



**APPEALS AND REVIEWS COMMITTEE**

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To: Councillors Capleton (Chair), Howe (Vice-Chair), S. Bradshaw, K. Harris and Needham (for attention)

All other members of the Council  
(for information)

You are requested to attend the meeting of the Appeals and Reviews Committee to be held in Virtual Meeting - Zoom on Monday, 19th April 2021 at 5.00 pm for the following business.

Chief Executive

Southfields  
Loughborough

9th April 2021

**AGENDA**

1. APOLOGIES
2. MINUTES OF THE PREVIOUS MEETING 3 - 5  
To receive and note the minutes of the previous meeting.
3. QUESTIONS UNDER OTHER COMMITTEE PROCEDURES 12.8
4. DISCLOSURES OF PECUNIARY AND PERSONAL INTERESTS

5. BOROUGH OF CHARNWOOD (129 ROTHLEY ROAD, MOUNTSORREL) TREE PRESERVATION ORDER 2020 6 - 165  
A report of the Head of Strategic Support is attached.
6. BOROUGH OF CHARNWOOD (THE BRADGATE, 37 MAIN STREET, NEWTOWN LINFORD) TREE PRESERVATION ORDER 2020 166 - 183  
A report of the Head of Strategic Support is attached.

## **PROCEDURE**

*The procedure to be followed in considering objections to Tree Preservation Orders is as follows:*

- (a) *The Head of Strategic Support or his/her representative will introduce the report before the Appeals and Reviews Committee which will include written statements by both parties (i.e. the Head of Planning and Regeneration and the objector(s)).*
- (b) *The Head of Planning and Regeneration or his/her representative will present his/her case for confirming the order with or without modifications.*

*Members of the Appeals and Reviews Committee and the objector(s) may then ask him/her questions.*

- (c) *The objector(s) will present his/her case, if he/she wishes to do so.*

*Members of the Appeals and Reviews Committee and the Head of Planning and Regeneration or his/her representative may then ask the objector(s) questions.*

- (d) *Members of the Appeals and Reviews Committee will ask the parties for any additional information or clarification they require.*
- (e) *The Appeals and Reviews Committee, with the advice of the Head of Strategic Support or his/her representative as necessary, will then decide whether or not the order should be confirmed and, if so, whether with or without modifications.*

*The parties will not participate in the meeting at this stage and each will have the options of sitting in the public gallery or leaving the meeting.*



## APPEALS AND REVIEWS COMMITTEE 17TH NOVEMBER 2020

PRESENT: The Chair (Councillor Capleton)  
The Vice Chair (Councillor Howe)  
Councillors S. Bradshaw, K. Harris and Needham

Mr J. Tindle (Item 5)  
Mrs E. Swain (Item 6)

Principal Solicitor - Planning, Property and  
Contracts  
Information Development Manager  
Team Leader Natural & Built Environment  
Senior Landscape Officer  
Democratic Services Officer (NC)  
Democratic Services Officer (LS)

APOLOGIES: None

The Chair stated that this virtual meeting was being livestreamed as a public meeting and would be recorded and the recording subsequently made available via the Council's website. He also advised that, under the Openness of Local Government Bodies Regulations 2014, other people may film, record, tweet or blog from this meeting, and the use of any such images or sound recordings was not under the Council's control.

### 11. MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting of the Committee held on 28th September 2020 were received and noted.

### 12. QUESTIONS UNDER OTHER COMMITTEE PROCEDURES 12.8

No questions had been submitted.

### 13. DISCLOSURES OF PECUNIARY AND PERSONAL INTERESTS

Councillor S. Bradshaw declared a personal interest in respect of Item 5 on the agenda. The objector was known to him in a professional capacity, but that had been several years ago, he had not discussed the matter with the objector, and he came to the meeting with an open mind.

### 14. BOROUGH OF CHARNWOOD (LAND ADJ. 17 RIVER VIEW, BARROW-UPON-SOAR) TREE PRESERVATION ORDER 2020

Considered a report of the Head of Strategic Support setting out details of the Tree Preservation Order served on the above site, the objection received to the Order and the comments of the Head of Planning and Regeneration on the issues raised by the objection (item 5 on the agenda filed with these minutes).

Assisting with consideration of the report: The Principal Solicitor – Planning, Property and Contracts.

The Head of Planning and Regeneration’s representatives and the objector attended the meeting to put forward their cases and answer the Committee’s questions.

The Committee considered this matter in accordance with the “Procedure for Considering Objections to Tree Preservation Orders” set out in the Council’s Constitution and on the agenda for this meeting.

**RESOLVED** that the Borough of Charnwood (Land adj. 17 River View, Barrow-Upon-Soar) Tree Preservation Order 2020 be not confirmed.

Reason

Having considered, in accordance with the procedure set out in the Council’s Constitution, the objection to the Order, the Committee considered that the reasons put forward for not protecting the trees outweighed the contribution they made to the amenity of the area and that the trees should not therefore be protected.

