

**PLANNING COMMITTEE
(19th April 2012)**

**CONFIRMATION OF TREE PRESERVATION ORDER (TPO)
LAND AT MOORDALE AVENUE, BRACKNELL.
TREE PRESERVATION ORDER 1088**

(Director of Environment, Culture & Communities)

1 PURPOSE OF REPORT

- 1.1 Under section 198 [201] and 203 of the Town and Country Planning Act 1990, the Council has made a Tree Preservation Order (TPO) to retain and protect a pine tree that is assessed to be of public amenity value and was judged to be at expedient risk of removal.
- 1.2 Objections have been raised to the Tree Preservation Order. In accordance with the relevant regulations and procedure, the matter has been referred to the planning committee for a decision on whether to confirm the order.

2 RECOMMENDATION(S)

- 2.1 That the Committee approves the Confirmation of Tree Preservation Order 1088.

3 REASONS FOR RECOMMENDATION(S)

- 3.1 Due to the risk of loss, the pine tree was viewed and assessed for its amenity impact using a system to evaluate the suitability of trees for a TPO. This system is based on factors that assess: -
- Health & condition
 - Remaining longevity
 - Relative public visibility
 - Specialist considerations such as 'veteran' status, historical interest etc.
 - The known (or perceived) 'threat' to health & condition or existence
 - The impact of the tree(s) on the landscape
 - Special factors such as proximity and orientation to the nearest habitable structure.
- 3.3 These factors follow criteria based on government guidance and 'best-practice' and incorporate quality of life recommendations made by the Tree Policy Review Group (2007). In addition to the national guidance, this considers the position of the tree and how close it is to houses. The assessment gives a value that informs the Tree Service in considering whether or not recommend that the Council make a TPO.

4 ALTERNATIVE OPTIONS CONSIDERED

- 4.1 To not serve and/or subsequently confirm the TPO.
- 4.2 With regards to the option of not making the Tree Preservation Order, appropriate assessment has been undertaken and it was considered expedient to make the Order. This includes taking into account comments made by Mr & Mrs Heynes.

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- 4.3 There are pruning options available that would alleviate concerns raised regarding the TPO; however the indication is that the objector would like the tree removed.

5 SUPPORTING INFORMATION

5.1 BACKGROUND

- 5.1.1 An application was made to remove a pine tree as this tree is subject to a Restrictive Covenant. Due to the risk of loss, the pine tree was viewed and assessed for its amenity impact using a system to evaluate the suitability of trees for a TPO.

- 5.1.2 Once a new TPO is served, the tree owner and adjacent residents have 28 days in which to make representation to the Council. Representations may be letters of support whilst others request clarification, but more commonly they are objections to the making of the Order. Objections can be made on any grounds; if objections are duly made, the Local Planning Authority cannot confirm the TPO unless those objections have first been considered.

5.2 DETAILS OF RESIDENTS' OBJECTIONS

- 5.2.1 There has been 1 objection made by Mr & Mr Heynes.

- 5.2.2 The protected tree denoted as "T1" within the order is a Monterey Pine (*Pinus radiata*). This tree is located within the rear garden of a residential property in Moordale Avenue, toward the middle of the garden, close to the western boundary.

- 5.2.3 The issues raised as part of the objection to this particular tree relate to: -

1. Concerns about personal safety and the risk from falling branches.
2. Safety concerns for the tree.
3. The maintenance and safety implications of falling tree debris.
4. Concerns about the size of the tree; extending within garden.
5. Concerns that the trees roots are absorbing nutrients out of the soil to the detriment of the vegetable patch.
6. Not agreeing about the visual amenity value of the tree.

- 5.3.4 The ward member Cllr Patricia Brown has expressed sympathy and support for the concerns raised by the Mr and Mrs Heynes. A petition has also been received supporting this objection (signed by 63 people).

5.3 TREE SERVICE PROCEDURE

- 5.3.1 Currently the Tree Service responds to the objector seeking to address the issues raised. Subsequent to that response, if any objection still stands, then the matter is brought before Committee.

- 5.3.2 The Council's response to the objection included: -

1. The pine tree was noted to be an outwardly healthy individual specimen and was not displaying visual signs of instability. No evidence has been provided to the council that substantiates any current safety concerns for the subject tree.
2. Falling debris from a tree (be it pollen, seed, fruit, leaves & small branches etc) is the natural consequence of tree growth. Whilst sympathising with the difficulty

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encountered in maintaining a persons property; this sort of debris is not recognised in English Law as a 'legal nuisance, and the judiciary regard falling leaves; fruit etc. as 'incidental to nature'.

3. The pines location is not impacting physically on neighbouring properties. There is sufficient space for future growth, whilst still maintaining reasonable clearance to surrounding structures, with the option of reasonable maintenance in the future.
4. The amenity assessment that the tree has undergone has been developed and based on Central Government Guidelines, industry 'best practice' and Council policy.
5. The tree is visible from various public vantage points and there are few amenity trees of the same quality and impact in the immediate landscape.

5.3.3 The Tree Service response concludes by giving advice and guidance in respect of the resident's right to make an application to fell/prune the tree; the right of appeal if the Council were to refuse such an application; where to source Government advice on TPO procedures and where to access Council 'Tree-work Application Forms' for their use.

5.3.4 If the Tree Preservation Order is confirmed, the process of applying for pruning works is still available. Having visited the site there are options available. However, the details of these works have not been specifically discussed with the objector, as their aspiration is for the removal of the tree.

5.4 CONCLUSION

5.4.1 The Council has followed due legislative process, procedure and policy. It has explained to the objector its position in respect of the reasons for the TPO. The Tree Services' individual responses to the initial objection have addressed in detail, the specific issues raised by the correspondent. Their subsequent response (which is the reason why this matter is before Committee) continues to maintain an objection to the TPO on the basis of:

- The hazard presented by the tree
- Questionable visual amenity value of the tree
- Assertions that the resident's quality of life is adversely affected by virtue of the presence, size and characteristics of the tree.

5.4.2 Summary

- If the order is confirmed there are options of pruning available to the objector should they wish to discuss further.
- There has been no evidence provided that the tree presents a foreseeable safety concern.
- If the tree is deemed to be dead, dying or dangerous there are options available to the tree owner to make the tree safe, which includes its removal.
- Undertaking good tree management such as cyclical tree inspections will reduce the risk of foreseeable failures.

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- An assessment has been undertaken to the pine tree which includes consideration of quality of life. This assessment goes beyond the requirement of the Tree Preservation Order legislation.

6 **ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS**

Borough Solicitor

- 6.1 Guidance on Tree Preservation Orders and their making and confirmation has been provided by a CLG booklet "Tree Preservation Orders: A Guide to the Law and Practice". That guidance indicates that in the Secretary of State's view TPO's should be used to protect selected trees and woodlands if their removal would have a significant impact on the local environment and its enjoyment by the public. Local Planning Authorities should be able to show that a reasonable degree of public benefit would accrue before TPO's are made or confirmed. The guidance advises that three factors in particular are of relevance, namely:-
- Visibility - the extent to which the tree can be seen by the public
 - Individual impact -The Local Planning Authority should assess a tree's particular importance by reference to its size and form, its future potential as an amenity taking into account any special factors
 - Wider impact -the significance of the tree in its local surrounding should be assessed

Borough Treasurer

- 6.2 There are no significant financial implications arising from the recommendation in this report.

Equalities Impact Assessment

- 6.3 Not Applicable

Strategic Risk Management Issues

- 6.4 Not Applicable

Other Officers

- 6.5 Head of Planning Development Management has noted the report.

7 **CONSULTATION**

Principal Groups Consulted

- 7.1 The tree owner and adjacent residents are consulted when serving a TPO

Method of Consultation

- 7.2 In writing

Representations Received

- 7.3 One objection and a related petition

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Background Papers

- Council's assessment
 - 1) **20th September 2011** (Restrictive Covenant submission and supporting letter).
 - 2) **9th November 2011** (Assessment form)
 - 3) **18th November 2011** (Letter advising the suitability of the TPO)
 - 4) **28th November 2011** (The residence initial response to the serving of the TPO).
- The initial letter/s of objection:
 - 5) **12th December 2011** (Tree report attached to Objection letter)
 - 6) **16th December 2011** (Objection letter)
 - 7) **10th February 2012** (Councils response to Objection).
- Subsequent additional information
 - 8) **30th March 2012** (Objectors final Response)
 - 9) Council's Tree Policy

End of Report

Contact for further information: -

Lee Garner
Assistant Tree Officer 01344 351984
lee.garner@bracknell-forest.gov.uk

**APPLICATION FORM FOR WORK TO TREE(S) UNDER
A RESTRICTIVE COVENANT**



PLEASE RETURN THIS COMPLETED PART TO:

**Bracknell Forest Council, Tree Service, Time Square,
Market Street, Bracknell RG12 1JD**

Environment, Culture and
Communities

Name of Applicant:

Address of Applicant:

Moordale Avenue, Bracknell, Berkshire

Post Code: **RG42** email address:

Tel No's: - **Daytime:** **Mobile:**

Name and address of tree owner if different from above: -

Moordale Avenue, Bracknell Berkshire

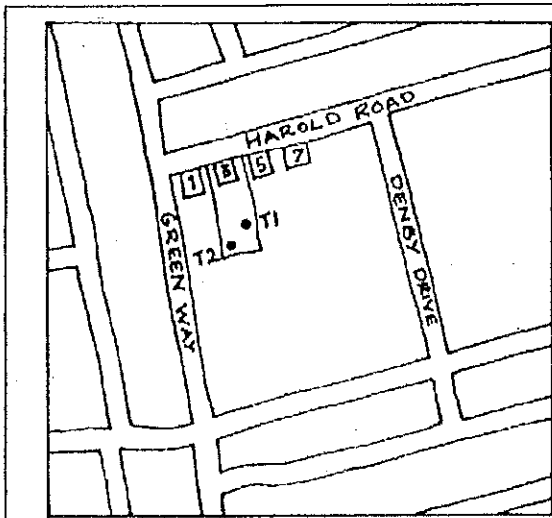
Is the owner aware of this application – **Yes, and making an application for the same purpose themselves**

Tree Number	Type of tree (species)	Reasons for work	Proposed work
Marked on your plan	Common name	See 'Examples' section	Be as specific as possible - See 'Examples' section
T1	Corsican Pine	Health & Safety Threat of injury or death - recent fall of large branch; danger of other large branches falling. Overshadowing and threat to enjoyment of garden. Definite lean and exposed to prevailing winds – potential damage to property. Forestry tree now completely out of scale with gardens Also see attached letter	Felling of tree at ground level

