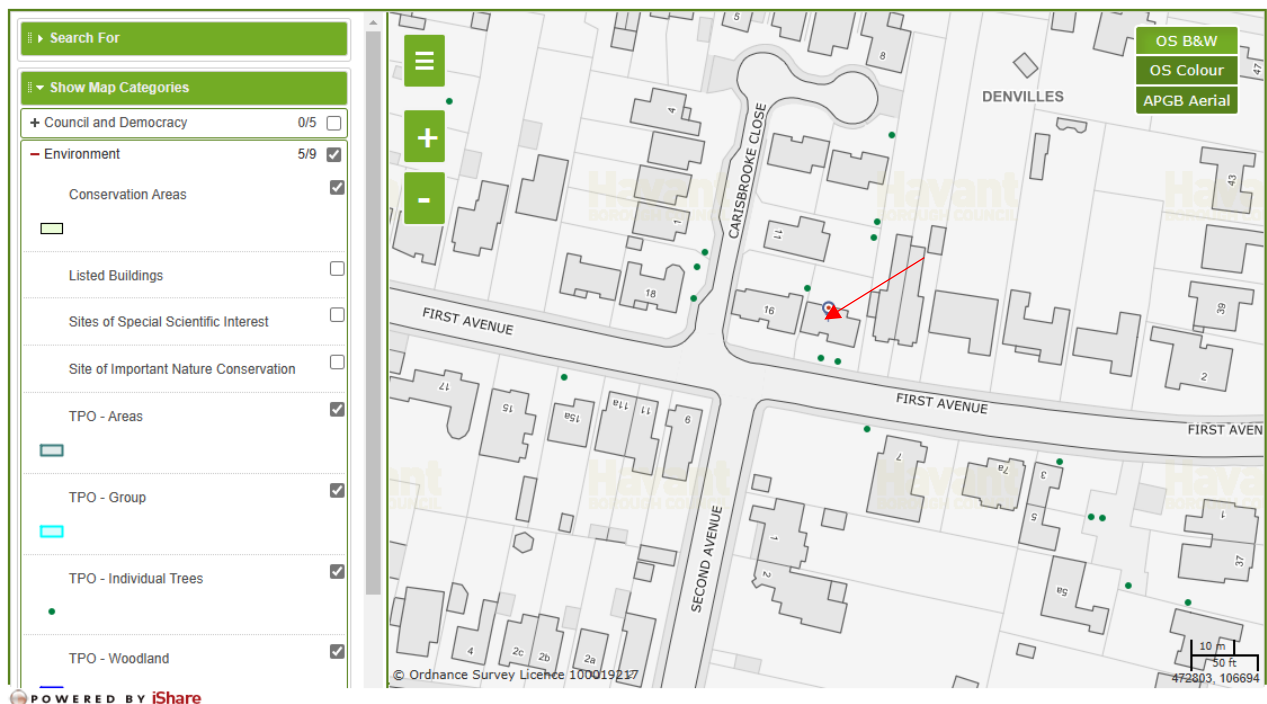
- 1.1 I was instructed by S Smith to carry out a tree condition survey of 1 no. black pine *Pinus nigra* and 1 no. yew *Taxus baccata*, paying particular attention to any features that may pose a significant hazard to persons or property, and to produce a tree survey report including the provision of management recommendations with priorities.
- 1.2 The tree condition assessment is to be carried out in relation to the landowner's duty under the Occupier's Liability Act 1984 and common law. Presumption for tree management will be in favour of retention of the tree(s) where appropriate.
- 1.3 The client has raised concerns relating to the trees including condition, proximity to the dwelling, garden and adjacent highway.

2. Introduction

- 2.1 14 First Avenue is to the north east of the town centre of Havant and on the north side of First Avenue within a residential area. The two trees stand on the frontage to the property within a lawn area adjacent to the highway.

3. Statutory controls

- 3.1 The online mapping tool provided by Havant Borough Council, accessed on 20th January 2023 identifies that the site is not subject to Conservation Area controls. However, Tree Preservation Order (TPO) 0740 relates. See image SAL1.



SAL1 Data provided by planning authority website¹. Red arrow identifies 14 First Avenue.

