



WEST HOATHLY PARISH COUNCIL

representing Highbrook, Selsfield, Sharpthorne, Tyes Cross and West Hoathly

Tree Management policy

Reviewed - 10/10/2022

1. Introduction

- 1.1. This policy sets out the Parish Council's approach to the management of trees on land owned by West Hoathly Parish Council only. Other Councils, organisations, companies and private individuals may need to be contacted if a tree(s) is located on their land.
- 1.2. This document has been created to provide guidance for the public, Councillors and Council employees to ensure a clear and consistent approach is adhered to regarding management of trees by West Hoathly Parish Council.
- 1.3. If a tree falls and causes injury or damage, the relevant landowner could be held negligent if they have failed to take sufficient care of the tree. Therefore, as a landowner, the Council has a duty of care to ensure that all trees on Parish Council owned land are kept in an acceptable condition and do not put people or property at unreasonable risk.

2. Inspection

- 2.1. All trees on Council-owned land will be inspected regularly by a qualified tree inspector and any recommendations made will be considered by the Council in line with this policy.

3. Maintenance

- 3.1. The Council has adopted a proactive approach to tree maintenance. However, only essential/minimal works will be undertaken to manage a tree because the Council supports a policy of tree preservation. The type of works undertaken will depend on the tree's location, the species of tree and its state of health at the time.
- 3.2. Regular inspections will be carried out to identify issues so that preventative action can be taken where possible. Areas close to roads and buildings will be prioritised

- 3.3. As a guide, tree works will be undertaken in the following circumstances
 - 3.3.1. Where an inspection has identified the tree as potentially hazardous or an immediate danger
 - 3.3.2. If the works are vital to the tree's long-term survival. Dead, dying or diseased trees will only be fully removed when there is no other option.
 - 3.3.3. To remove an actionable nuisance where branches are touching buildings e.g. physical contact with walls, windows, gutters, roofs.
 - 3.3.4. Where trees within adverse influencing distance of buildings on shrinkable geology, have or pose a demonstrable risk of causing structural property damage due to desiccation and shrinkage of the subsoils. In these cases specific advice will be taken on most appropriate intervention to mitigate risk. Tree removal is not always appropriate and can worsen the problem or increase risk
 - 3.3.5. When previous maintenance regimes have determined future works of the same specification are required e.g. pollarding, crown reduction.
- 3.4. The impact on local wildlife of all tree works, specifically felling and pruning, will always be thoroughly considered, with the impact minimised where possible.
- 3.5. Where appropriate, dead and fallen wood will be left on site unless there are sound conservation and/or safety reasons for its removal.
- 3.6. All tree work will be carried out by a qualified tree surgeon appointed by the Parish Council and in accordance with BS/3998/2010 Recommendations for Tree Work 2010 (and any subsequent revisions). All works must have Parish Council approval and must be carried out by the Parish Council's appointed Tree Surgeon based on their professional advice.

4. Protected Trees

- 4.1. A Tree Preservation Order (TPO) prevents cutting down, uprooting, topping, lopping, wilful damage or destruction of trees (including cutting roots) without permission.
- 4.2. It is an offence to cut down, lop, top, uproot or wilfully damage or destroy a tree in a Conservation Area without giving prior written notice to Mid Sussex District Council.

- 4.3. Planning approval will be obtained from the Tree Officer at MSDC for trees on which there is a TPO or which are located within the Conservation Area.

5. Requests for Tree Work

- 5.1. Whilst the Council will consider the impact of trees in each case on individual merit, the Council will not fell or prune trees on Parish Council owned land if it is for any of the following non-arboricultural reasons:
 - 5.1.1. Solely to alleviate problems caused by natural and/or seasonal phenomena e.g. falling leaves, fruit, seeds/berries, bird droppings, pollen etc.
 - 5.1.2. Solely for reasons of increasing sunlight/views to properties and gardens.
 - 5.1.3. Solely for the reason that the tree(s) is causing interference with television or satellite reception. In most cases the problem can be resolved by relocating the aerial or satellite dish. Residents are advised to contact their satellite or TV provider for specialist advice. Removal or pruning to enable clear television reception would only be considered in exceptional circumstances.
- 5.2. Adjacent landowners have a common law right to prune back tree branches to their boundary, providing that would not lead to tree death and providing the tree in question is not protected by a TPO or situated within a Conservation Area.
- 5.3. Tree roots in gardens are a natural occurrence and root presence is unlikely to be affected by tree pruning or removal. Tree felling and branch pruning in response to root invasion in gardens would not normally be appropriate as such works are likely to worsen the problem. The encroachment of roots into adjoining land is not considered to amount to actionable nuisance. Adjacent landowners have a common law right to prune back tree roots to their boundary, providing that this would not lead to tree death and providing that the tree in question is not protected by a TPO or situated within a Conservation Area.
- 5.4. Landowners are reminded that if access to Council owned land is required to carry out pruning you will require written permission from the Parish Council before carrying out such works.
- 5.5. The Parish Council will consider formal applications for tree works on its land, but these must be in writing, either by letter or email to:

West Hoathly Parish Council, Parish Office, Village Hall, North Lane,
West Hoathly RH19 4PA

Email: clerk@westhoathly.gov.uk

For an informal conversation and advice regarding tree works, please
call the Parish Clerk on 01342 811301.