I apply for consent to carry out the tree works specified above:

(Applicant) Signature: - ... Date: **20.09.11**

A TYPICAL PLAN TO ACCOMPANY AN APPLICATION

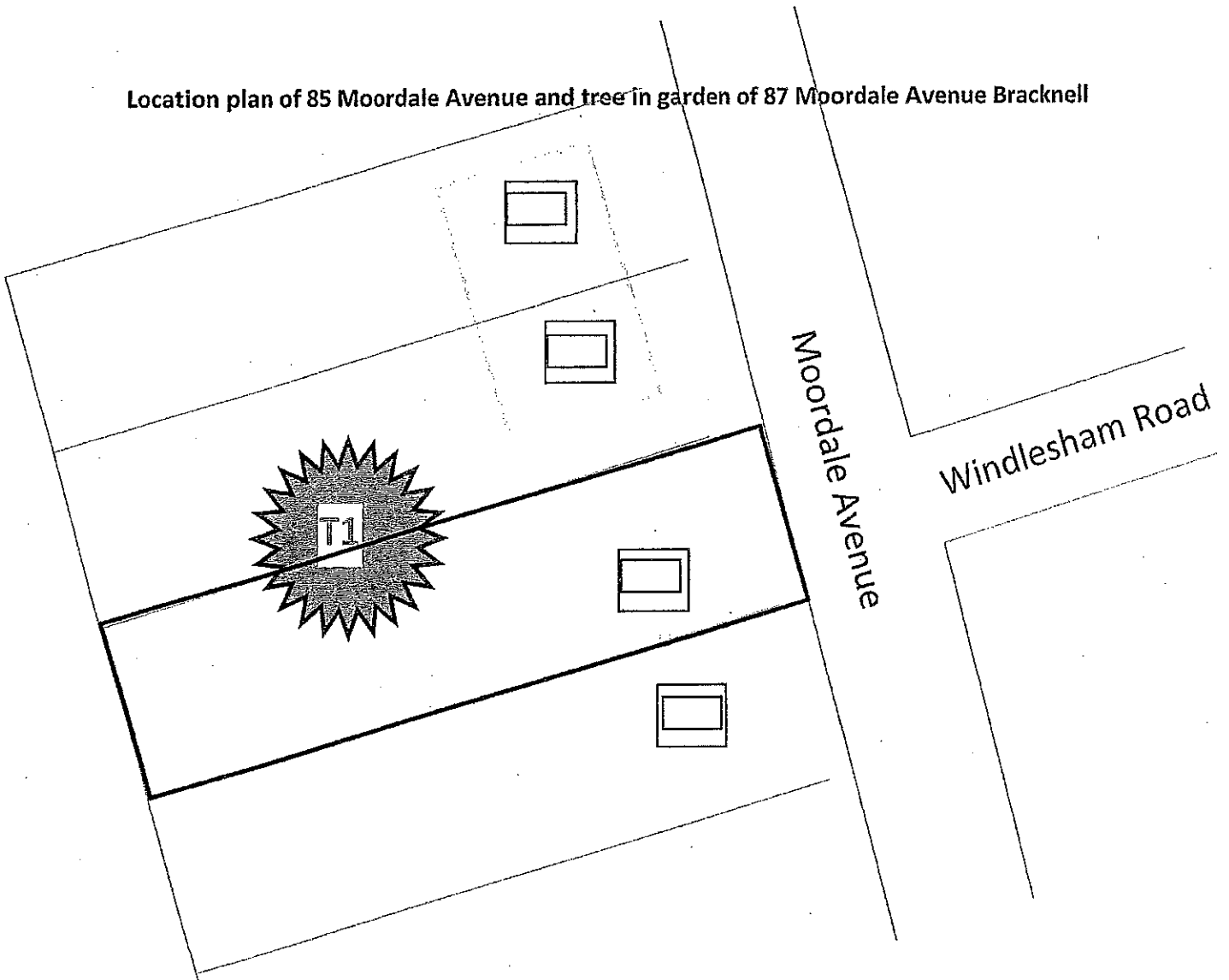


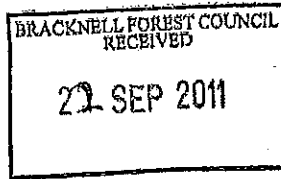
When drawing your plan please:

1. Try to locate your house in relation to nearby properties.
2. Ensure that all relevant roads are named.
3. Ensure that the trees are clearly marked on the plan (T1, T2 etc) (Including those that you do not want to work on)
4. Identify your site boundary with a thick line.

Please use the space below for your plan:

Location plan of 85 Moordale Avenue and tree in garden of 87 Moordale Avenue Bracknell





Moordale Avenue
Bracknell
Berkshire
RG42

20th September 2011

Dear Sir/Madam,

Application for work to remove a tree subject to restrictive covenant

I am writing to expand on our application to have a forest tree removed from our neighbour's garden (Moordale Avenue). The tree in question is a vigorously growing (Corsican?) Pine, planted by our neighbour in the 1980s and which has clearly become far too big for the residential gardens it is affecting. They grow anything between 18 & 45m in height!. This application is being made jointly with the full knowledge and agreement of our neighbours and is made following the hugely dangerous loss of a large limb from the tree recently.

At approximately 11.00 a.m. on Sunday 11th September, in good sunshine and with no appreciable wind, an extremely heavy, thick, four metre long branch detached itself from the tree and fell into our garden, landing in the flower bed exactly where I had been digging the previous afternoon and narrowly missing the bench where I frequently sit to tend to my fish pond. On the way down it dislodged another much smaller branch – this one I can just about lift at 10kg in weight and studded with heavy pointed cones – which fell close by. Either branch could have resulted in serious injury to my wife or me or to our grandchildren, who frequently play in our garden. The health and safety implications of taking no action are significant.

I have had the tree examined by a local tree surgeon and it is his considered opinion that the tree has outgrown its location. As it appears to be a healthy specimen it will continue to grow at an alarming rate and I'm told there can be no guarantee that further branches won't fall at any time. My wife is fearful of walking anywhere near the spread of the canopy, which extends a considerable distance over our garden and we've banned our grandchildren from playing in the garden, to their great disappointment. In addition, it has a slight lean and is exposed towards the prevailing wind, which means that it could succumb to wind damage or even be toppled, causing considerable damage to property. Both our houses are at risk as it is considerably closer than its height, as seen from the photographs and on site.

We did discuss other work that might be done to lessen the danger, but a site visit and knowledge of this type of tree will show that any form of pruning will merely result in a disfigured specimen, with no real benefit to health and safety unless the pruning is drastic, in which case it is clearly better to remove it completely.

Incidentally, we are wondering whether the covenant strictly applies in this case, as the intention of that was, of course, to preserve existing trees at the time of sale. Our neighbours planted the tree some years after purchasing the property and we have all lived at these addresses for far longer. It would be nice to enjoy our further retirement and our gardens without considerable fear and loss of amenity and we hope that you will kindly agree to the felling of the tree at ground level as soon as possible.

You are very welcome to contact us to arrange a site visit at any convenient time to view the tree and you should see the fallen limb, which is still in the flower bed where it landed as I am unable to lift it at all. Although pretty fit, I am in my eighties and it will take several people to remove it carefully out from the plants.

Yours faithfully,

[Redacted signature box]

Eric Heynes

Photographs:

Part of fallen branch



Tree from upstairs window



Next page is view of tree dwarfing houses from street opposite.



Windlesham Road

© 2011 Google

© 2011 TeleAtlas

© 2011 Google

51°25'24.70"N 0°45'54.17"W elev. 62m

Eyealt 58m

ASSESSMENT OF SUITABILITY FOR TREE PRESERVATION ORDER					
Date: -	9th November 2011		Surveyor Name: -	Lee Garner	
TPO Address	Moordale Avenue, Bracknell				
Description of site					
Tree No.	Species	DBH (Est.)	Height (m)	Crown-spread (m.)	Comments
T1	Pine	C.450	C17-19	C.6	Outwardley healthy - no visual signs of defect
T2	Oak	C.400	C15	C.7	Outwardley healthy - no visual signs of defect
Types of TPO				Number of Trees in TPO	

Stage 1 - Suitability Assessment							
a) Condition			T1	T2	T3	T4	T5
Good	Highly suitable	5	5	5			
Fair	Suitable	3					
Poor	Unlikely to be suitable	1					
Dying/ Dangerous*	Unsuitable	0					
Dead	Unsuitable	0					
b) Remaining longevity (in years)							
100+	Highly suitable	5					
40-100	Very suitable	4	4	4			
20-40	Suitable	2					
10-20	Just suitable	1					
<10 *	Unsuitable	0					
c) Relative public visibility (NB: Groups should be awarded one category higher than as if scoring an individual tree)							
Very large trees with some visibility, or prominent large trees	Highly suitable	5	5				
Large trees, or medium trees clearly visible to the public	Suitable	4					
Medium trees, or larger trees with limited view only	Suitable	3		3			
Young, small trees, or medium/large trees visible only with difficulty	Barely suitable	2					
Trees not visible to the public, regardless of size	Probably unsuitable	1					
d) Other factors (NB: Trees must have accrued 7 or more points (with no zero score) to qualify)							
Principal components of arboricultural features, or veteran trees		5					
Members of groups of trees that are important for their cohesion		4					
Trees with significant historical or commemorative importance		3					
Trees of particularly good form, especially if rare or unusual		2					
Trees with none of the above additional redeeming features		1	1	1			
Stage 1 - Sub-total							

Stage 2: Expediency Assessment						
Stage 2: Expediency assessment (Trees must have accrued 9 or more points at this Stage)						
Known threat to tree		5	5	5		
Foreseeable threat to tree		3				
Perceived threat to tree		2				
Precautionary only		1				
Tree known to be an actionable nuisance		0				
Stage 2 - Sub-total						

Stage 3: Tree Impact Assessment						
a) Impact of subject tree on landscape						
Large amount of surrounding tree cover, subject tree blends into landscape	Low	1				
Some surrounding tree cover, subject tree noticeable.	Moderate	2	2	2		
Limited or obscured tree cover, subject tree import to landscape	High	3				
No other established tree cover, subject tree vital to landscape	Significant	4				
b) Proximity to nearest habitable structure						
Outer canopy touching building	Manageable	-1				
Outer canopy likely to touch building within 3 years given normal expected growth	Manageable	-1				
Branches touching building	Manageable	-2				
Part of tree's major structure touching building	Not manageable	-5				
Not touching property	No issue	0	0	0		
c) Orientation to nearest habitable structure						
North	No shading	0	0	0		
East	Morning Shading	-1				
South	Shading	-3				
West	Evening Shading	-2				
Stage 3 - Sub-total						

Notes	<p>An Oak tree that is located next to the pine was also assessed, although given the young age of the oak its sustainability is questioned, given its available space. Therefore I'm advising that the TPO does not include this oak.</p>
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Reference Amenity Scoring	
1 - 6 points	TPO indefensible
7 - 10 points	Does not merit TPO
11 - 14 points	Possibly merits TPO
15+ points	Definitely merits TPO

	T	T	T	T	T
Stage 1 - Sub-total	15	13			
Stage 2 - Sub-total	5	5			
Stage 3 - Sub-total	2	2			
Total	22	20			



Mr & Mrs Heynes
 Moordale Avenue
Bracknell
Berkshire
RG42

Date: 18/11/11

Our Ref: 1203664

Dear Mr & Mrs Heynes.