- 3.2 Due to the position of the two trees on the frontage relating to the image SAL1, I believe that T1 and T2 are subject to Tree Preservation Order.
- 3.3 As the trees are subject to TPO, a Town and Country Planning (Tree Preservation) (England) Regulations 2012 s16 Tree Works Application² will need to be issued to the planning authority and 'Consent' received prior to tree works commencing. Such tree works identified within any Consent will normally need to be complete before a 2 year period from the date of the Consent. Additional information on the process can be found at the government website³. This tree condition survey can be used to inform such a Tree Works Application.
- 3.4 Alternatively, works may be exempt from notice as detailed in The Town and Country Planning (Tree Preservation)(England) Regulations 2012 sections 14 (exceptions)⁴. Such exceptions are given as a s14 'Notice of Intent' and a 5 working day period for the planning authority to consider the matter and relate to the imminent threat of harm or damage. This tree condition survey can be used to inform such a s14 (5 day) Notice of Intent. On this occasion, tree works to T2, where they relate to the highway, fall within this exception.

¹ <http://maps.easthants.gov.uk/easthampshire.aspx>

² <https://www.legislation.gov.uk/ukxi/2012/605/regulation/16/made>

³ <https://www.gov.uk/guidance/tree-preservation-orders-and-trees-in-conservation-areas#making-applications-tpo>

⁴ <https://www.legislation.gov.uk/ukxi/2012/605/regulation/14/made>

- 3.5 The Forestry Act 1967 does not apply as the trees grow either within a residential garden⁵.
- 3.6 This document does not consider specific covenants.

⁵ <https://www.legislation.gov.uk/ukpga/1967/10/section/9> specifically s9(2)(b)

4. Limitations

- 4.1 The tree survey was carried out from ground level, with the aid of binoculars where appropriate, using the Visual Tree Assessment (VTA) process. The VTA process is used to identify significant tree features that may have significant bearing upon the condition (physiological and structural) and management of the tree.
- 4.2 Typical significant defects that are identified are referred to in Lonsdale, D., "Hazards from Trees, a general guide" (FCPG13) published in 2000 by the Forestry Commission, Lonsdale, D., "Principles of tree hazard assessment and management" published in 1999 and 2001 and reprinted in 2013 by the Forestry Commission, and Mattheck, C., "The body language of trees" published in 1994 by the Department of the Environment and 2015 by Karlsruhe Institute of Technology.
- 4.3 Reasonable access around the base of the tree is required to carry out a tree survey. Where this is not feasible, these parts of the tree may not be fully assessed. If a view of the entire structure of the tree(s) is limited, for instance by the properties in private ownership or obscured by vegetation, this is a limitation to the tree survey and some parts of the tree may not be able to be fully surveyed. In this instance access was available, with the benefit of binoculars, a reasonable view of the trees was available other than the base of T2 where the low growth foliage impeded access.
- 4.4 Trees are dynamic structures and as such their condition and health may change in a short period of time, particularly in relation to changes in their immediate environment and circumstances, and as such the survey relates only to the visible condition found on the day of the survey. Tree(s) should be re-surveyed on a regular basis so that the change in condition can be identified. An appropriate time period between surveys may be up to 5 years depending upon the species, condition of the trees, their maturity / size and the context within which the tree(s) grow. Recommendations for the period between surveys are given.
- 4.6 No soil investigations have been carried out.

5. Tree survey findings

- 5.1 The survey was carried out on 10th January 2023. I was unaccompanied during the visit and there was no response to knocking on the front door. The weather on the day of the site visit was heavy rain with variable wind speeds.
- 5.2 The table of findings of the tree survey can be found in Appendix 1.
- 5.3 I have plotted the approximate tree position on Ordnance Survey data, Ordnance Survey data (licence AC0000849896), to correlate between the tree condition survey (Appendix 1), the tree survey plan (Appendix 2), and the specific tree surveyed on site. Position of the trees plotted is approximate on the tree survey plan and the specific trees will need to be identified through their approximate position shown on the tree survey plan, condition notes given in the tree survey text and the photographs in Appendix 3.

