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chartered arboriculturists
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Report on Willow tree in rear garden of No. 94 Stapleton Hall Road, London N4 And possible effects on 92a Stapleton Hall Road, London, N4

Client:
Millie Guest

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Date of Report : 2nd December 2021



building surveys; party walls
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1 Limitations

This report is solely for the use of Millie Guest, legal advisors, No.94 Stapleton Hall Road garden owners, friends and family and cannot be relied upon by others without the sole approval of the author, Robin Howorth of R Howorth & Co Ltd.

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Signed

A handwritten signature in dark ink, appearing to be 'R. Howorth', written over a light blue rectangular stamp.

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

2nd December 2021



2 Introduction

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

Please note all orientation within the report is based on viewing the property and the tree from the Stapleton Hall Road.

3 My Experience

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

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

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

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

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

As part of my M.Sc. studies, I completed a dissertation with the aid of Dr Cutler, an acknowledged expert and author of the book 'Trees and Buildings' (1981) which contains unparalleled field research provided by insurers on subsidence to buildings from trees.

My dissertation provided further primary data and analysis on subsidence claims in Camden, North London and implicated trees. This research supported Dr Cutler's data sets and published results.



4 Brief

I have been instructed by Millie Guest (the client) to provide a visual assessment of the No.94 rear garden Willow tree close to the building 92a Stapleton Hall Road London N4.

This report is based on my 29th December 2021 tree survey and inspection.

5 Scope of this report

This report only concerns No.94 rear garden Willow tree close to the building 92a Stapleton Hall Road London N4.

The inspection and report do not include an assessment of the structure of the house at No.92a.

6 Limitations

The inspection was carried out from ground level and relates only to the possibility of significant damage to the insured property at No.94 from the front garden trees at No.92a.

All visual observations and recommendations, relate, to the conditions on the day of the survey.

Where or when unusual weather conditions such as storms or heavy rain; changes in soil; soil levels and changes to surroundings occur, this may lead to deterioration in the tree health and condition.

7 Time Limit

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

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



8 Tree Health

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

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

This report is not a tree safety report nor a tree condition survey.

9 Tree Works

Where tree management work and/or tree surgery is recommended, this is based on maintaining the trees to reduce their water uptake in this instance.

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

10 Adjacent buildings or structures

The adjacent house at No.92 is not commented upon.

11 Site Inspection and Observations

The inspection was from ground level.

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



12 Identification and Location of the Trees

There is a young twin stem Goat Willow tree situated around 0.8m from the No.92a house in the rear garden of No.94.

13 Method of Assessment

The assessment of these trees is based on its location, species, management history and any possible damage to the structure at No.92a

14 Discussion and Recommendations

The twin stem Goat Willow tree that is positioned 0.8m from the No.92a house is a vigorous species that is notorious for its adventurous roots that often cause damage to building foundations and drains.

This tree is not suitable for retention and I would recommend that this tree is removed in the near term (1-12 months).

Once the tree has been removed, any regrowth should be cut and removed to avoid the tree resprouting.



15 Statutory Controls

It has not been confirmed whether there is Tree Preservation Order covering this tree.

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

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

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

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

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

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

You must give the LPA 6 weeks' notice, in writing, of your intention to do any work to trees in a Conservation Area. You must not carry out any work during the six week period, which starts from the date of receipt of your notification by the council, unless you receive written permission to do so.

Work which is not exempt and is carried out without formal notification or within the six week period without the written consent of the council is illegal. The LPA may prosecute offenders and fines of up to £20,000 for each tree may be imposed by the Magistrates Court in the event of offenders being convicted of an offence. If proceedings are instituted in the Crown Court fines are unlimited. There is a duty to replace any tree removed without permission.



The Wildlife and Countryside Act 1981 as amended by the Countryside and Rights of Way Act 2000, provide statutory protection to birds, bats and other species that inhabit trees. All tree work operations are covered by these provisions and advice from an ecologist must be obtained before undertaking any works that might constitute an offence.

16 Tree Pruning or Removal Works

All tree works should be carried out to BS 3998 Recommendations for Tree Work as modified by more recent research. It is advisable to select a contractor from the local authority list and preferably one approved by the Arboricultural Association. Their Register of Contractors is available free from:

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