Re: Application to complete works under Restrictive Covenant to a Pine located within the boundaries of Moordale Avenue, Bracknell.

Further to your application validated on the 26th September 2011 I can confirm that the tree in question has met the standards that would be required for the creation of a new Tree Preservation Order (TPO). Therefore I enclose a copy of the new Tree Preservation Order for your information.

Having given careful consideration to your Restrictive Covenant application and the completed TPO assessment I have noted the following. I accept that you have concerns for the safety of this tree in light of a recent branch failure, however, as the tree appears outwardly healthy and there has been no evidence provided within your application that highlights a specific safety concern, the removal of this tree on the grounds of safety is currently unwarranted.

However, within your correspondence you did seek an opinion from a contractor, in which they state that the tree is outwardly healthy, however they felt that the tree has outgrown its position. It is accepted by both of us that the tree appears outwardly healthy, however what has not been made apparent is why it is felt that the tree has outgrown its position. As the tree is not conflicting physically with any of the properties and grows within the rear of a north facing garden, its impact is considered limited.

If you wish to have the tree formally inspected by an independent tree professional and feel that this may justify your concerns. We will be happy to consider within a new tree preservation order application. Once you have completed the form please forward for my attention, so that I can progress this for you.

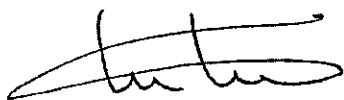
In view of the concerns raised I strongly advise that you employ a "competent person" (in the legal sense) to undertake a formal tree inspection to determine the health and condition of the tree.

Should you require any further information or clarification regarding the content of this letter please contact me on the telephone number below or, for the fastest response, by email to lee.garner@bracknell-forest.gov.uk and quote our reference number given at the head of this letter.

ENVIRONMENT, CULTURE AND COMMUNITIES

Bracknell Forest Council, Time Square, Market Street, Bracknell, Berkshire RG12 1JD
T: 01344 352000 F: 01344 352555 Minicom: 01344 352045 www.bracknell-forest.gov.uk

Yours sincerely

A handwritten signature in black ink, appearing to read 'Lee Garner', with a large, sweeping flourish at the end.

Lee Garner
Assistant Tree Officer
Parks & Countryside
Environment, Culture & Communities
T: 01344 352000
DD: 01344 351984

Moordale Avenue
Bracknell
Berkshire
RG42

28th November 2011

Dear Mr Garner,

Re: Pine tree in garden of Moordale Avenue (your ref: 1203664)

Thank you for your letter dated 18th November, advising us, in essence, that you were going to ignore the strong case we put forward to have the tree removed, along with the serious danger presented by the potentially lethal branch that it shed without warning one sunny morning in September, not to mention our human right to 'rest and leisure' and to 'a standard of living adequate for the health and well-being of *ourselves* and of *our family*' and instead issue a TPO and keep us fretting and jumping through further hoops without any sound reasons.

To say that we were bitterly disappointed by the outcome of our application under an outdated and quite possibly irrelevant covenant would be a massive understatement. When you made the site visit you seemed to understand our concerns. You saw the huge branch that had landed where my husband had been working in the garden the day before it fell. You surely appreciated the serious consequences had it fallen on him, or anyone else in the garden. You looked at the other branch, replete with large, heavy cones and I explained that we had had to stop our young grandchildren from playing in the garden for fear of one being hit on the head by a cone falling from a great height. We just can't see how anyone would conclude that 'there has been no evidence provided within *our* application that highlights a specific safety concern' when the huge fallen branch was still lying across the garden where it landed as it will take several people to move it! To conclude that 'the removal of this tree on the grounds of safety is currently unwarranted' seems absurd – surely someone doesn't actually have to be hit by the branch for it to count as a danger?

Turning to the position of the tree, again we are at a loss to see how you can't appreciate that the tree has outgrown its position. It is a large forest tree, planted (or allowed to grow) by our neighbours until it is approaching 50 feet in height. It dwarfs the garden and its branches extend right across both properties. Depending on its exact species, and you haven't stated what the tree is(?), pines of this type can grow considerably higher (i.e. Monterey Pine 100 feet or 200 feet in sheltered conditions; Corsican Pine up to 150 feet. Source: Woodland trust and reference guide to trees), so that's twice as high as it is now!

The TPO seems to be based on its 'amenity value', a hugely subjective judgement. Yes, it can be seen from a distance, standing above the houses in a noticeable, incongruous and, it seems to us, quite threatening fashion. But it is not a proud specimen or local landmark - we doubt many people actually notice it, or would notice that it had been removed. You were unaware of its existence until you came to visit.

We appreciate that you have a job to do and no doubt receive frivolous applications where perhaps new householders are purely after improving the amenity of their properties by having trees removed. In our case, as long term residents in this Bracknell property who can look back to the years before the tree was planted and remember the open, but green nature of the neighbourhood, we are asking for our lost amenity to be returned to us. Our neighbours now regret allowing the tree to flourish and it has a serious impact on their amenities also. Our pond, built long before the tree existed, and with its resident newt population now dwindling, is being slowly poisoned by the incessantly falling needles, and we can no longer grow half the vegetables we used to due to the pine's roots trailing under half the veg patch.

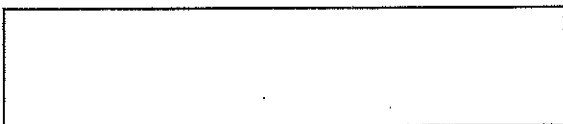
Clearly we need to get others involved. You 'strongly advise that we employ a 'competent person' to undertake a formal tree inspection to determine the health and condition of the tree'. We will do this, but feel you are trying to deflect from the real issue, which is your unwillingness, or perhaps inability to make a judgement based on the human issues that pertain here. For you to consider 'its impact is ... limited' shows a lack of compassion and disregard for us as human beings that is incredibly sad.

Having followed the procedures, in the belief that common sense and decency would prevail, we will now be involving our elected representatives and others in the case. We are sure you are very busy and find it easier to limit yourself to simplistic determinations based, it seems, on the premise that 'trees must be saved at all costs', along with rules for distances to buildings, etc, that don't involve you in making value judgements. It isn't too late to reconsider your position and if you can offer any 'clarification regarding the content of *your* letter' we'd be grateful.

Please also take this letter as formal notice that we intend to object to the Tree Preservation Order and will in due course seek further specialist and legal advice and submit the forms.

Please also note that we now hold Bracknell Forest Borough Council directly responsible for any damage to our property or injury resulting from the further dropping of branches or cones from the tree and will be seeking advice as to a claim through the courts for loss of amenity, in as much as our human rights are being infringed and our enjoyment of our property seriously eroded by the threat the tree clearly poses (i.e. further loss of branches without advanced sign or warning)

Yours sincerely,



Kathleen Heynes

cc. Tracey Witts, Tree Team Administrator BFBC
Jan Polnik, Principal Tree Officer BFBC
Vincent Paliczka, Director of Environment Culture and Communities
Tim Wheadon, Chief Executive



Inspection Services

**VISUAL TREE INSPECTION OF A MONTEREY
PINE BEHIND MOORDALE AVENUE
BRACKNELL.**



Prepared for:
Mr and Mrs Heynes,
 Moordale Avenue,
Bracknell,
Berkshire,
RG42

12th December 2011



Site Address: Moordale Avenue, Bracknell, Berkshire, RG42

Client: Mr and Mrs Heynes.

Instruction: Carry out Visual Tree Assessment on a Monterey Pine tree at the above addresses.

Survey:

Date of survey: 9th December 2011. Conditions were dry, cold and sunny

Species: Monterey Pine (*Pinus Radiata*)

Height 17.6m

Diameter 710mm

Crown Spread 16m

Tree has Tree Preservation Order.

History: brought back a pine cone from a holiday in Jersey in the late 1970's. The pine cone was discarded in the back garden and the tree started to grow were intrigued to see how the tree would develop, unaware of the eventual size of the tree.

General Observations:

The tree is a mature, but still growing specimen situated in the rear garden of Moordale Avenue, 13m from the rear of both properties, to the north. To the west of the tree in the garden of No there is a pond and a bench. To the east in the garden of No there is a greenhouse and a shed. There is a large fallen limb in the garden of No that measures 90mm diameter (Picture 1). This limb snapped off of the tree in September this year on a dry, still day. There were no signs of fungus or decay at the base. Both the stem and crown are normal with no dead wood or die back. The tree leans towards the east.

Picture 1



Conclusions:

There is no dispute that the tree is in good condition and is noticeable in the local landscape. However, I believe that although the tree is a good specimen, it is not in a suitable or acceptable position. The gardens of [redacted] Moordale Avenue are approximately 22x 10m. This tree, at over 17m high, could still grow to up to at least double this size, (the Collins Tree Guide says up to 45m). As can be seen from the cover picture the canopy of the tree is far above the roof line of the houses and will become more so as the tree continues to grow. This will mean that the tree will become more susceptible to strong winds and the tree is already within falling distance of the house. The large canopy also creates a large shadow that blocks much sunlight entering the gardens and will increase as the tree grows.

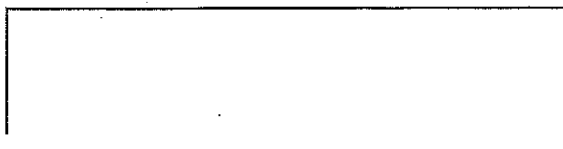
Both Mr and Mrs Heynes and [redacted] are elderly and are genuinely frightened of the prospect of another large limb snapping out of the tree and falling on somebody. Mr Heynes, a keen gardener will not now work beneath the canopy of the tree. The Monterey Pine tree also has very large, tight cones that are big as a fist which could also cause injury. They won't allow their young grandchildren to play under it in the garden or visit the pond. A further branch could fall at any time without warning.

