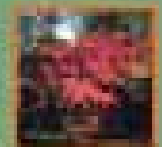


TREES

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The purpose of this publication is to highlight the problems involved in living with trees, to illustrate the considerable benefits they provide, to clarify the laws associated with them, show how best to manage and maintain them and explode some of the myths that have grown up around them.

Introduction

Halfway between the lifeless stone and brick buildings which are the fabric of our towns and cities, and the extreme animation of the people who inhabit them, lies the tree, which has a character in some ways similar to both.

Like a building the tree stands motionless, rooted to the same spot for its lifetime, stately and solid, complimenting our architecture through its shape, form, texture and colour. But at the same time it lives, breathes, feeds and reproduces, and has a span of life, which is lived through a series of annual cycles. During its lifetime the tree will demand food, water, oxygen, space and light, traits which on balance relate it more to a human being than a block of concrete.

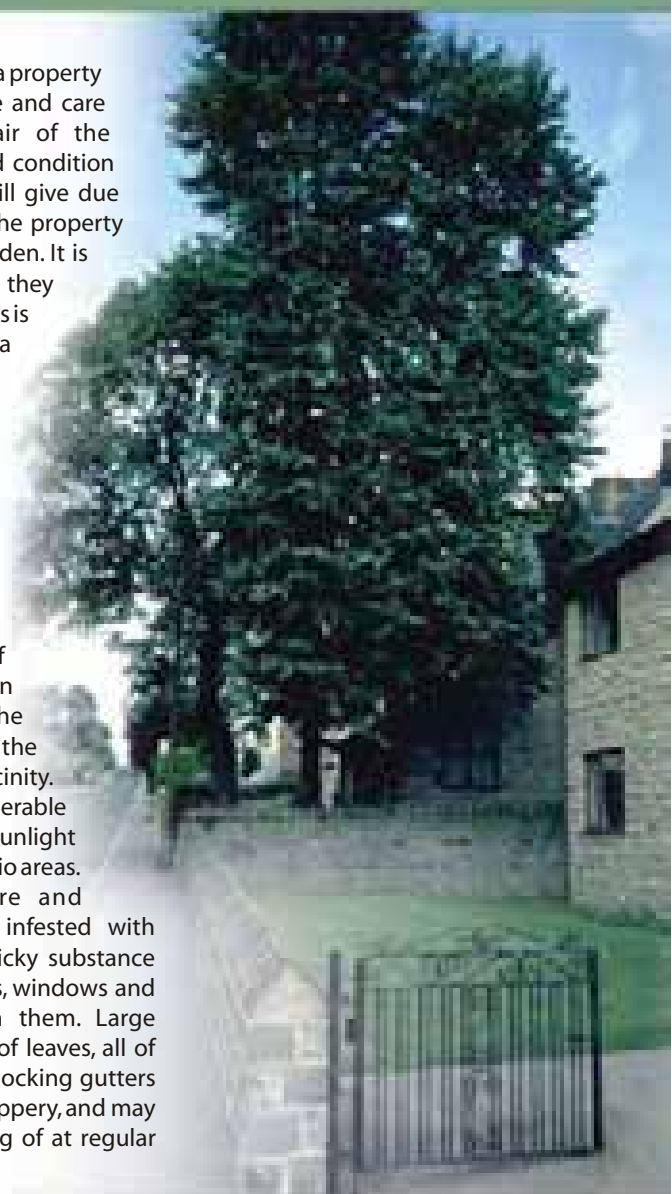
The tree in your garden then, should perhaps be regarded more as a resident, a pet even, than the inert object it can appear to be.



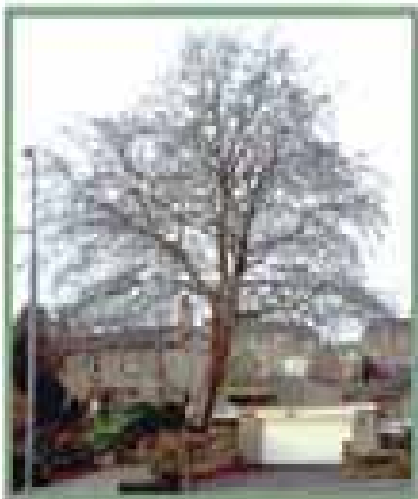
Buying a house with a tree in the garden

Most prospective purchasers of a property will spend a great deal of time and care inspecting the state of repair of the dwelling, the interior décor and condition of the roof. Very few people will give due consideration to the fact that the property has a large tree in the back garden. It is probable that the first time they become aware that the tree exists is when it is mentioned in a surveyor's report, or shown on a local search to be subject to a Tree Preservation Order (TPO). This lack of consideration is unwise, because a large tree in the garden can have a huge impact on the quality of life of the occupants of the property.

