

Michael White Esq.
Weston Wood Lodges,
Weston-on-Trent,
Derbyshire, DE72 2BU.

February 17th 2021.

Dear Mr White,

Application to remove 2 trees at Weston Wood.

You are in the process of installing another building at this site. A concrete base has been installed and it has now become apparent that a couple of trees, both Hawthorns, will be very close to the building.



Photograph 1.

Photograph 1 is a view of the situation taken looking roughly north. I have numbered the trees to aid identification. Trees 1 & 2 are both rather decrepit Ivy-covered, Hawthorn trees, and tree 1 is on the verge of collapse. Both Hawthorns should be removed, tree 1 is sufficiently decrepit to be considered a threat to anything that might be within falling distance. Tree 2 is more stable but fairly obviously declining. I've included the Sycamore saplings to the rear of tree 2 and called them group 3.

The Sycamore saplings have been severely damaged by Grey Squirrels, which while not immediately a problem, means there is potential for the trees to grow in a manner that might lead to future problems. I therefore think these should be removed as well.



VAT Reg No. 471150474
Company Reg No. 5872995
Registered in England and Wales

Photograph 2 shows some of the Squirrel damage on one of the saplings. A closer examination reveals that the Squirrels have repeatedly stripped bark from the wound-wood so the situation is made increasingly convoluted. I've recently seen a mature tree rendered dangerous by this sort of damage so in this instance I think the sensible thing to do is to get rid of the saplings.

It would also be sensible to take steps to control the Squirrels to prevent it happening in the future. In case you weren't aware, Grey Squirrels are noted as an invasive pest, that not only damages trees but also predate small birds and their eggs, so trapping and dispatching them is environmentally beneficial.



Photograph 2.

The Sycamore trees will almost certainly sprout from their stumps to produce coppice growth. This can be managed by regular cutting in the future.

I have marked the approximate positions of the trees on a plan of the site and appended it to the bottom of this letter. The plan is an extract from a Tree Preservation Order (TPO), which is sufficient for identifying these trees.

The Tree Preservation Order.

According to the South Derbyshire Council website, the TPO that covers this site is TPO 300 which was served in 2008. The plan that is part of this TPO shows the site as being entirely within a woodland area, "W1." This seems to suggest that the whole site is woodland, which is plainly incorrect. This TPO will have been served under the auspices of the now replaced TPO guidance, which was widely known as the "Blue Book." This made it fairly plain that woodland TPOs were not appropriate for use in gardens.

The Blue Book has now been replaced with internet based guidance¹, which since the introduction of the National Planning Policy Framework, is an appendix to that document and carries exactly the same "weight." Effectively it is the Secretary of State's interpretation of the Law surrounding planning matters. This means that Council Tree Officers should follow its guidance to the letter; it's not optional.

As can be seen in photo 1, the trees in question are on the edge of what might be called a narrow strip of woodland, but could also be looked upon as a hedgerow. For the purposes of the application to remove these trees, I think it is as well to accept that the trees are protected, although their condition means their amenity value is low and there should therefore be no reason for them not to be removed.

¹ <https://www.gov.uk/guidance/tree-preservation-orders-and-trees-in-conservation-areas>

“Amenity value” is the term used by the Government’s guidance to describe a tree’s importance. The guidance states fairly unequivocally that the higher a tree’s amenity value, the greater the justification for tree works needs to be. So in this case where both Hawthorns are in poor condition, their amenity value is low. They are also relatively insignificant in the landscape due to the number of other nearby trees. The Sapling Sycamores have low amenity value for much the same reasons.

Summary.

1. I consider it would be prudent to remove both Hawthorn trees and the Sycamore saplings. This will give the new building more space and prevent future problems.
2. The trees have low amenity value and their removal will be barely noticed in the greater landscape.
3. Hawthorn tree no 1 should be removed as soon as possible, as it is almost certainly unstable.
4. Although this TPO is flawed and should almost certainly be reviewed, I don’t think it is necessary to raise the issue for this fairly straightforward situation.
5. This document has been compiled with a view to it being used to make the (TPO) application to remove the trees.

Yours faithfully,

A large black rectangular box redacting the signature of W L Anderson.

W L Anderson. Dip.Arb(RFS). M Arbor A.

Enclosure: Tree location plan, adapted from TPO no. 300. (2008) South Derbyshire District Council. (not-to-scale)