6. Discussion

- 6.1 Overlong branches are more likely to fail due to the angle of growth, length of branch, weight of branch, wind sail area, increased loading due to less support from adjacent branches and more exposed to wind loading due to their position standing outside the main canopy edge. In this instance T1 black pine has overlong branches in excess of 9m. To reduce the potential for failure and to aid the retention of the tree in the landscape in the medium and long term it is appropriate to reduce the horizontal branch spread so that the potential for branch failure is reduced. Such works are recommended in BS3998:2010 Recommendations (refer to paragraphs 7.7 and Table B.1) to help reduce the potential for such failure. Remedial works to help control the risks are given in Appendix 1.
- 6.2 There is disruption to the existing vehicle and pedestrian access which is commensurate with incremental tree root growth and adaptive growth through wound response producing calluses lifting the hard standing from beneath (direct damage). This disruption may cause a trip hazard to users and visitors to the property. To remediate the potential trip hazard, it is appropriate to remove the existing hard standing, excavate to 100mm depth beneath the existing hardstanding and remove tree roots less than 25mm diameter. Roots larger than 25mm diameter are to be excavated beneath and lowered to a lower level avoiding excess damage or bending of the root. These excavation works are likely to require Consent from the planning authority and require Arboricultural Consultant supervision. Reform the bedding layer and install a porous base course⁶ and wearing course⁷. It is likely that such tree root growth has occurred since the construction of the hard standing and therefore removal of tree roots less than 25mm diameter disrupting the hard surface is unlikely to affect the stability or physiology of the trees. During these remedial works, it is also appropriate to allow for additional tree stem growth and remove the hard standing closest to the tree to allow for incremental stem growth. These works are separate from the works relating to the tree condition and, therefore, are not listed in Appendix 1.
- 6.3 The Highways Act s154⁸ requires branches impeding the safe use of the highway to be cut back. The low branches on T2 fall within this requirement where they overhang the highway.
- 6.4 The greater the amount of pruning work carried out, the greater the potential for undesirable physiological and structural impacts upon the retained trees (refer to British Standard 3998:2010 Recommendation for tree works paragraph 7.2.4 extent of pruning works). Therefore, works recommendations given seek to reasonably control the risks identified whilst minimising the potential impact upon the retained tree to aid its retention in the landscape for as long as reasonably practicable. Additionally, tree works recommendations are kept to a minimum to minimise the potential aesthetic impacts that can occur through excessive tree works.
- 6.5 Extent of works needs to be balanced by the adjacent land use, frequency of use, size of anticipated failure part(s), and consequence of failure.

⁶ For instance <https://www.geosyn.co.uk/product/cellweb-tree-root-protection> or similar

⁷ For instance <https://www.cedstone.co.uk/landscape/product-range/natural-stone/aggregates-gravels/footpath-gravels> or similar

⁸ <https://www.legislation.gov.uk/ukpga/1980/66/section/154>

- 6.10 The public highway to the south is used during all hours and has a relatively low number of users using the space reasonably constantly.
- 6.11 To conclude, in my consideration of the site, its location, use, frequency of occupation, the potential hazards that the trees present, the condition of the trees and potential for failure, and the potential size of the failure parts, I have provided tree works recommendations with priorities to aid the retention of the trees in the landscape where feasible and these works are detailed in section 7 and Appendix 1.

7. Recommendations

- 7.1 I have considered the findings of the tree survey within the context of the health and vitality of the trees and their circumstances within which they are located.
- 7.2 Recommended works are detailed in Appendix 1 with associated priorities. The priorities mean that the recommended works should be carried out within specified timescales detailed in Appendix 3 key to tree survey data.
- 7.3 Tree works should be carried out in accordance with British Standard 3998:2010 Recommendations for Tree Works and in particular biosecurity / avoidance of transmission of disease and pathogens (4.3), extent of pruning works (7.2.4), and natural target pruning (7.2.5). A tree contractor ought to carry out works in accordance with this British Standard and be aware of these specific elements.
- 7.4 Due to the presence of a TPO, it is necessary to seek Consent for the tree works from the planning authority prior to implementation, except for the works relating to the Highway.
- 7.5 Works ideally to be carried out in the late summer (September) or, to a lesser extent, mid-winter (December through to February) to aid the trees to respond to the pruning wounds in the most effective manner. The worst time to implement tree works to retained trees is in spring and secondly around leaf fall. Therefore, this time period (spring bud burst and leaf fall) ought to be avoided where possible to reduce the physiological impact upon retained trees. However, these time periods are secondary to the priority for the remedial tree works identified and are to be ignored if there is a greater need to implement the tree works within the time periods given.
- 7.6 No 'High' or 'Moderate' priority works were identified.
- 7.7 Works are considered a 'Low' priority and should be complete within 12 months from the date of this survey. The priority is considered based on the condition of the tree and its position and context.
- 7.8 Resurvey of the tree ought to be complete by 1st February 2026. Resurvey is important as the condition of trees alters over time.