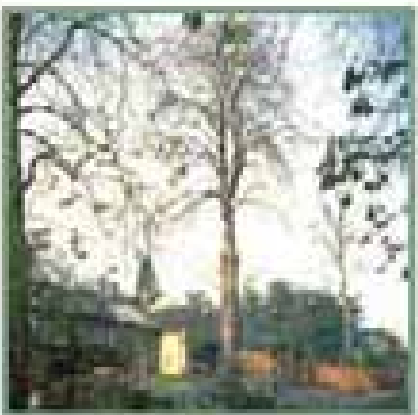
Depending upon the aspect of the building a mature tree can cause significant shading to the garden and severely restrict the growth of other plants in its vicinity. There may also be a considerable reduction in the amount of sunlight reaching conservatories and patio areas. Some species like sycamore and Common lime may become infested with aphids, which will excrete a sticky substance known as honeydew onto roofs, windows and any vehicles parked beneath them. Large deciduous trees produce a lot of leaves, all of which will fall in the autumn, blocking gutters and drains and making paths slippery, and may require collecting and disposing of at regular



Tall trees may block signals to aerials and satellite dishes giving rise to poor reception and 'snowy', distorted television pictures. Because large trees tower over us, sway and creak in the wind, and may lose the odd branch in winter storms, many people find them threatening and feel physically endangered by them.



Some less enlightened insurance companies are reluctant to provide cover for tree related incidents, and some Banks and Building Societies may not be prepared to provide mortgages where mature trees grow close to a property without the commission of an Arboriculturist's report in respect of the health of the tree and the likelihood or otherwise of damage being caused by it. In addition to all this, it is possible that a homeowner wishing to extend his or her property close to a tree could be refused planning permission on the basis that the building operations could cause unacceptable damage to that tree.

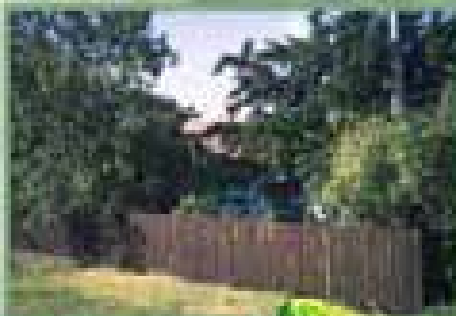


Once having exchanged contracts and completed the purchase it is of course possible to have the tree removed, but this can be the cause of friction if neighbours have enjoyed the tree for some time. It may be too that the tree is subject to a TPO, in which case it is unlikely that any application to fell the tree to alleviate any of the above problems will be considered sympathetically. Most Local Authorities will take the view that the new owner bought the house in the full knowledge that the tree was there and should not have done so if they were not prepared to live with it.

What does my tree do for me ?

In spite of the potential problems it may cause, a tree in the garden also provides a number of benefits for its owner. Almost every tree, regardless of where it grows, provides habitat for a variety of plant and animal life. Large trees provide nesting places for many species of bird and feeding areas for many others. Small mammals and bats too are often found in the

vicinity of mature trees. To have such an attraction in the garden means that the workings of nature can be viewed from the comfort of your own sitting room. While the shade cast by a tree might be an inconvenience for some, for many it is a benefit, allowing enjoyment of the summer garden without being subject to the full glare of an unremitting sun.



Trees can also help maintain privacy by screening neighbouring properties from one another. This might be particularly desirable when living adjacent to public or industrial premises. The presence of trees can help eliminate noise and dirt from roads, their soft foliage absorbing sound waves and filtering dust and lead particles from the air. In addition, trees take up certain 'greenhouse gasses' and convert them into wood as well as, like all green plants, soaking up carbon dioxide for

releasing oxygen. Any keen gardener will know that one or two large trees can help the survival of some less hardy plants by reducing the impact of cold winds. The Victorians were particularly aware of this benefit and used large trees such as lime, sycamore and Horse chestnuts to shelter their expansive collections of exotic species.