The tree is a large specimen in the wrong location - the tree has outgrown its position. Monterey Pines are not suitable for small urban gardens and this tree is causing a great deal of anguish and stress to two elderly couples.

Recommendations:

Fell the tree and replace with a more suitable specimen for a small urban garden.

All works should be undertaken in accordance with British Standard 3998:2010 Tree Work, by a fully qualified and insured tree surgeon.



BSc
12th December 2011

Moordale Avenue
Bracknell
Berkshire
RG42

16th December 2011

Dear Mr Garner,

Objection to the passing of Tree Preservation Order 1088

Application for work to remove a tree subject to Tree Preservation Order

I am writing in response to your letter dated 18th November 2011, to lodge a formal objection to the Provisional Tree Preservation Order placed on the Monterey Pine tree identified on the accompanying plans and within the garden of Moordale Avenue, Bracknell.

I would also ask you to take into account my letter dated 20th September, which accompanied our application to remove the tree under covenant, and the subsequent one addressed to you after we received notice of the TPO.

Nevertheless, I will repeat our case and draw your attention to the main points. Firstly though, please note that the tree is a Monterey Pine, not a Maritime pine as you told my son, distinguished quite simply by the number of needles per cluster. Your misidentification may have some bearing on your appraisal of this tree, as Maritime Pines, as far as my research shows, are often thinner in their canopy and therefore you might have concluded erroneously that it would have less effect and be more robust against strong winds. Both species grow considerably taller than the tree's current height.

You already know that the tree dropped a large branch for no apparent reason, and we have now had the tree professionally inspected – there are no signs of decay on the branch. This leads to the irrefutable conclusion that it could drop another branch at any time. How can this not be a serious threat to our safety and enjoyment of our garden? How can you possibly place us in danger, to live in constant fear that we or a visitor to our garden might be injured by a falling branch or one of the heavy cones that fall from time to time? The evidence that the tree is a specific safety concern still lies across a flowerbed in our garden, viz. the large branch that detached itself from the tree on a warm, still Sunday in September and fell where my husband had been gardening the day before. The removal of the tree on safety grounds alone is entirely warranted.

Turning to the other main point, whether the tree has outgrown its position overshadowing two small residential gardens, this too is supported by even the most cursory viewing of the tree from either garden. The tree is over 17 metres tall and stands within 13 meters of both houses, putting them at risk. It has a slight lean towards my neighbour's house, in the direction the prevailing wind would most likely take it. Monterey Pines are grown in plantations for timber, they are not commonly

found within suburban gardens. The tree dwarfs our gardens and its branches extend a considerable way across both, incessantly dropping needles to the detriment of the soil and our pond. The weekly task of clearing the needles is not something a reasonable person should impose and expect people (especially elderly people such as us) to have to undertake. The trees roots extend a considerable distance across our gardens, robbing the soil of nutrients and water and making it very difficult for us to grow the fresh fruit and vegetables that we have enjoyed from our garden over the last 50 years.

The tree is visible from the public road. It stands above (dwarfs) the houses, looking incongruous in its residential setting. It has a large and heavy canopy that presents a considerable obstruction to the wind and it is clear that there is a danger of it being blown down. We hope it falls safely away from our houses, but live in fear that it won't. We know that a number of other large trees have fallen over the last few months and others have been removed by the council as presenting a possible danger to road users. We *live* in falling distance of this tree and surely have a right to enjoy our garden, which is being denied us by its very presence.

Finally, we were here first! Both families have lived at these addresses for 50+ years, long before the tree started to grow. The tree was allowed to grow out of interest, but now we want it removed and we consider you would be acting most unreasonably if you deny us the right to reclaim our lost amenity and ability to enjoy our gardens. You have allowed our neighbours to remove the other large tree in their garden, an oak also visible from the public road (less so when not in leaf). Why the disparity and surely the pine is much more dangerous? You seem to be fixated on the public view, using the stock phrase 'high visual amenity' but surely you can appreciate the damaging affect this tree is having on our very well-being. On a personal note, only two years ago my husband underwent a [REDACTED] operation. He is under constant medication and medical supervision – he does not need the stress this tree is causing. I am suffering from [REDACTED].

You will note that the attached report concurs with our views. We think our case is completely obvious and justified. We believe we have clearly explained our reasonable fears for our safety. We contend that the tree is too big for these small residential gardens and is having a serious effect on our wellbeing and denying us the enjoyment our own property, contrary to our human rights.

We expect you to treat our views seriously and withdraw the Tree Preservation Order. In this instance, the dubious public benefit to passers-by of seeing this monstrous tree, in no way justifies the serious anguish that it is causing to two households. Please hear our pleas and make the sensible and compassionate decision to grant our request to remove the tree and end our anxiety.

Yours sincerely,

[REDACTED]

Mrs Kathleen Haynes



Mr & Mrs Heynes
 Moordale Avenue
Bracknell
Berkshire
RG42

Our Ref: Confirm No 1203933 & 1203983/TPO 1088

Date: 10th February 2012

Dear Mr & Mrs Heynes,

Re: Tree Preservation Order 1088 - Land at Moordale Avenue, Berkshire.

Thank you for your letters dated 29th November 2011 and 16th December 2011. I am sorry that you are dissatisfied with the situation and that you felt compelled to write in with your objection to the making of this Tree Preservation Order (TPO). This response is to address the issues that you raised in your objection; to explain the reasoning for the council protecting the trees and to clarify the options available to you.

The site assessment for evaluating the trees for their amenity impact showed that:

- The trees on your property are clearly visible from public vantage points and contribute to the quality of the landscape.
- The tree was adjudged to be sound and healthy. There is no visible evidence of decay, damage or structural defect at present and it should remain so unless their immediate environment is affected or the condition of the tree changes.
- The distance between the tree and structures are sufficient to allow for future growth with the potential for reasonable pruning maintenance if required to maintain them.
- The tree is located in such a position in relation to your house and garden so as to not deny reasonable sun-light or ambient light.

Summary

Within the above mentioned objection letters provided the concerns raised by Mr & Mrs Heynes are as follows:

Falling branch.

Within your letter you have raised concerns for the loss of a branch that occurred on the 11th September 2011.

In view of my findings I saw that the branch was not defective and had not failed due to poor health or condition. These failures are typical of branch failure that occurs during inclement weather or in response to physical damage i.e. being struck by a vehicle.

You have stated that the branch failed on a clear still day. As there is no weather data available that highlights conditions before the day in question, we cannot rule out that the branch may have initially failed during inclement weather and subsequently totally failed on the day in question.

ENVIRONMENT, CULTURE AND COMMUNITIES

Bracknell Forest Council, Time Square, Market Street, Bracknell, Berkshire RG12 1JD
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Although there is a lack of any definitive explanation or evidence that might explain the failure of the branch, this incident does not prove that the structure of this tree is necessarily pre-disposed to failure. The evidence of this trees overall health and condition is clearly evident.

The condition of the tree.

During my visit the pine tree was noted to be outwardly healthy and was not displaying any visual signs of poor health or condition. We have not received any evidence that demonstrates the tree to be in a hazardous condition or that it requires priority pruning works.

The tree has been inspected by two independent Arborists who both stated the tree was safe. The most recent submission contained a report, dated 12th December 2011, by your own specialist adviser Mr [] who states "*There is no dispute that the tree is in good condition and is noticeable in the local landscape*".

Taking this information into account the council can only conclude that the tree is not displaying any foreseeable signs of failure and that the tree is currently in a safe condition. Regular monitoring of the trees health and condition is advised as good tree management.

The height and location of the tree.

With reference to the future height of this tree, Mr [] has used a tree guide to predict the trees ultimate height. Within the guide the height given refers to a pine that is within its native environment and whose ultimate height at maturity is dependant on its environmental conditions.

Within known government research (Arboricultural Research note: "*The ultimate size and spread of trees grown in town*") written by the Department of Environment (DOE) Arboricultural advisory and information service, a pine tree within the British environment is in the region of 20 Metres.

The pines current location is not impacting physically on neighbouring properties. There is also sufficient space for future growth, whilst still maintaining reasonable clearance to surrounding structures. The current distance from the tips of the branches to the closest point of [] Moordale Avenue is 6.4 metres and the extremity of the overhang in to Mr & Mrs Heynes garden was measured to be 4.4 metres. As highlighted this will allow sustainable future growth that could be reasonably managed in the future.

Shedding needles and cones.

The fall of cones and needles is a natural process out of the control of the council. This issue is one that the British legal system does not recognise as a "legal nuisance". Therefore this issue is not a material consideration in the making of a Tree Preservation Order.

A practical solution to this issue might be to remove the cones from the branches that extend into your property. This will alleviate this particular issue and you may wish to negotiate this work with the tree owner, although they have no obligation to carry out the works on your behalf.

Tree roots affect on nutrients and water with the soil

Although this is a personal concern to you, this is not a material consideration when making a Tree Preservation Order.

Visual amenity and assessment.

When considering a Tree Preservation Order trees are assessed for there amenity impact inline with Department of Environment recommendations and Bracknell Forest Council tree policy.

In considering your restrictive covenant application to remove the tree an amenity assessment was carried out and found the following:

- The trees on your property are clearly visible from public vantage points and contribute to the quality of the landscape.
- The tree was adjudged to be sound and healthy. There is no visible evidence of decay, damage or structural defect at present and it should remain so unless their immediate environment is affected or the condition of the tree changes.
- The distance between the tree and structures are sufficient to allow for future growth with the potential for reasonable pruning maintenance if required to maintain them.
- The tree is located in such a position in relation to your house and garden so as to not deny reasonable sun-light or ambient light.

For the above reasons the council made the Tree Preservation Order.

General information

For future reference; any routine maintenance works to the tree, for example, to clear utility cables, lift lower branches and maintain clearance from buildings etc. would all be classed as reasonable requests in the routine maintenance of the tree. Similarly any proposed works to address the safety of the tree such as removing dead-wood or broken/hanging branches would be exempt from formal permission but does require you to follow a process of Notification.

Where formal permission is required, the process of applying to carry-out works is straightforward; application forms can be downloaded from our website and then posted or submitted on-line. All competent tree-surgeons are able to advise on the wording of the application or may even complete and submit applications on your behalf.

A valid application to prune protected trees, which on consideration, is deemed reasonable and would not radically or adversely affect the tree's health & condition or appearance and amenity value; would not be unreasonably refused by Bracknell Forest Borough Council.

Conclusion

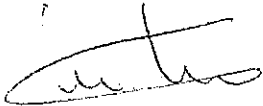
This response has addressed the issues you raised in your letters of the 29th November 2011 and 16th December 2011.