Appendices

Appendix 1: tree survey data

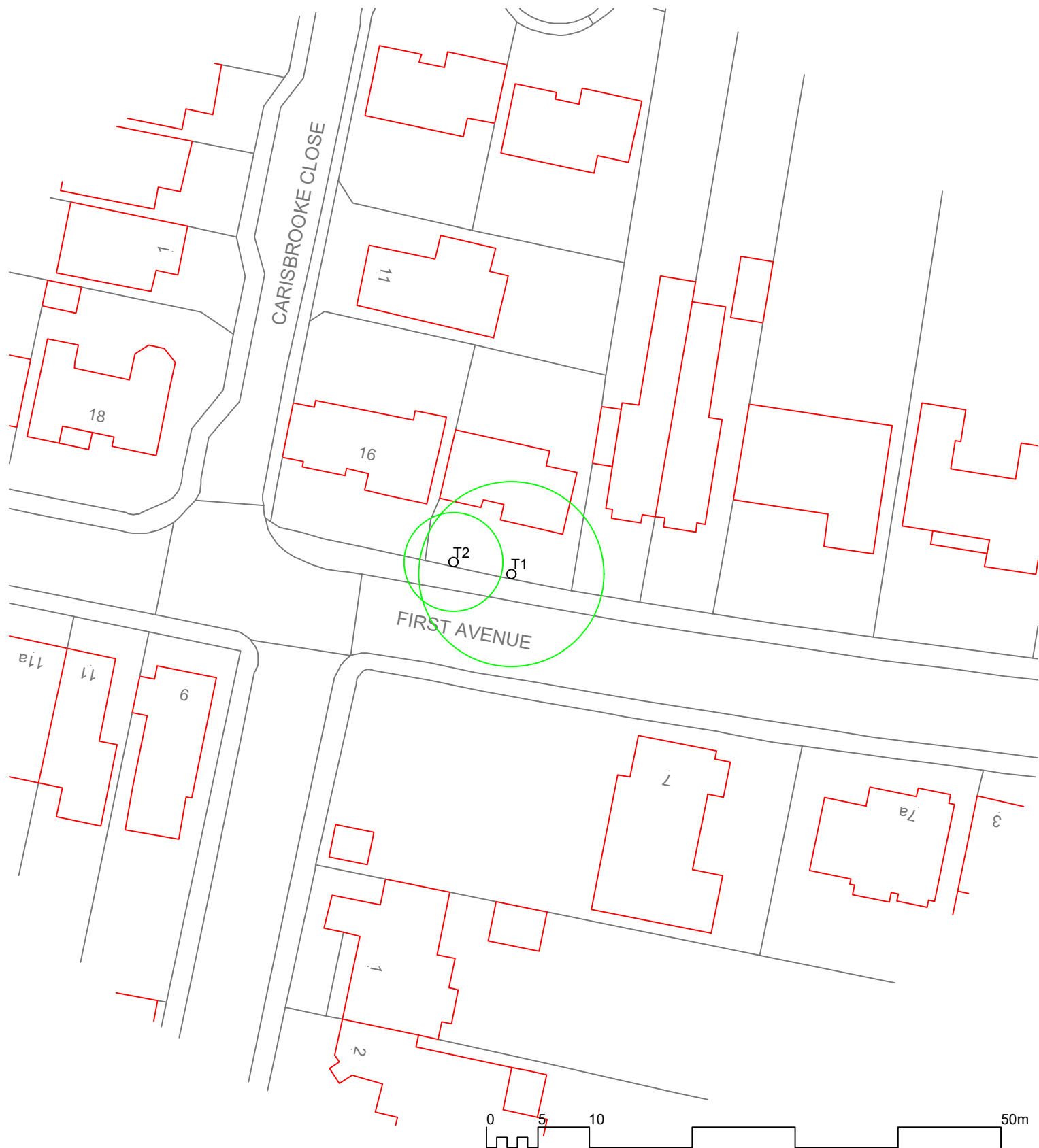
Tree Condition Survey

Site 14 First Avenue, Havant
Date of survey 10th January 2023
Job reference J1466
Surveyor Ben Abbatt
Resurvey To be complete by the 1st November 2025