Lastly trees provide us with fruits, nuts, sap for wine, nectar to be made into honey and a variety of edible fungi. The best trees for nuts are hazel, Sweet chestnut and walnut, delicious wines and jellies can be made from elder and rowan berries, and the best honey is made from lime flowers.

The Recognition of Hazardous Trees

Pollards

Often indicated by a sudden change in stem diameter. Decay may be present but hidden by regrowth.

Break-out cavity

Decay may develop in wounds caused by branches

Loose bark

Bark coming away from stem may indicate the presence of rotten wood beneath

Basal cavities

These are particularly dangerous if present between more than one pair of buttresses.

Damaged roots

Site disturbance or poor soil conditions may lead to restricted rooting.

Crown dieback, Foliage small, sparse or pail. Tree flushes late or drops its leaves early

These symptoms often

Weak fork

V-shaped crotches are structurally weak and decay may develop in them

Abrupt bends

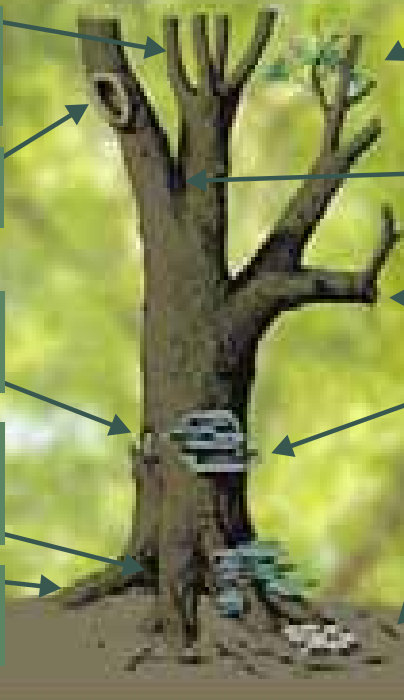
Resulting from pruning in the past. Decay may be present

Fungal fruit bodies

Bracket fungi on the stem are a positive indication of internal decay. Fruit bodies on or near roots may also indicate decay but many harmless or beneficial toadstools also grow near

Soil cracks

Heaving of ground may occur when a tree with an unstable root system moves in the wind




Is my tree ok?

The first step towards answering this question is simple: get to know the healthy tree. Look at it closely at all seasons. See how it behaves at different times, under different conditions.

The owner of a tree is usually responsible for its well being and safety and should take all reasonable and practicable precautions to avoid the tree causing damage to a third party. It is as well then, for the owner of a tree to have some idea how to recognise that his charge is in good health or otherwise. A detailed examination and specific diagnosis in respect of an unwell tree generally requires expert knowledge but most people can learn to recognise some general symptoms.

Starting in spring, for example, note the time that the leaves open and the dates of flowering. Then as summer comes, look at the size of the fully-grown leaf and its colour. Observe the density of the leaves in the crown of the tree, noting perhaps whether or not the sky can be seen through it. Search the branch structure for any sign of dead wood and assess how much, if any, there is. See whether the amount of it increases with time. In autumn, inspect the tree and the ground about it, for fungal growths. Look at the alignment of the stem, is it vertical or does it have a slight lean? If the latter, assess the angle of the lean. Once this is done, it will be easy to recognise any significant changes in the tree's characteristics, which may be indicative of a problem and



How do I look after my tree ?