The council considers that your issues have been addressed and that the tree merits protection. If you wish to withdraw your objection to the TPO I would appreciate confirmation in writing.

If on the other hand, you believe your objection has not been satisfactorily addressed, then on receipt of your written response your objection will be reported to a forthcoming Planning Committee for determination.

Should you require any further information or clarification please contact me on the above telephone number or by email and for my attention to trees@bracknell-forest.gov.uk and quote our reference number at the head of this letter.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Lee Garner', written in a cursive style.

Lee Garner - BSc (Hons) Arboriculture
Assistant Tree Officer
Parks & Countryside
Environment, Culture & Communities
DD: 01344 351984

Lee Garner

From:
Sent:
To:
Subject:
Attachments:

Dear Mr Garner,

Please find attached our submissions for the planning committee to consider at its meeting on 19th April, in accordance with the March 30th deadline given to us by Mr Polnik.

Please note that we have requested a site visit be made prior to the meeting.

One attachment is a petition signed by all the local residents who answered their doors when my mother called round and without exception they support the removal of the tree. This may give scope for me to present my parents' case personally to the committee in accordance with general procedure?

In order to be as thorough as possible, the attachments are extensive and we apologise to members of the planning committee for feeling it necessary to include this amount of paperwork for them to consider.

Please acknowledge receipt of these submissions and confirm they will be included in the paperwork for consideration by committee members on 19th April.

I have asked some questions about the procedure followed for the consideration of the removal of the adjacent oak tree. I am told that other residents were notified and asked for their opinion and that at least one objected to its removal. Please confirm whether this was the case and if so explain what procedure was followed and why my parents were not informed and asked for their opinion.

Yours sincerely,

Gerry Heynes

Attachments:

- Letter to Planning Committee
- Petition from local residents
- Comments on Tree Officer's Report to Committee
- Information about Monterey Pines as previously submitted
- Comments on the Council's Tree Policy as previously submitted
- Extract from Mitchell's Guide to Trees
- Extract from latest Collins Tree Guide
- Weather log for September 2011 indicating some gusts of wind over the 6 days preceding the day the branch fell
- Guide to Beaufort scale of wind speed and effects - note gusts above not noted as causing branches to fail

=====

Moordale Avenue
Bracknell
Berkshire
RG42

29th March 2012

Dear Mr Garner,

Response to Officer Report to Committee in the case of TPO 1088

Thank you for forwarding copies of the documents you will present to the planning committee. Sadly, once again, I believe you have been selective and prejudicial in the way you have presented our case. Your report glosses over the inherent danger of living with a large Monterey Pine overshadowing our garden and largely ignores the evidence that Monterey pines are prone to dropping branches and are unsuitable for urban gardens due to their rapid growth and their great height in suitable conditions (e.g. within a well-tended, watered and manured garden). You offer no substantial response at all to the impact the tree is having on our quality of life.

I note that you have also been selective with our supporting documents, not including the numerous emails and letters which we believe refute many of your points and raise relevant issues that the committee should be aware of. In particular: facts about Monterey Pines and our appraisal of the relevance of the council's own tree policy.

Obviously, ours will not be the only case considered by Councillors at the planning meeting, so we are now in a quandary as to how much we can reasonably expect them to take in relating to this case. I will be brief:

WE ENCLOSE A PETITION FROM 37 LOCAL RESIDENTS, being all those that were at home when I called on them over the last few days and explained the situation. You will appreciate that everyone in Windlesham Road and nearby in Moordale Avenue and behind us in Englemere Road is fully in support of our application to have the tree removed. Not one single person objected to its removal. For many, it was not even a feature of the landscape as they perceived it and far from a 'visual amenity' for the area.

WE RESPECTFULLY ASK THE PLANNING COMMITTEE MEMBERS TO UNDERTAKE A SITE VISIT TO SEE THE TREE FOR THEMSELVES, SEE THE FALLEN BRANCH AND CONSIDER THE IMPACT THE TREE HAS ON OUR QUALITY OF LIFE.

We attach the documents referred to above, along with a photocopy from the latest edition of the Collins Tree Guide, which illustrates the Monterey Pine with a picture indicating broken branches – tantamount in our opinion to saying that MONTEREY PINES DROP BRANCHES SO COMMONLY THAT THIS IS A DISTINGUISHING FEATURE OF THE SPECIES..

We ask Committee members to carefully weigh up all the issues, acknowledge the rights of residents, and find in our favour without fear of setting a precedent, given that the tree is dangerous, there are SERIOUS QUALITY OF LIFE ISSUES FOR RESIDENTS WHO HAVE LIVED AT THE SAME ADDRESS FOR 55 YEARS and that a Monterey Pine is not suitable for this confined urban location. My son is very willing to present our case to members at the committee meeting if this is possible.

Yours sincerely,

Kathleen Heynes

Attachments: facts about Monterey Pines; appraisal of Council's own tree policy; extract from Collins Guide to Trees; comments on the tree officer's report to committee.
Also available: details from the Mitchell Guide; daily weather reports for month before branch fell

Comments on Tree Officer's Report to Committee

Section 3.3 Equalities Impact Assessment: perhaps thought should be given to an assessment based on the premise that prejudice may have arisen due to our age and therefore the relative life expectancy of the tree should it be retained.

Section 4.1 factual error -

Section 4.2 Assessment of amenity value – two trees were assessed on 9th November by the tree officer, the Monterey Pine (height 17 metres) and a large oak tree (height 15 metres) that was without leaf at the time. The scores for both are very similar. Both exceed the threshold for 'meriting TPO' under the criteria he applied (ignoring for the moment our dispute with the emphasis that should be put on these criteria). The native oak was excluded from the TPO because, quote '*given its young age its sustainability is questioned*'. The oak tree was clearly visible above the house when in leaf and oaks are acknowledged as the pre-eminent supporters of a most diverse range of creatures in the British Isles. We cannot understand how different standards have been applied here? We are also told that there were objections to the removal of the oak tree – how were these addressed and did the planning committee get involved? Why weren't we given the opportunity to comment on this application, as it did not form part of our submissions to the council, when other more distant neighbours were consulted?

Section 4.3 - we do not believe the assessment process '*addresses criteria developed by the Tree Policy Review Group*' and have been offered no explanation of this, despite submitting comments about their policy document (see attachment)

Section 6.2 (1) – the safety concerns are substantiated by evidence that Monterey Pines are prone to dropping branches, a large branch dropped without warning on a fine sunny day when people were quite likely to be working in the garden, tending the fishpond or sitting under it, and also by the bag of large and potentially very hazardous cones that have fallen into the garden. Being hit by any of these would be serious indeed.

(2) the situation has developed over time and gradually eroded the amenity of our garden. These things may not be a legal concern but they are a very real one for us and recognised within the council's policy document.

(3) '*sufficient space for future growth*' – at the expense of a greater part of our garden! The tree is already within toppling distance of our house and its roots will continue to extend toward the building, probably already working their way under our garage. The tree has a pronounced lean that we believe is worsening. The effect of allowing the oak tree to be removed has yet to be seen, but water content within this clay soil will change and heave is likely to occur, changing the condition of the ground close to the trunk. '*Reasonable maintenance*' – the ludicrous suggestion was made that we could have the hazardous cones removed, with no apparent thought for the difficulty or excessive cost of such an operation. No other suggestions have been put forward.

(4) ... but it is a material concern we believe for members determining an application in the light of the council's own tree policy.

(6) the tree is not widely visible and becomes even less so when the many deciduous trees in close vicinity are in leaf. There are many good trees within the locality as a site inspection will establish. A fine oak tree has just been removed from the same garden with the council's permission. Another substantial tree was removed last month from the public side of the Admiral Cunningham, 200 metres south, for no apparent reason, following the removal over the winter months of several nearby (smaller) trees that one supposes presented a hazard to passers by. The petition submitted herewith demonstrates that the tree is not a significant feature of the locality for any nearby residents and the only reason it has an impact on the locality is that it is so large and incongruous in its residential setting.

Section 7.1 – we have never received a satisfactory explanation of the council's position as the tree officer has never addressed the issues of potential hazard, impact on our quality of life (fear of using our garden or allowing our grandchildren to play near the tree), or explained how this

forest tree could ever be consider appropriate for this urban setting and our small gardens. He has ignored evidence, misquoted standard reference books and made factual errors in presenting our case, as no professional and independent person has ever said the tree is safe. On the contrary, they all believe the tree is wrong for its location and having an adverse impact on our lives.

Monteray Pine Removal Petition

The Monterey pine tree growing in the garden of no. [] Moordale Avenue, overhanging no. [] Moordale Avenue, recently lost a large branch which fell into the garden of no. [] where children often play. This branch broke off on a still clear day, without warning. The residents at no. [] are afraid to use the garden.

According to A Field Guide to the Trees of Britain and Northern Europe, by Alan Mitchell, a respected book on trees, Monterey pines: "May shed big branches, laden with whorls of old cones in snow or gales."

The Council have refused permission to cut the tree down, as it is healthy, and they say that the tree is an important visual amenity in the area, especially down Windlesham Road and the areas surrounding the gardens at nos. [] Moordale Avenue.

We, the undersigned, understand that the tree was accidentally planted, and is the wrong tree in the wrong place. We are concerned for the families that have to live in its shadow, and are willing to see the tree removed.

We ask that Bracknell Forest Borough Council give permission to remove the tree and ask for a more suitable tree to be planted in the garden instead.

Name	Address	Phone	Signature				

Commentary on the Report of the Tree Policy Review Group.

Extracts in Times / normal with salient points underlined, *my comments in Ariel / bold / italic*

Introduction

There are issues relating to the proximity to buildings that would benefit from review. (p3)
Throughout the Borough, trees have been retained in close proximity to residential and business premises. However, what is acceptable when a house is built, may not be acceptable 30 years later and so there is an ongoing issue about the proximity of trees to houses. (p4)
There have been very strong policies on protection of trees. However, the Council does not have a written policy on the proactive management of its tree stock. In practice, the rule has been that work has only been undertaken if a tree is dead, diseased or dangerous. This policy results in many complaints from residents because it can have a serious impact on their quality of life. There are many differing opinions on what to do about trees both among professionals and residents. Also, attitudes and laws can gradually change over time. It is felt that a more detailed policy would result in greater consistency in achieving an appropriate balance between competing demands and issues. (p4)

Introduction recognises the issue of quality of life and 'serious impact'

POLICY 1-QUALITY OF LIFE

As stated above, previous policy has not taken quality of life into account as it has generally not approved any work unless the trees are dead, diseased or dangerous. Complaints about trees that affect quality of life are primarily in private gardens or on Council land next to gardens. Legislation and case law with regard to management of the Council's tree stock does give clear guidance on the legal definition of various quality of life issues such as nuisance and the rights of property owners to prune overhanging trees. At the moment, our working practices comply with these minimum requirements. However, we do have choices as to how and when we apply this law and we are able to take quality of life issues into account if we wish to do so in relation to our own tree stock. (p5) Recent guidance from the former Office of the Deputy Prime Minister and organisations such as CABI (Commission for Architecture and Built Environment) all suggest that society needs to work towards improving the quality of life in urban areas. Government funding has been put into promoting what has become known as the 'liveability agenda'. (p6)

Recognises that complaints relate to private and Council owned trees, that policy prior to the report only complied with minimum requirements and that quality of life can be taken into account.