Designation	Reference number	Species	Height (m)	Age class	Physiological condition	Structural condition	Condition notes	Condition related tree works	Priority
T	1	Black pine <i>Pinus nigra</i>	21.5	Mature	Good	Good	89cm diameter at 1.5m. 9m horizontal canopy spread. Slight overlong branches. Previously crown lifted to c9m with series of crown lifting wounds on the lower stem. 4.5m from the dwelling. Disrupted asphalt driveway adjacent. Growing north of the footway, west of the driveway and within the lawn area.	Selective tip reduction of branches to create an even horizontal canopy spread of 7.5m with a natural canopy form and a maximum wound diameter of 75mm. Pruning wounds to natural arget pruning points. Remove deadwood more than 25mm diameter.	Low
T	2	Yew <i>Taxus baccata</i>	11.6	Mature	Good	Good	4.8m horizontal canopy spread. Two main stems from the base obscured by foliage. Further stem divisions through the tree structure. Low branches over the highway and garden. Growing adjacent to footpath and within the lawn.	Crown lift to 5m over the carriageway and 3m over the remainder. Remove low growth foliage to within 1cm of the original parent material to allow inspection.	Low

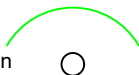
Appendix 2: tree survey plan



General / Key:

Indicative canopy

Indicative tree position



Site: 14 First Avenue, Havant

Data: Ordnance survey data provided under licence ©Crown Copyright and database rights 2022 OS Licence no. AC0000849896.

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Drawing title:

Tree survey plan

Drawing reference: J1466

Revision: -

Date: 20th January 2023

Scale: 1 to 500 on A4

Sheet: 1 of 1

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Appendix 3: photographs



SAL2 T1 black pine at vehicle and pedestrian entrance with T2 to the left.



SAL3 T2 yew adjacent to the boundary fence with T1 to the right.



SAL4 T1 with direct damage to access driveway.



SAL5 T2 and low branches over the carriageway and footway.

Appendix 4: general notes

The tree survey can only be an assessment of the tree at the time of the survey and the tree(s) should be re-surveyed on a regular basis. An appropriate time period between surveys may be up to 5 years depending upon the condition of the trees, their maturity and the target(s). Recommendations for the period between surveys will be given.

As trees are dynamic structures their condition and health may change in a short period of time, particularly in relation to changes in their immediate environment and circumstances. Therefore, the survey is an assessment of the trees at the time of the survey only. If there is a significant change in the immediate environment and circumstances, then this should be brought to the attention of the arboriculturalist so that they may advise accordingly.

I have not specifically checked with the planning authority whether the site is within a Conservation Area or whether the trees are under Tree Preservation Order (TPO), but I have relied upon their published map information. Prior to any tree works confirmation of whether these legal restrictions apply to the site or trees ought to be sought from the planning authority. If the trees stand within a Conservation Area designated under the Town and Country Planning Act the LPA will normally require 6 weeks notice of intention to carry out any tree works as detailed in the survey. If the trees are under TPO then the planning authority will normally require an application for any tree works. Some tree works are exempt, for instance if the trees are dead or dangerous, and certain works can be carried out without application. It is necessary to give the planning authority at least five days notice prior to carrying out any of these tree works under these exemptions. This survey, with recommendations, can be used to support any such application or notice.

Wildlife issues are of significant concern to the general public. A balance has to be found between the protection of wildlife and the need for safety when managing trees. The Wildlife and Countryside Act (1980) and Countryside Rights of Way Act (2000) give statutory protection to wild birds, bats, mammals, some invertebrates and plants. It is important to ensure that this legislation is properly considered when carrying out any works to trees.

Bird nests were not identified whilst on site. However, any Arborist carrying out the tree works should ensure that there is no disturbance to nesting birds prior to the works being carried out. Further guidance upon the appropriate timing of the works can be sought from DEFRA, if necessary. Where nesting birds are found, further information should be sought from DEFRA 08459 33 55 77 or helpline@defra.gsi.gov.uk. Prior to any works being implemented the tree contractor must identify whether there are any bats or birds using the tree as roost or nest. If such habitation is identified, then the tree contractor must obtain the necessary licence from Natural England (0845 601 4523 www.naturalengland.org.uk) to carry out the works.

A bat survey prior to tree works is not recommended, except where there is a high potential for habitat. During the tree works, the contractor should carry out the tree works with bats as an active consideration and follow the current industry best practice, e.g. Arboricultural Association Guidance Note 1 Bats in the context of tree work operations 2011, BS8596 Micro guide to surveying for bats in trees and woodland <https://shop.bsigroup.com/upload/273444/BSI-Bat-Microguide-UK-EN.pdf> which a competent tree contractor should be familiar with.