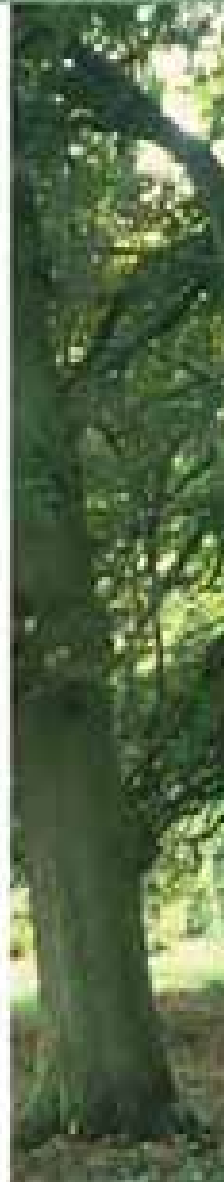
◀ Is my tree ok

Although any of the above symptoms may give cause for concern, none of them is necessarily indicative of a dangerous tree. Dangerous trees are very rare and most trees thought to be dangerous are not. Many trees carry defects, some of which can be serious (like hollow stems or decay pockets where branches have been lost) but a defective tree is rarely a danger. Indeed a defective tree is only really dangerous when it grows in a situation where its failure may cause harm. In a rural or suburban situation an old defective tree may provide a superb habitat for all manner of wild life. 'Veteran trees' as they are known are highly valued in such circumstances. Nor are leaning trees necessarily dangerous. A tree that has grown with a lean all its life is probably more stable than a tree growing vertically. There is cause for concern however, if after a strong wind, a previously vertical tree is suddenly seen to be at an angle.

A tree is the sum of a number of highly specialised compartments, each of which is dependent upon the other. The roots absorb moisture and nutrition, the leaves create sugar through photosynthesis, and the trunk and branches act as a support and transport system between the two. Any interference with this system will damage the tree.

Most of a tree's root system subsists within the top two or three feet of the soil, which is where it functions optimally. Any increase in soil level will take the roots below their preferred rooting depth and kill them. Likewise, any soil excavation within the branch spread of the tree will almost certainly result in damaged and lost roots, and exposure of roots to the air, which will result in their dessication and death.

Fires are perhaps the most common cause of damage to garden trees, with both bark and root being burned. Why the most popular place for burning garden rubbish should be beneath a tree is puzzling. Placing compost heaps beneath trees is also common practice, but excess organic material stored on top of root systems can deplete oxygen



In general terms, trees are the easiest things in the world to look after because the best way of ensuring your tree remains in perfect health is to do nothing.

"My tree is too tall...too big...wants pruning..." are all expressions of man's perception, not the tree's.

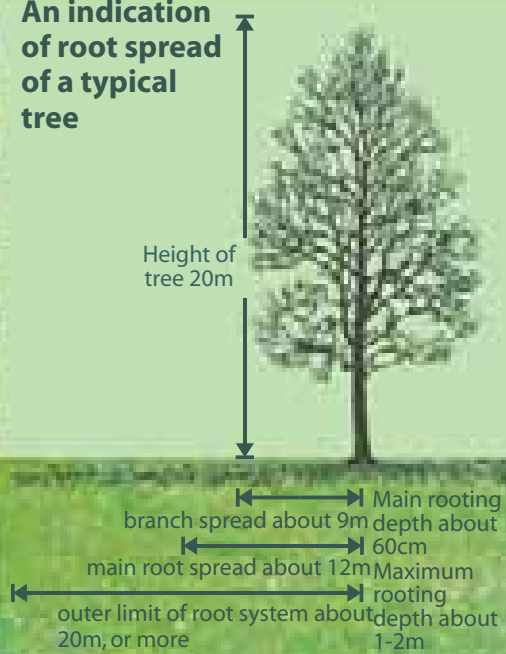


levels and asphyxiate them.

The outer bark of a tree is its armour and any breach in it leaves the tree subject to attack from all sorts of pathogenic organisms, from wood boring insects to decay causing fungi. Any operation resulting in a significant breach of the bark should be avoided.

The leaves of the tree provide its energy and without energy the tree cannot carry out the functions that keep it alive. So, any operation resulting in the loss of significant leaf area should also be

An indication of root spread of a typical tree





With the exception of formative and remedial work, all types of pruning are for the benefit of man, but if, as a last resort, a tree needs to be pruned to accommodate the requirements of its owner, the following are some of the less damaging methods that may be employed.

Formative pruning

The pruning of a young tree to produce a specimen, which in maturity will be free from major physical weaknesses.

Crown lifting

the removal of the tree's lower branches or parts thereof to reduce obstruction, increase daylight or open views beneath the crown.