Giving homeowners an opportunity to influence what happens to trees near their homes may result in the loss of some trees. However, it is felt that the public generally have a great affection for trees and will tend not to remove them unless they are significantly affecting their quality of life. Tree works are expensive and residents will only undertake them in private gardens if they have good reasons for doing the work. Trees have many benefits but can also be inconvenient and expensive to maintain. The presence of trees can affect property values. It is suggested that, given the large number of trees in this Borough, the loss of a small number of trees will not have a huge impact on the overall landscape. (p6)

Consequently it is felt that quality of life issues should become an issue that merits consideration when determining what measures are applied to any particular tree and that residents should have influence, but not unqualified choice, in such matters.

The importance of the difference between choice and influence for residents is that the Borough Council is obliged to have a long term stewardship role on the environment and will provide a stable basis from which to assess long term impacts. Individual residents, however well intentioned, will have an understandably shorter term and 'selfish' view on those issues that affect them and left uncontrolled this through an incremental process could produce an unintentional negative impact on the visual environment. (p6)

My parents love trees. They have several fruit trees and a beautiful Robinia in their garden. These add to their lives, not take away from them. We do seek to influence your decision, as is our right. Please take note of the comments below that address this and the other points.

POLICY 1

QUALITY OF LIFE SHOULD BE TAKEN INTO ACCOUNT WHEN DEALING WITH TREE ISSUES AS WELL AS HERITAGE, LANDSCAPE, WILDLIFE AND VISUAL AMENITY VALUE. (p6)

The pine was let grow by their neighbours and has got too big for its position. It has no historic value and harbours little wildlife. The point we seem to be arguing over is whether it is of landscape value or 'visual amenity'. My photographs show clearly that it offers nothing to the general landscape or character of Bracknell when viewed from the north (only vantage point). It is visible for a distance south-eastwards along Windlesham Road. As one gets closer, it becomes a large and incongruous object dwarfing the houses it overshadows to a significant degree. In terms of its effect on quality of life, the effect of the tree within my parent's garden is immense. Their tiny plot is dominated by the tree. To view the top of the tree from their rear windows, one has to lean close to the pane and crane one's neck upwards. It blocks out a part of the sky and the views that they used to have of the distant countryside are all but completely obscured. Whilst one doesn't buy a view, the fact that this 30-40 year old tree has grown within the time they have lived at their property (approximately 55 years) means they are acutely aware of the impact this tree is having. Standing anywhere within their garden you are always aware of it looming over you. The once pleasant seating around their pond (constructed long before the tree started to grow), has become a cause for concern since the tree shed a large branch and prompted their original request under the covenant to have it removed. The fallen branch would likely have injured anyone under it at the time, certainly my aged parents (██████ years of age) would have suffered considerably. My mother is fearful every time my father goes down the garden and my young children are no longer allowed to play around the pond or help their grandfather feed his goldfish.

The quality of life issue here is significant, both in terms of its severity and also the particular circumstances, which are unlikely to set a precedent elsewhere in the borough (viz established residents who pre-date the tree, sizeable fallen branches) that would be likely to give rise to many requests to remove trees.

POLICY 2 -TREE PROTECTION

It is suggested that a major review of Tree Protection Orders be undertaken. Additional staffing resources will be needed and it may not be feasible to resource this work in the near future. Guidelines for this review will need to be agreed. In order to give residents more choice about quality of life issues, it is suggested that Tree Protection Orders will only be applied to private gardens where trees have high visual amenity value.(p7)

There is no choice as far as my parents are concerned. They can't choose to live somewhere else, this had been their home for 55 years, they can't ignore the tree, it dominates their garden. They were there first and the tree is now too big for this particular location. The amenity value of the tree is a highly subjective matter, but the very close and limited views of this tree, in an area with many other trees surely calls into question the need to keep it. It can't be kept just because its big, size itself can't give it amenity value and it is precisely because it dwarfs the adjacent houses and my parents garden that it is having such a detrimental impact on my parents. It is not a tree recommended for an urban garden (far from it, it is grown for timber production in many places because of its fast growth) It is likely to grow taller still (see fact sheet about the Monterey Pine in addition to your own reference works).

REVIEW GROUP CONCLUSIONS

Trees contribute a visual, social, conservation and physical aspects of quality of life. Previous tree policy has not taken quality of life into account. Quality of life needs to be balanced with the need for tree protection, safety and subsidence issues and conservation. Trees that affect quality of life are primarily in private gardens or on Council land next to gardens.

The public generally have a great affection for trees and will tend not to remove them unless they are significantly affecting their quality of life. It is common practice to consult with the community about general and specific issues, and many home owners are demanding a voice to determine what happens to trees within and near to their property.

Quite right and, as already stated, my parents love trees and have good specimens in their garden that complement its scale. I can assure you that they wouldn't be asking to remove this tree if it wasn't having such a dreadful impact on their quality of life – it is making them physically ill ([REDACTED]) and my father has had a recent [REDACTED] operation that means he shouldn't be suffering this level of stress). I've never seen my parents so affected by something which they are increasingly feeling so powerless to do anything about it. They've made their application in good faith, believing that their rights to a peaceful retirement and the simple enjoyment of their garden, with its wildlife havens and productive fruit and vegetable gardens (both also seriously affected by the tree) will be recognised, respected and upheld by their Local Authority.

The Review Group agreed that there are four fundamental principles that should guide future work on tree related matters:

- THE RIGHT TREE IN THE RIGHT PLACE
- QUALITY OF LIFE COUNTS

- GIVE RESIDENTS MORE INFLUENCE
- RESOURCES NEED TO MATCH WORKLOAD

The Review Group considered the actions that would be necessary to facilitate the link between the strategic policies detailed above and operational delivery. An extensive action list is included as Appendix 1. This action list effectively provides a five-year work programme for the tree team and gives their future work a clear direction of travel. Some of the actions can be implemented within existing resources. Others will require extra resources and a bid will be submitted in the next budget round. If this action plan is delivered it will achieve a good balance between protecting trees and protecting the quality of life of individuals, both in the short term and long term. It will also make our tree services a leader in the field by adopting cutting-edge working practices and policies. (p11)

We maintain:

- *that the balance the policy seeks to achieve should fall in favour of residents on this occasion*
- *that this tree, a Monterey Pine, is not the right species of tree for this small urban garden*
- *that the tree is too large for its location*
- *the tree represents a health and safety hazard to those who live below its spreading branches*
- *that its adverse impact on quality of life is significant and outweighs any other considerations*

We respectfully request that the TPO is rescinded and permission given to have the tree removed. Should the council wish us to plant a replacement tree we would be very willing to do so, subject to agreement over species and location. This could include sponsoring an area of planting elsewhere in the borough if this is deemed appropriate.

I would also be happy to sponsor further planting in the borough in gratitude for my parent's request being granted. I have planted some 20 trees and 1800 hedgerow plants over the last two years at my school in Maidenhead, so I am no stranger to looking after and improving the environment. (note that some of this planting was to balance two trees I had removed because they were having an adverse impact on the garden of a neighbour to the school – half the height of the tree in question here).

I would also add that, in my opinion, residents who plant trees in their own garden should have a right to decide when they have grown too big for their setting and be able to take them down. In this case, both sets of friends and neighbours have lived at these properties far longer than the age of the tree.

Yours sincerely,

Gerry Heynes

Supporting evidence – Information sheet on the Monterey Pine to supplement published resources and guide books.

Extract from latest Collins Tree Guide showing illustration of Monterey Pine and distinguishing features, notably broken branches



alders and birches. The willows are pollinated mostly by the wind, but, especially in the sallows, insects are also important. The Common Ash is wind-pollinated, but the Manna Ash, with petalled flowers is, like other trees with conspicuous flowers with petals, insect-pollinated.

The natural distribution of tree species

The immense variety of trees in cultivation includes species with every kind of natural distribution. Some of them occur in vast numbers across entire continents, whilst others are found only on one mountain or in one small valley in the entire world. Only one species occurs both in Eurasia and in America – the Common Juniper (though the Grey Alder of Europe has been regarded as conspecific with a very similar tree in North America). All other species are either strictly Old World or New World. Many *genera* are represented by species in both regions. There are pines, spruces, larches, birches, oaks and beeches in North America, and different ones across Europe and Asia to China and Japan. On the other hand, robinias are confined to North America, and the true cedars to the Mediterranean and India. Many *genera* have only one or two species and are confined to small areas particularly of Japan, Formosa or China. There is a striking parallel between the trees and shrubs in the South-east of the USA and those in S.E. China. Many *genera* have one or two species in both these widely spread regions and none at all in the rest of the world between them. The best known examples are the two Tulip-trees. Many other *genera* are common to these regions only but more widely spread in America, and in E. Asia, such as *Thuja*, *Tsuga*, *Magnolia* and *Catalpa*.

There are no species, and very few *genera*, of trees common to the temperate parts of both hemispheres. *Podocarpus* and *Sophora* are two of the exceptions, although only southern and northern species respectively appear in this book.

The conifers are, in the long view, retreating and becoming confined to mountains. The recent Ice Age caused a great deal of migration among trees and a number of conifers were left as mere relict populations. Two of these are European, the Serbian Spruce, found in only a single valley in Jugoslavia, and the Spanish Fir, found only around Ronda in the Sierra Nevada, S. Spain, where the three widely separated populations have been threatened by goats and fire.

