

DELEGATED APPLICATIONS

ASSESSMENT SHEET

APPLICATION NO: **DC/26/0674: Fairoaks, Winterpit Lane, Mannings Heath,.**

REPRESENTATION AND CONSULTATION RESPONSES:

No representations have been received in respect of this application.

ASSESSMENT:

1. The trees subject to this application are located within the rear garden of Fair Oaks, Winterpit Lane, Mannings Heath. The trees are protected by Tree Preservation Order (TPO) No. 0639, which was confirmed on 3 January 1989. The subject trees are identified as T42, T43, T44 and T45 within the Order.
2. This application seeks consent to undertake remedial tree surgery works to trees T42, T43, T45 and to remove T44 in its entirety due to concerns regarding its physiological and structural condition.
3. The applicant has monitored the condition of T44 for a number of years and has routinely undertaken remedial works with the aim of maintaining the tree in a safe and reasonable condition, given its location within the rear garden of the property. Notwithstanding these management measures, the tree has exhibited a progressive decline over several years.
4. Upon inspection, T44 was found to be exhibiting significant physiological stress and advanced decline. The crown was heavily defoliated, with extensive deadwood, stag-headed branch architecture, and widespread crown dieback throughout. Overall, it was estimated that only approximately 35% of the crown retained live foliar cover. The remaining canopy comprised dead or moribund branches, resulting in a substantially reduced crown form and vitality.
5. In addition, several stem lesions, bark fissures and bleeding cankers were observed on the lower stem, together with evidence of associated insect activity, including characteristic beetle galleries. These symptoms are consistent with those commonly associated with Acute Oak Decline (AOD), a complex and progressive disorder affecting oak trees. AOD is typically characterised by stem bleeds and necrotic lesions beneath the bark, often accompanied by bacterial infection and colonisation by the two-spotted oak buprestid beetle (*Agilus biguttatus*). Affected trees frequently exhibit progressive crown thinning, premature leaf loss, branch dieback and reduced vigour, and in severe cases the condition can lead to significant structural deterioration and eventual mortality.
6. Given the extent of decline present, the scale of remedial works required to retain the tree would be significant. Such works would necessitate the removal of the majority of the remaining canopy and foliage-bearing branches in order to manage the risks associated with deadwood and structural failure. Consequently, the tree would retain little meaningful visual amenity and would no longer make a positive contribution to the character and appearance of the area.
7. Whilst the loss of a mature tree is always regrettable, in this instance it is considered that sufficient arboricultural justification exists for the removal of T44. Having regard to its advanced physiological decline, poor long-term prognosis, and the limited amenity value that would remain following the extent of works required for retention, it is considered that sound arboricultural grounds exist to support the proposed removal.
8. T45 is a mature specimen that makes a positive contribution to the visual amenity of its immediate setting and the wider locality. At the time of inspection, the crown was estimated to be approximately 80% foliated, although several areas of dieback and deadwood were evident within both the upper and lower crown.
9. The applicant seeks consent to undertake remedial pruning works to reduce selected lower branches back to suitable points of live growth. The stated objective of the proposed works is to encourage the development of secondary growth and improve the tree's overall form and vitality moving forwards. In view of the defects identified, the proposed works appear reasonable and proportionate arboricultural management.
10. During the site inspection, fruiting bodies of the decay fungus *Gymnopus fusipes* (Spindle shank), were observed around several buttress root areas on the eastern side of the tree. This species is commonly associated with the decay of roots and the lower stem of broadleaved trees and may indicate the presence of underlying dysfunction or decay within the root crown region.
11. Notably, the eastern side of the crown appeared to exhibit the most pronounced decline and dieback. Whilst it is not possible to conclusively attribute the observed crown symptoms to the presence of *Gymnopus*

fusipes without further investigation, there appears to be a plausible relationship between the fungal colonisation at the base of the tree and the localised decline within the crown.

12. Given these observations, it is recommended that T45 be monitored on an ongoing basis to assess its condition and identify any progression in decline or structural deterioration. Should the tree's condition worsen, it is recommended that the owner commissions a suitably qualified arboricultural consultant to undertake a detailed tree risk assessment and, where appropriate, further diagnostic investigations to establish the extent of any basal decay and inform future management recommendations.

13. Subject to the above considerations, the proposed pruning works are considered reasonable arboricultural management and are unlikely to adversely affect the tree's contribution to local amenity.

14. The proposed deadwood removal works to the remaining trees included within the application are considered prudent and appropriate given their location within a residential setting, where there is regular occupation and use of the surrounding area.

15. In this regard, it should be noted that the removal of dead branches is generally exempt from the requirement to obtain formal consent under the Tree Preservation Order Regulations, provided that the works are limited to the removal of deadwood only and do not extend to the removal of living tissue.

16. Consequently, the applicant is able to proceed with the removal of any genuine deadwood from the trees concerned without the need for formal consent. Whilst works to deadwood are exempt, their inclusion within the application is noted, and the proposed operations are considered to represent good arboricultural practice that will assist in managing foreseeable risk whilst maintaining the trees' ongoing amenity value.

17. It is considered that the proposed works are reasonable and justified although it is accepted that the loss of T44 will result in harm to the character and amenities of the locality, despite its poor condition. Although it is hoped that the requirement requiring a replacement tree to be planted to compensate for the loss of T44, which should help mitigate its loss, in some form, and this will be secured by way of condition.

RECOMMENDATION:

Grant consent subject to the conditions below.

CONDITIONS TO BE APPLIED:

1. TR2 *Time limit, 2 years*

2. TR3 *Treeworks limit (standard)*

2. TR3a *Treeworks limit (bespoke)*

The tree work to which this consent relates shall be limited to:

- Fell tree T44
- T45 reduce low lateral branches on the eastern side of the tree over the garden area, back to live growth points by around 1.5 to 2.5m where needed and remove any substantial dead wood.
- T42 and T43, remove all dead wood back to sound wood.

Reason; for the avoidance of doubt.

3. TR4 *Surgery standards*

4. TR7 *Replacement (Single tree)*

TINF1 *Note to applicant.*

TINF2 *Wildlife protection.*

DELEGATED

Authorising Officer sign.....ANBU.....**Arboricultural Officer (Strategic Planning).**

Date.....14 Aug 26...