Crown thinning

the selective removal of branches or parts thereof evenly throughout the tree's crown to reduce its density without affecting the tree's overall size and

Crown reduction

the cutting back of branches to a side bud or branchlet

of similar dimensions of the crown of a tree.

the removal of the crown of a tree all dead, dying or diseased wood.

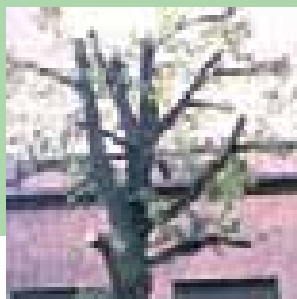
Remedial pruning

(Cleaning out) the removal from the crown of a tree all

unwanted or unsightly growth and any invasive climbing plants like honeysuckle or ivy.

Pollarding

The removal at a pre-determined height of the crown from a young tree, to encourage the development of a knuckle (pollard head) from which young shoots grow and are regularly harvested. 'Topping' is the removal of the crown from a mature tree and is extremely harmful. It is not pollarding and under normal circumstances should not be practised.



Myths about trees

Because of the huge increase in building and development since the Second World War, trees have been brought closer to dwellings than ever before and as a result the easy relationship between people and trees has changed. Trees have become for many a cause for concern. The situation has not been helped by a number of misguided and misleading assertions, which by their continuing perpetuation, have become urban myths. The following are some of the most common.

A tree wants pruning when it gets too tall.

A tree will grow (within its species limits) as large as the space, light, water, food and oxygen available to it permits. Trees cannot grow too tall, and there is no such thing as a tree that wants pruning, except when branches are damaged or diseased.

Leaning trees are dangerous.

Perhaps the main reason a tree leans is because it is, or has been, in close competition with another specimen and has been forced to grow at an angle to obtain sufficient light to thrive. In response the tree maintains stability by laying down denser wood on one side of its trunk.

Hollow trees are dangerous.


Certainly some hollow trees may have so little healthy tissue surrounding the hollow area that they must be regarded as hazardous, but this is by no means the norm. Trees do not become hollow overnight - it can take decades - and while the centre of the tree (the heartwood) may be degenerating, the tree continues laying down healthy wood (sapwood) around the perimeter of its trunk. This results in the formation of a cylinder, the strength of which depends upon the percentage of healthy to unhealthy tissue.

Trees have tap roots.

Some trees like the oak will set a single long 'tap root' at seedling stage, but as it matures the configuration of a tree's root system is almost exclusively lateral and within the top two or three feet of soil.

Tree roots damage houses.

Tree roots lack the strength to directly damage houses. When they meet an obstruction they tend to turn and run alongside it. Tree roots can only cause damage indirectly and then only if the house foundations sit upon a shrinkable clay. Under these circumstances



The clay then shrinks and the foundation moves. In the huge majority of cases however houses suffer no problems with tree roots regardless of the soil type.

Tree roots damage drains.

Tree roots will follow drain runs to exploit any condensation on the outside of the pipes and it is possible that as they grow they may dislodge the pipe joints, enter the drain and block it. However this is unusual. It is more likely for roots to enter an already damaged drain. If a drain is found to be blocked with tree roots the best solution will usually be to repair the drain rather than fell the tree. New drains, well laid and joined with modern sealants should be immune to root damage.

Felling a tree will lead to soil heave.

Heave can only occur where subsidence has occurred before it, and the dessicated clay in re-wetting returns to its original volume. If a tree has not been the cause of clay shrinkage, its removal cannot cause heave. Any water surplus in the earth resulting from the removal of a mature tree will simply drain away.

Trees close to houses are a threat.

There is a common fear that if a tree growing close to a house should fall, the occupants are in mortal danger. This is far from the truth. Even when cut with a chainsaw a mature tree only accelerates when it has tilted beyond 45%. If the tree is close to a dwelling it will simply lean against it. The closer a tree is to a house the less likely it is to do serious damage if by some remote chance it should fall. In the great storm of 1987, 20,000,000 trees blew down overnight in the most densely populated part of England. Not one person died as the result of a tree falling on

Trees and the law

Trees and boundaries.

There is nothing to prevent any person planting or growing a tree anywhere on his/her property. Neither is there any restriction upon the size to which he/she may grow it.