6. Parish Council Owned Land:

6.1. North Lane Recreation Ground

6.2. Finche Field

6.3. Sharpthorne Old Playground

7. Previous tree reports

7.1.1. Arboreal Report update 2017

7.1.2. Arboreal Report 2015

Appendix A: Tree Maintenance Position Statement

In 2016/2017 West Hoathly Parish Council sought expert, arboricultural advice from Quaife Woodlands on the tree assets the Parish Council owned on behalf of the parish. Alongside the report Quaife Woodlands also provided the Parish Council with ten of the more frequent questions relating to trees and their expert response. These have been used to inform this policy.

1. Healthy leaning trees are more likely to fall than upright trees.

No. This is because if subjected to gradual changes in growing conditions trees grow adaptively to accommodate asymmetric forces and stress. A leaning tree will develop greater compressive root strength on the side of the lean and greater tensile strength on the opposite side.

2. Trees on slopes or embankments are unstable.

No. This too is compensated for with adaptive growth.

3. Trees have tap roots.

A tap root is a juvenile anchorage device, but as the tree becomes larger the tap root's function diminishes and will eventually become dysfunctional and can rot away. Generally tree root systems are proportionately shallow (depending upon soil conditions) and best visualised as a wine glass base. With no impediments in the soil roots extend much further than the crown extent and their growth has completely different stimuli to the aerial parts of the tree – for one thing they don't have to support their own weight against gravity as do branches and can have a constant diameter for many metres. Roots are often the most easily damaged part of a tree by soil compaction and soil level excavation and infill.

The structure of a root system can be divided into three distinct functions.

i) The roots under the stem are of large diameter to support the weight of the tree in the ground so that it does not sink under its own weight. In addition, these large roots also resist the bending moment of flexing in the wind or any other asymmetrical distribution of weight. This resistance to bending can only be effective for a relatively small radius from the tree and even the large diameter roots of the largest trees, depending upon soil type, will typically taper rapidly over only 3 - 5 metres from the base.

ii) From the point where the root diameter taper stops the roots have considerable tensile strength and act as guy ropes. They do not necessarily change in diameter as unlike branches they do not have to support their own weight against gravity.

iii) These roots then divide progressively to develop into fibrous roots, which are the assimilative mass of the root system, that part which takes up water and minerals. This sub-division into non-woody roots provides the tenure or grip in the soil that provides anchorage. This is evident in practical terms as it is very difficult to pull a root out of the ground in line with its growth, although it is easier to remove if "peeled" back at an acute angle against the line of its growth.

4. Trees cause subsidence damage to buildings.

They do, but only by indirect influence if the soil is shrinkable. A shrinkable soil is one that changes volume with variations of water content. Where such a soil is dried sufficiently by the uptake of soil moisture by roots the ground may contract in volume and subside. Any structure on this ground that is not structurally robust enough to accommodate the movement caused may be damaged.

5. Trees cause damage to walls and paths.

They do by direct damage. Direct damage is where there is physical contact between the tree and the building arising from normal growth of roots and the aerial parts, or by collapse, whether whole or partial. Roots will often cause the eruption of paving or surfacing, but it may be that individual roots can be severed and the surfacing restored – it will depend upon the severity of the problem.

6. Roots block drains.

Roots are infrequently the primary causal factor of damage to drains, and more often cracks can be formed by other factors. However, the immediate surroundings of a drain (usually laid on gravel and with the trench infill at a lower bulk density than the surrounding undisturbed soil) provide an hospitable rooting environment, and the very small size of a root tip means that root ingress into drains only requires a small fissure, and is more common than many realise. However, roots do not generally grow below the average flow level and so if this is reasonably high then the roots may not cause a blockage. To establish whether there is a risk of roots blocking a drain, the drain should be inspected with a cable camera.

7. Leaf litter blocks guttering.

There is an inevitable maintenance obligation associated with living in proximity trees and this is widely accepted. The effect of leaf litter can be reduced with mesh filtration but the degree of inconvenience is relative. Where leaf litter emanates from a neighbouring tree, again it is a matter of degree and such difficulties can usually be resolved by discussion.

8. Shade.

This can be a problem and whereas when contemplating occupying a property one should be aware of trees, often their effect is difficult to judge (particularly in winter) and of course they grow. Where the shade is caused by neighbouring trees the resolution is best agreed by discussion, but one must bear in mind that in every instance (other than where a tree presents an imminent danger) the benefits of trees must be part of the balanced consideration.

9. Interruption of broadcast signals.

By and large if a tree grows to interfere with radio signals the usual solution is to re-position the antenna, either by founding a new mounting point or by extending the existing one.

10. Interruption of sunlight to solar panels.

This is really a matter of design and care must be taken to assess not only the current size and orientation of trees, but also their future growth. If for instance a roof is obscured by protected trees (Tree Preservation Order) then it may be in extreme cases that the landscape amenity value of the trees outweighs any benefit of the panels and the roof is thus simply not available. If trees cause partial shade it may be that there is a limitation on panel area.