Biosecurity measures: To minimise the potential for contamination of the tree from other tree works it is appropriate to sterilise tools to be used before and after the works are implemented. Appropriate disinfectant includes Propellar or Cleankill Sanitizing spray. Loose debris is to be brushed off prior to treating with disinfectant to ensure appropriate application. See [http://www.forestry.gov.uk/pdf/FCMS028-guidance.pdf/\\$file/FCMS028-guidance.pdf](http://www.forestry.gov.uk/pdf/FCMS028-guidance.pdf/$file/FCMS028-guidance.pdf) for further information on Biosecurity and <http://www.forestry.gov.uk/forestry/inf-d-9fjd2d> for disinfectant information.

Appendix 5: key to tree survey data

Desig	Designation (T is Tree, G is Group, H is Hedge, W is woodland, S is Stump)	
No	Tree number.	
Species	Species of tree.	
Height	Height measured in metres.	
Canopy spread	Canopy spread in metres is taken at the four cardinal points to derive an accurate representation of the crown.	
Height of crown	Height in metres of crown clearance above adjacent ground level.	
Age Class	Young	A tree considered to be less than approximately 20 years old.
	Middle aged	A tree in approximately the first 1/5th of its normal life span with apical dominance (rapidly growing with a clear main leader) and not yet fully at its environmental potential full height.
	Mature	A tree in its 2/5ths to 5/5ths of its normal life span with apical dominance lost and at its environmental potential full height.
Condition (Physiological and Structural)	Good	A tree of typical physiological and structural condition that requires only general tree works to facilitate its retention in the landscape.
	Fair	A tree of impaired physiological and / or structural condition that may require remedial and general tree works to facilitate its retention in the landscape.
	Poor	A tree of significantly impaired physiological and / or structural condition that will require remedial and general tree works to facilitate its retention in the landscape if feasible.
Recommendations	As per BS3998: 2010 Recommendations for Tree Works.	
Priority	Immediate	Works should be carried out immediately as the probability of harm or damage occurring is likely.
	High	These works are important to carry out as soon as reasonably possible and any budget available for tree management should be spent upon these trees before the moderate and low categories. Works in this category usually will relate to abatement of risk for harm and or damage to occur. Ideally works in this category are anticipated to be carried out within 1 month.
	Moderate	These works are important to carry out as soon as reasonably possible and any budget available for tree management should be spent upon these trees before the low categories. Works in this category usually will relate to abatement of risk for harm and or damage to occur and for the good arboricultural management of the trees. Ideally works in this category are anticipated to be carried out within 3 months.
	Low	Works in this category usually will relate to the good arboricultural management of the trees. Ideally works in this category are anticipated to be carried out within 12 months.
Re-survey	This is the time period in which it is recommended that the tree is surveyed again. This is based upon the condition of the tree, its location, previous, current and future management. It is normally expressed at a time period from the date of the report / survey, whichever is the sooner. If no time period is noted then the default period is one year.	

Appendix 6: surveyor qualifications and experience

Ben Abbatt has been involved in the arboricultural industry since the mid 1990s and has worked in a variety of roles within the industry, starting as a forestry contractor, progressing to the surveying and management of forestry and arboricultural contracts for a national forestry company and running the arboricultural section of a horticultural business overseas. Additionally, Ben has worked in local Government at Borough and County levels, providing planning related advice and managing Tree Preservation Orders and Conservation Areas, as well as managing highways trees and contracts.

Since 2006, Ben has been the Director and Principal Consultant of Sapling Arboriculture Ltd.

Ben is a qualified member of the Institute of Chartered Foresters (ICF), Royal Institute of Chartered Surveyors (RICS), Society for the Environment (SocEnv) and the Arboricultural Association (AA), having been an Arboricultural Association Registered Consultant since 2006. He is also a member of the International Society of Arboriculture and the Royal Forestry Society.

He holds many arboricultural and forestry qualifications including the Professional Diploma in Arboriculture awarded by the Royal Forestry Society, the Technicians' Certificate awarded by the Arboricultural Association and an HNC in Forestry.

Ben is also a freelance trainer for LANTRA, delivering courses in Basic Tree Survey and Inspection and Professional Tree Inspection.



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