A tree overhanging a neighbour's property though may be a nuisance and the adjoining neighbour is permitted to remove any branch or root which reaches beyond his/her property boundary. This may be done without notice, but all parts of the tree remain the property of its owner and must be returned to him/her. This common right is invalidated if the tree concerned is subject to a TPO or lies within a Conservation Area (CA).

Trees encroaching over a public thoroughfare that cause obstruction or restrict the view of road users may be regarded as a danger and the Local Authority Highway Service may serve notice on the tree's owner to address the problem.

The owner of a tree owes a duty of care to all third parties and is at all times liable for any nuisance or damage his/her tree causes. Should a tree owner be aware of a defect in his/her tree and not address it and damage subsequently results, the owner may be held liable for negligence. This duty of care extends even to persons who may trespass onto private land.

Any person who plants a poisonous tree so close to a boundary that its branches grow over the boundary and are eaten by a neighbour's livestock, will be liable for damages. If however a neighbour's livestock reach over the boundary to eat the leaves, the tree owner will not be liable unless he/she has responsibility to maintain the boundary.





Right to light and a view.

There is no prescriptive right to light. Any case in respect of loss of light must be taken to the Civil Court and proven. If successful an injunction may be served by the Court requiring the offending trees to be reduced in height or restricting their further growth.

There is no right to a view.

Tree protection.

As part of the Town and Country Planning Act 1947 Local Planning Authorities (LPA) were given the power to protect trees and woodlands in the interests of amenity by making Tree Preservation Orders. The obligation on the LPA to protect its tree heritage remains as important now as ever. Within the Act there is no absolute definition of the word 'tree', but it is generally accepted that the term applies to any plant that would normally be recognised as a tree.

A TPO is a legal document and is served upon both the owner of the land on which the tree or trees grow and any third party who may be affected by the tree or trees. After the TPO is served there is a six month period during which any party upon whom the TPO is served may register an objection. After six months (or 28 days if no objection is received) the TPO will be confirmed by the Council, after which there can be no further objection.



The principal effect of a TPO is to prohibit the cutting down, uprooting, topping lopping wilful damage or wilful destruction of a tree without the prior written consent of the LPA. In order to carry out works to a protected tree a written application must be made to the LPA and a written Consent Notice issued - this will usually be subject to certain conditions relating to the quality of work expected and replanting requirements in the case of felling. If the LPA refuses to consent to the works applied for the applicant may appeal against the decision to the relevant Central Government Department.

There are trees, cultivated fruit trees for example, which are exempt from protection, and others such as those dead or dying that may be felled without written consent, but some exemptions are ambiguous and it is always best to check with the LPA Tree Section if there is any doubt.



All trees growing within a conservation area (CA) and having a stem diameter of more than 7.5cms at 1.3 metres above ground level are also deemed to be protected. To carry out works to such trees the Council requires 6 weeks written notice of intent. The Council cannot refuse consent to carry out works to a tree in a CA without making a TPO. The 6 weeks gives the Council the time it needs to decide whether or not to make a TPO. If no decision is made within 6 weeks the applicant may proceed with the works.

To carry out works to a protected tree without giving the required notice or without first obtaining written consent is an offence, which carries a penalty of up to £20,000.

Employing a tree contractor

Tree surgery is a skilled job for which a competent practitioner should be employed. Skilled contractors do not normally need to canvass or circulate leaflets. Be very careful if engaging anyone so doing, it is unlikely they will have the skills required to do a good job. Advertisements in Yellow Pages or Thomson Directory do not necessarily guarantee that a contractor is qualified, competent or properly equipped.

Before hiring a contractor always check that he is well insured. Ask to see a copy of his current insurance certificate, it should carry public liability cover for at least £1 million. Check also that he is equipped with the correct personal protective equipment: helmet, visor, ear defenders, chainsaw gloves, boots and trousers. Ask to see qualifications and/or certificates of competence and even request references from past customers. Alternatively approach the Local Planning Authority for guidance, some produce freely available lists of competent contractors operating in their areas.

All works to any tree should be carried out in accordance with the British Standard for Tree Works: BS 3998 : 1989, obtainable from the British Standards Institution, 2 Park Street, London, W1A 2BS.

Any contractor you employ should be capable of working to this standard.