15. BOROUGH OF CHARNWOOD (THE VICARAGE 52 MAIN STREET COSSINGTON) TREE PRESERVATION ORDER 2020

Considered a report of the Head of Strategic Support setting out details of the Tree Preservation Order served on the above site, the objection received to the Order and the comments of the Head of Planning and Regeneration on the issues raised by the objection (item 6 on the agenda filed with these minutes).

Assisting with consideration of the report: The Principal Solicitor – Planning, Property and Contracts.

The Head of Planning and Regeneration’s representatives and the objector attended the meeting to put forward their cases and answer the Committee’s questions.

The Committee considered this matter in accordance with the “Procedure for Considering Objections to Tree Preservation Orders” set out in the Council’s Constitution and on the agenda for this meeting.

**RESOLVED** that the Borough of Charnwood (The Vicarage 52 Main Street Cossington) Tree Preservation Order 2020 be confirmed without modification.

Reason

Having considered, in accordance with the procedure set out in the Council’s Constitution, the objection to the Order, the Committee considered that the reasons put forward for not protecting the trees did not outweigh the contribution they made to the amenity of the area and that the trees should therefore be protected.

16. BOROUGH OF CHARNWOOD (16 ORTON CLOSE, REARSBY) TREE PRESERVATION ORDER 2020

Considered a report of the Head of Strategic Support setting out details of the Tree Preservation Order served on the above site, the objection received to the Order and the comments of the Head of Planning and Regeneration on the issues raised by the objection (item 7 on the agenda filed with these minutes).

Assisting with consideration of the report: The Principal Solicitor – Planning, Property and Contracts.

The Head of Planning and Regeneration’s representatives attended the meeting to put forward their case and answer the Committee’s questions. Having given his apologies, the objector did not attend the meeting.

The Committee considered this matter in accordance with the “Procedure for Considering Objections to Tree Preservation Orders” set out in the Council’s Constitution and on the agenda for this meeting.

**RESOLVED** that the Borough of Charnwood (16 Orton Close, Rearsby) Tree Preservation Order 2020 be confirmed without modification.

Reason

Having considered, in accordance with the procedure set out in the Council’s Constitution, the objection to the Order, the Committee considered that the reasons put forward for not protecting the trees did not outweigh the contribution they made to the amenity of the area and that the trees should therefore be protected.

NOTE:

No reference may be made to these minutes at the next available Ordinary Council meeting unless notice to that effect is given to the Democratic Services Manager by five members of the Council by noon on the fifth working day following publication of these minutes.

## APPEALS AND REVIEWS COMMITTEE 19TH APRIL 2021

### Report of the Head of Strategic Support

#### ITEM 5 BOROUGH OF CHARNWOOD (129 ROTHLEY ROAD, MOUNTSORREL) TREE PRESERVATION ORDER 2020

The above Order relates to 5 trees, T1 – Ash, T2 – Sycamore, T3 – Holly, T4 – Sycamore, T5 – Holly situated at the above property.

The Council's Head of Planning and Regeneration considers the trees make a significant contribution to the visual amenity of the street and locality. A PREAPP P/20/1327/2 was received seeking advice on the proposal for a new dwelling in the side garden of the above address. The garden although somewhat neglected contains a number of trees which individually and collectively provide a significant landscape feature and visual amenity to the street by way of a punctuation and softening with green relief to the hard, built form of the street. The trees of merit consist of 1 x ash, 2 x holly, 2 x sycamores are in good condition as viewed from ground level. The trees are early mature and mature, of good form and, and visible from the street. Therefore, the Head of Planning and Regeneration considers it is appropriate to ensure that the trees are properly protected and retained in a satisfactory manner through the making of a Tree Preservation Order.

Therefore, an Order was made on 13th November 2020 to provisionally protect the trees.

A copy of the Order is attached at **Annex 1**.

An objection to the Order was received on 26th November 2020 from the owner of 129 Rothley Road, Mountsorrel.

A copy of the objection is attached at **Annex 2**.

The Head of Planning and Regeneration's comments on the issues raised in the objection are attached at **Annex 3**.

The Committee is asked to consider the issues raised by the objectors and the comments of the Head of Planning and Regeneration in accordance with the procedure set out and to determine whether or not the Tree Preservation Order should be confirmed and, if so, whether with or without modification.

Officer to contact:                      Laura Strong  
Democratic Services Officer  
01509 634734  
[laura.strong@charnwood.gov.uk](mailto:laura.strong@charnwood.gov.uk)

**Town and Country Planning Act 1990**  
**The Borough of Charnwood (129 Rothley Road, Mountsorrel)**  
**Tree Preservation Order 2020**

The Charnwood Borough Council, in exercise of the powers conferred on them by section 198 of the Town and Country Planning Act 1990 make the following Order:

**Citation**

1. This Order may be cited as The Borough of Charnwood (129 Rothley Road, Mountsorrel) Tree Preservation Order 2020.

**Interpretation**

2. (1) In this Order “the authority” means the Charnwood Borough Council.  
(2) In this Order any reference to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990 and any reference to a numbered regulation is a reference to the regulation so numbered in the Town and Country Planning (Tree Preservation)(England) Regulations 2012.