In N. America the mountain chains run north and south. In Europe, the main ranges – Cantabrians, Pyrenees, Alps and Tatra – run east to west. This difference has had a profound effect on the species able to return north after the Ice Age. In Europe escape was difficult and possible through only a few gaps; many species must have perished *en bloc*. In N. America all could migrate southwards at their preferred elevation, ride out the storm in Mexico and then return in the same way. One group of species returned by the Coast Range, which by then was becoming eroded by the sea, and they finished up on the Monterey Peninsula, or in some cases, nearby areas of coast and off-shore islands. As the climate continued to become warmer and drier these trees would have migrated on north to Oregon and Washington, but the mountains went no farther, so they could not, nor could they move across the now hot, dry valley to the next range. So they are in or near Monterey as small relict populations, unable to grow to their full stature. This interesting group includes Gowen's Cypress, Bishop Pine, Monterey Cypress and Monterey Pine. These last two

grow along short stretches of low cliff and over low hills, respectively, near Monterey where, at a considerable age, they rarely attain 20m in height. In Britain they can be 30m tall in 40 years, and in New Zealand the pine has grown 60m in a little over 40 years. (In San Francisco, 30 miles north of the natural stands, a Monterey Pine on an irrigated lawn has grown to 16m in five years.)

Among the 35 species of tree native to Britain, most have a wide distribution in Europe while some range to W. Asia, the Caucasus Mountains and N. Africa. That with the widest range is the Common Juniper which is found almost throughout the northern temperate world. The Scots Pine ranges from Spain across Europe and Russia to E. Siberia. Only some whitebeams, which may well be regarded as subspecies, and possibly the English Elm are *endemic* species, that is, found wild nowhere but in this country. In Eocene times, some 60 million years ago, this part of Europe was near the latitude of the present Mediterranean region. The Ginkgo, many magnolias and other trees grew around the shores of the sea which was then laying down the rocks of what are now the Hampshire and London Basins, and in other lowland parts. This rich flora became gradually more impoverished as the continent drifted into higher latitudes, and then about one million years ago, the Ice Age started. Succeeding waves cleared all Britain, with the exception of some probable refuges to the south-west which are no longer land, of all trees. The ice retreated for the last time only 11,000 years ago and migration back from Europe was rapid, but was stopped about 6,000 years ago when the land connection was breached. Only those trees which were already in N. France could have made the crossing in time. A few returned from the south western refuge; the Strawberry Tree and perhaps the Cornish Elm, but they remain in the south west. It needed the introductions made by man to make Britain the rich collection of trees it now is.

Frequent implies occurrence in almost any group of gardens or parks but usually in small numbers and not always present even in single large gardens.

Infrequent implies occurrence limited to well-stocked gardens or parks and single trees here and there perhaps in town gardens in most areas, but absent from the general run of parks and gardens.

Uncommon implies possibly absent from quite large areas but cannot be called "rare" in the country as a whole.

Rare implies almost confined to the best-stocked gardens; very few specimens in any one district (within the range given), probably absent from many large areas.

Very rare and *collections only* are used for trees of which less than 20 specimens have been measured by the author, and these are almost or quite confined to gardens in which trees are planted for their botanical interest rather than for landscaping, foliage or flowers. Many of the best known gardens are, in fact, of this kind, the famous landscaping at Stourhead and Sheffield Park, for example, is combined with considerable collections of rare species.

Very rare indeed is used where the author has measured less than ten specimens, sometimes less than five. These species are confined to botanic gardens and the most comprehensive collections like Borde Hill and Westonbirt (which are really very informal and very large botanic gardens). They are included only where a specimen is prominent in a much visited garden or the species is more frequent on the Continent. Some are confined by their tenderness to a few gardens in the extreme south or west.

The **height** and, where it may be useful or interesting, the **girth** follow the distribution in the British Isles. When only one height is given it is that of the tallest currently known specimen in the British Isles. This may seem to exaggerate the likely height in any one district, but has been adopted because a large number of species have not yet been in cultivation long enough to have attained their top height. The specimens whose heights are cited will soon be taller and others will be as tall as the figure quoted increasingly as the years go by. Where one tree has been found much taller than any other of its species, the general height of the majority of tall specimens is given, with the outstanding top height added in parentheses. Heights are in metres. The girth is the circumference in metres, measured at five feet (1.5m) above the highest point of the ground at the base.

The spread, beloved of gardening books, is NOT given. It is greatly dependent on surroundings and is nearly meaningless.

The **descriptions** are from fresh foliage on growing trees. Only in one or two instances of flower or fruit not being available has recourse been had to published works. There has been too much copying in tree-literature. Before the newly introduced species had made much growth here, it was necessary to copy from the authorities of its native country or from the collector's notes, but this is not now necessary for any species in this book except for the male flowers of *Metasequoia*. It has been the author's experience, for example, that in many cases trees grown in Britain produce leaves larger than those given in Rehder's Manual, and that old descriptions being usually from dried herbarium material omit some very useful features of colour.

The sizes of leaf given relate more to the largest leaves likely to be found than

FOX-TAIL PINE *Pinus balfouriana* Jeffrey ex A. Murr.

N. Coast Range and C. Sierra Nevada, California 1852. Rare; confined to a few collections, notably the Royal Botanic Gardens, Edinburgh. 10 m. Like *P. aristata* (p. 164) but needles slightly longer, 3.5-4 cm and *finely spined, unspotted* and, on two-year-old shoots, curving in farther out from shoot; crushed leaves have a sweet resinous scent quite unlike the turpentine scent of *P. aristata*. Bud without free basal scales; cone without spines.

MONTEREY PINE *Pinus radiata* D. Don

Pl. 13

Syn. *P. insignis* Dougl.

Small areas around Monterey and Cambria, California 1833. Abundant in S.W. England especially near coast and in Ireland, frequent in west north to Ross-shire, infrequent in E. England, rare in E.

Scotland. 30 × 7 m (44 × 3.4 m at Cuffnells, Lyndhurst, Hants.).

Bark. Dull grey, rugged, deeply fissured into thick, ± vertical, short parallel ridges; oldest trees often blackish-purple; fissures to 15 cm deep.

Crown. Conic, long-pointed when young; dense high dome when old, clothed to ground in the open and heavily branched; where more crowded, the dome is high on a long bole which is untidy with snags and dead branches. Wide-spreading branches droop low; heavy ones may rest on ground. Crown *bright green* from close to, blackish from distance. May shed big branches laden with whorls of old cones in snow or gales.

Foliage. Shoot pale greyish or whitish-green, becoming pale brown, glabrous. Bud cylindrical, abruptly pointed, red-brown, purple-grey with resin. Leaves in threes densely set, very *slender*, straight, *bright green*; old needles orange-brown before falling, 10 (15) cm.

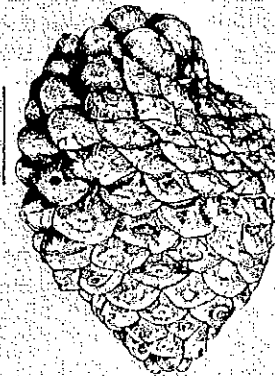
Flowers and cone. Male flowers crowded at base of new shoots, visible by March, bright yellow when pollinating March-April (February in S.W.). Cone, squat, ovoid, very asymmetrical at base, 12 × 9 cm clustered in threes to fives around shoot, glossy brown; scales big, woody, rounded ends protruding far on those at base on outer side. *Retained on branches or trunks*, even when these 25 cm diameter and 40 years old.

Growth. Shows extraordinary vigour and peculiar timing - has grown annual shoot of 2.5 m in Britain and in New Zealand has grown 60 m in 40 years. May start in early January in far S.W. and grow on until October. Elsewhere may grow only from May to July or add another shoot from August to October. Some grow two whorls of branches in a season.

Similar species. *P. muricata* (p. 178) shares many features, but needles are in pairs and cone-scales have prickles. *P. rigida* also similar, and three-needed.



Monterey Pine



Cone

Knobcone Pine *Pinus attenuata* Lemmon

Hills of California and S. Oregon at 5-6,000 ft. 1847. Very rare; a few collections from S. England to N. Wales. 20 × 2 m.

Bark. Grey-pink, rather smooth, flaking finely; old trees dark brown, ridged and fissured.

Crown. In America: bright green, narrow, with central stem encrusted in pale brown deflexed cones. In Britain: *open, gaunt; wide-spreading ascending strong branches, sinuous and with long-conic cones appressed in whorls; dark green leaves.*

Foliage. Shoot green-brown. Bud stout, cylindric, pointed, 4-5 cm dark brown encrusted with white resin. Leaf in bundles of three, slender, 14-16 cm grey-green, on outer half of shoot.

Flowers and cone. Male flowers profuse, closely packed on long lower sector of shoot, globular, 5-6 mm, yellow when shedding pollen in early May. Females in whorls of 3-5 half way up strong shoots on stout red-brown stalks 1 cm long; 1.5 cm, ovoid, pink-brown with upraised prickles. Cones in whorls pressed down against shoot, pale green ripening dark brown, 13 × 6 cm, long-conic, oblique based; outward-pointing scales with stout spreading spines, others minutely spined; held tightly on the tree for up to 20 years.

Growth. A tree of rapid early growth but slow later and short-lived.

Similar species. Resembles *P. radiata* (p. 165) in persistent cones and leaves in threes, but crown and shape of cone quite distinct.



Knobcone Pine

Northern Pitch Pine *Pinus rigida* Mill.

E. N. America 1743. Rare; mostly collections in S. England. 20 m.

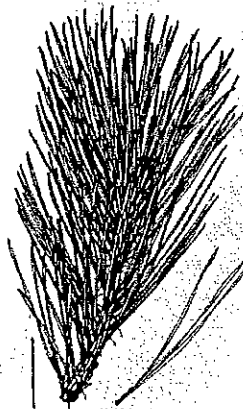
Bark. Brown, deeply fissured into thick ridges.

Crown. Irregular, rather broad and domed; bole bears only major branches and *sprouts*; open, but patches of dense, *slender sprouts* also on large branches make it less sparse.

Foliage. Shoot pale orange-brown, often crinkled on surface. (Epicormic sprouts white). Bud very slender cylindric-conic, dark red-brown, some free scale-tips and white resin. Leaves in threes, thick, stiff, somewhat twisted, dull grey-green, 8-9 cm (on sprouts to 12 cm).

Flowers and cone. Male flower 8 mm ovoid, purple-red, opening to 2.5 cm in early June. Female flowers, three below tip of new shoot, bright crimson with de-curved 6 mm scales. Cone small, 3-4(7) cm, symmetrical, cylindric,

pointed or barrel-shaped; scales thin, flat, shining yellowish-brown with curved prickle, borne rather bunched and held on tree for many years, dull red-brown.



Northern Pitch Pine

Information about the Monterey Pine, *Pinus Radiata*.

The Monterey Pine is native of America but has been introduced all over the world and grown for its timber as it grows very quickly. The consensus is that these are rapidly growing large trees. Nowhere does it say they are suitable for small urban gardens, and inherent hazards are identified in several extracts.

Relevant passages in bold and underlined below (Google Monterey Pine and these references can be located within minutes – UK and USA sources)

Gerry Heynes,

February 9th 2012

The imposing Monterey Pine, *Pinus radiata*, perhaps the most common large landscape tree in the Bay Area, is one of the most widely-planted trees on the planet. It covers millions of acres in places as far-flung as England, Chile, and Australia. However, its native range covers just a few square miles of the California coastline, which explains why it prefers a cool, moist coastal climate with well-draining soils. Unfortunately, **the quick hedge or woodland effect you enjoy in the first year of the tree's life can become a major safety hazard and a source of conflict with uphill neighbours when, two decades later, the tree reaches 50-70 feet in height. The Monterey Pine's soft, brittle wood and its shallow root system combine to make it a serious hazard during winter storms on the hilly slopes.** Away from its native habitat, it is vulnerable to root-rot diseases and, stressed by lack of water during our dry summers, it becomes prey to often fatal beetle infestations. The species is relatively short-lived—around 75 years—and **its proclivity for toppling, or for shedding large branches, increases with age. If you are already living with Monterey Pines, reduce the safety risks through preventative maintenance before it's too late.**

Brende & Lamb Tree Care

The **Monterey Pine, *Pinus radiata***, is one of the loveliest pines to look at when it is mature. The young plants are Christmas tree shaped **but they rocket up by close to a metre a year.** Old trees have a loose branch structure with dense, shaggy heads of long needles that give it a statuesque, billowing cloud appearance. Most conifers tend to lose their lowest branches as they mature and go bald from the waist down, but Monterey Pines do not. **They are known for their habit of holding onto their large clusters of cones for several years and small side branches sometimes break under the weight of all the old cones.** The mature bark has beautiful vertical light and dark ripples. **Your trees will reach about 35 metres.**

Ashridge Nurseries

This species is confined in the wild to the coastal strip around Santa Cruz and Monterey in California and Guadalupe Island. It is better suited to a cooler more moist environment than that. When it was introduced to Britain in 1833 its productivity vastly improved. When subsequently taken to New Zealand, South Africa and Chile results in terms of timber production were staggering. In Britain it is grown in mild localities and near the sea. In Dorset for example plantations can be thinned out from about 12 years of age and saw timber can be harvested at 35 years. **Size: in 10 yrs=10metres - 20 yrs=20metres-event.hgt.35metres**

Tree Shop UK

Pinus radiata grows to between 15–30 m (49–98 ft) in height in the wild, but up to 60 m (200 ft) in cultivation in optimum conditions, with upward pointing branches and a rounded top. The leaves ('needles') are bright green, in clusters of three (two in var. *binata*), slender, 8–15 cm (3.1–5.9 in) long and with a blunt tip. The cones are 7–17 cm (2.8–6.7 in) long, brown, ovoid (egg-shaped), and usually set asymmetrically on a branch, attached at an oblique angle. The bark is fissured and dark grey to brown.

Wikipedia

Monterey pine, *Pinus radiata*, is the most widely planted pine in the world. This species has become important for lumber and paper in Australia, New Zealand, Spain and large areas in Africa and South America. Rapid growth (six feet per year on good sites) and adaptability to poor soils are Monterey pine's key characteristics. This species does not thrive on shallow soils and is prone to blow down on such sites.

Bartlett Tree Research Laboratories

Leaf: Evergreen needles, 4 to 6 inches long, 3 per fascicle, slender; shiny green; persist 3 years.

Flower: Monoecious; male cones in yellow spikes; female cones dark purple.

Fruit: Egg-shaped, 3 to 6 inches long, asymmetrical (especially at the base), shiny brown, often clustered in dense whorls, serotinous (remain closed on the tree for many years); cone scales thick and rounded, tipped with a small prickle.

Twig: Slender and dark orange.

Bark: Mature bark is dark reddish brown; thick with deep ridges and furrows.

Form: Straight trunk with irregular, open crown, 50 to 100 feet tall and 1 to 3 feet in diameter.

Cone clusters are often conspicuous on branches and trunk.

Department of Forest Resources and Environmental Conservation

Trees 15-30 m tall, 30-90 cm in diameter, contorted to straight; crown broadly conic, becoming rounded to flattened. Bark gray to reddish-brown, deeply V-furrowed, furrow bases red, ridges irregularly elongate-rectangular, their flattened surfaces scaly. Branches level to downcurved or ascending, poorly self-pruning; twigs slender, red-brown, sometimes glaucous, aging gray, rough. Even larger trees are now found in New Zealand, where a specimen 103 cm dbh and 64 m tall can be found in Atiamuri at NZ Forest Products, Ltd., and a tree 245 cm dbh and 49 m tall was recorded at Geraldine, South Canterbury (Burstall and Sale 1984). More recently (2009.03), a tree 258.1 cm dbh and 41.9 m tall with a crown spread of 33.8 m was measured at Brooklands Park in New Plymouth (R. Van Pelt email 2009.04.14).

The Gymnosperm Library

SUNDAY, 11 SEPTEMBER 2011

Mostly cloudy with a few showers. Windy

After a bright start, cloud developed during the morning to give some mostly light showers during the day. Top temperature 20.5C in a fresh southwesterly breeze.
via mobile

Posted by Roy the Beard at 12:45 0 comments

SATURDAY, 10 SEPTEMBER 2011

Another humid day, but becoming windy

Mostly cloudy again, with a few sunny intervals late in the morning. Some light showery rain in the afternoon, with winds gusting to 25kt. Cloud becoming broken later. Maximum temperature 21.7C

via mobile

Posted by Roy the Beard at 11:07 0 comments

Friday 9th - mostly cloudy, some rain later

A mostly cloudy, humid day, with just a few sunny intervals, and some showery rain during the afternoon. Becoming breezy, with a top temperature of 21.4C

via mobile

Posted by Roy the Beard at 11:02 0 comments

THURSDAY, 8 SEPTEMBER 2011

Cloudy morning, sunny periods later

After a cloudy morning, with some occasional light drizzle, the cloud lifted late in the afternoon to give pleasant sunny spells, with a temperatures reaching 20.7C

via mobile

Posted by Roy the Beard at 15:07 0 comments

WEDNESDAY, 7 SEPTEMBER 2011

Cloudy and cool with some light rain

After a bright start, cloud soon increased to give some brief outbreaks of light rain during the day. Less windy than yesterday, but rather cool with a top temperature of 16.7C

via mobile

Posted by Roy the Beard at 10:54 0 comments

TUESDAY, 6 SEPTEMBER 2011

Wet and windy

A windy, wet day, with heavy rain late afternoon and winds gusting to 29kt. Drier in the evening. Maximum temperature 17.9C

via mobile

Posted by Roy the Beard at 14:19 0 comments

MONDAY, 5 SEPTEMBER 2011

Sunny start, cloudy later. Breezy

After a sunny start cloud soon built up to give a few light showers and some sunny intervals. The cloud cover increased later, with some rain in the evening. Feeling cool in the moderate to fresh southwesterly wind, which gusted to 27kts during the afternoon.

Maximum temperature 19.2C

via mobile

SUNDAY, 4 SEPTEMBER 2011

Cloudy and wet, then sunny intervals

After a cloudy start, the late morning brought heavy rain, with some 12mm falling between 1210 and 1240 BST, altogether totalling 16.4mm for the day. The maximum rainfall rate was 97mm/hr at 1223. Sunny intervals developed in the afternoon, leading to a top temperature of 18.9C

via mobile

Posted by Roy the Beard at 11:05 0 comments

SATURDAY, 3 SEPTEMBER 2011

Sunny intervals after a cloudy start

Cloudy for much of the morning, but rather humid, and feeling quite warm in the south to southwesterly breeze as sunny intervals developed during the day. Top temperature 21.9C

via mobile

Posted by Roy the Beard at 14:23 0 comments

FRIDAY, 2 SEPTEMBER 2011

A hot, mostly sunny day

At last a summer hot day - in the first week of autumn! Top temperature 27.4C as the light easterly breeze turned to the southwest. Some cumulus build-up later in the day, but still a nice al fresco evening.

via mobile

Posted by Roy the Beard at 11:02 0 comments

First day of Autumn - a pleasant day

A sunny, if rather hazy start to the day, with some cloud building up during the day. Temperature topped at 22.0C in a light to moderate easterly wind.

via mobile

Posted by Roy the Beard at 10:57 0 comments

Sir George Simpson's Beaufort Wind Scale⁶:

Wind Force Number	Description	Speed in Miles per Hour	Speed in Kilometres per Hour	Speed in Knots	Observation
0	Calm	0-1	0-1	calm	Smoke rises vertically
1	Light Air	1-3	1-5	calm	Smoke drifts slowly
2	Slight Breeze	4-7	6-11	5 knots	Wind felt on face; leaves rustle; flags stir
3	Gentle Breeze	8-12	12-19	10 knots	Leaves and twigs in constant motion; wind extends light flags
4	Moderate Breeze	13-18	20-29	15 knots	Dust and small branches move; flags flap
5	Fresh Breeze	19-24	30-39	20 knots	Small trees with leaves begin to sway; flags ripple
6	Strong Breeze	25-31	40-49	25 knots	Large branches move; flags beat
7	Moderate Gale	32-38	50-61	30 knots	Whole trees move; flags extended
8	Fresh Gale	39-46	62-74	35 knots	Twigs break off trees; walking is hindered
9	Strong Gale	47-54	75-88	45 knots	Slight damage to houses (such as slates removed)
10	Whole Gale	55-63	89-102	50 knots	Trees uprooted; much damage to houses
11	Storm	64-72	103-117	60 knots	Widespread damage
12	Hurricane	73-82	118-134	70 knots	Excessive damage

Bracknell Forest Council Tree Policy

Bracknell Forest Council policy regarding trees has been considered by elected Members through a Scrutiny Panel set up in 2005 (ref. the Report of the Tree Policy Review Group August 2006). This subsequently guided the production of policy for the management and protection of the Borough's trees. The policy was approved by the appropriate Executive Members and has been in place since 11 December 2006.

The Policy states that:

- The Council will promote responsible stewardship of all trees in the Borough and recognises the enormous significance of trees in creating a sense of place in this Borough.
- Heritage, wildlife, landscape and amenity value will remain the overarching priority when dealing with trees but quality of life will now also be taken into account.
- The Council recognises that trees are not appropriate in all locations and will seek to ensure that the right tree is in the right place.
- Residents' views will be taken into account so as to influence decisions and activity relating to trees.
- A systematic approach will be taken to the protection of trees so as to ensure an appropriate level of protection.
- The Council will take a pro-active approach to the management of its own tree stock.