**Effect**

3. (1) Subject to article 4, this Order takes effect provisionally on the date on which it is made.  
(2) Without prejudice to subsection (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners) and, subject to the exceptions in regulation 14, no person shall:
  - (a) cut down, top, lop, uproot, wilfully damage, or wilfully destroy; or
  - (b) cause or permit the cutting down, topping, lopping, wilful damage or wilful destruction of,


any tree specified in the Schedule to this Order except with the written consent of the authority in accordance with regulations 16 and 17, or of the Secretary of State in accordance with regulation 23, and, where such consent is given subject to conditions, in accordance with those conditions.

**Application to trees to be planted pursuant to a condition**

4. In relation to any tree identified in the first column of the Schedule by the letter "C", being a tree to be planted pursuant to a condition imposed under paragraph (a) of section 197 (planning permission to include appropriate provision for preservation and planting of trees), this Order takes effect as from the time when the tree is planted.

Dated this 13th day of November 2020

The Common Seal of the Charnwood Borough Council  
was affixed to this Order in the presence of:

  
.....



2020/21-90

**SPECIFICATION OF TREES**

**Trees specified individually**  
(encircled in black on the map)

Reference on map	Description	Situation
T1	Ash	SK 458308 314092
T2	Sycamore	
T3	Holly	
T4	Sycamore	
T5	Holly	

**Trees specified by reference to an area**  
(within a dotted black line on the map)

Reference on map	Description	Situation
	None	

**Groups of trees**  
(within a broken line on the map)

Reference on map	Description (including number of trees in the group)	Situation
	None	

**Woodlands**  
(within a continuous black line on the map)

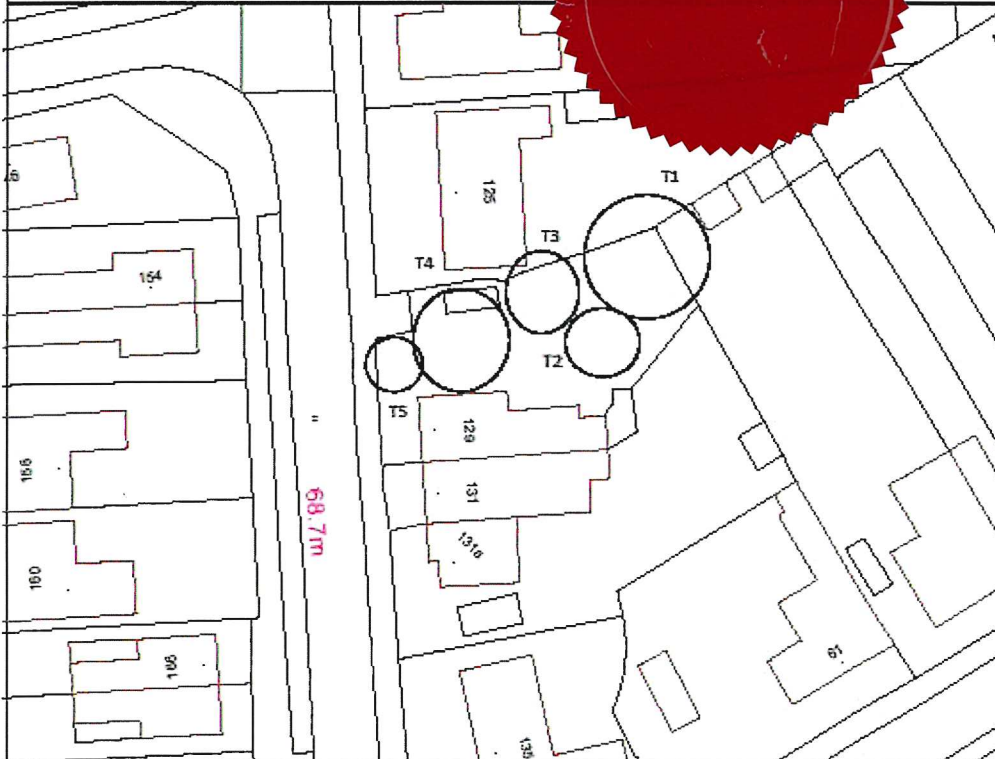
Reference on map	Description	Situation
	None	

I certify this map shows the tree referred to in the first schedule of the Borough of Charnwood (129 Rothley Road, Mountsorrel) Tree Preservation Order 2020



Authorised signatory *[Signature]*

2020/21-90



Borough of Charnwood  
(129 Rothley Road Mountsorrel)  
Tree Preservation Order 2020

R Bennett Dip. TP. MRTPI  
Head of Planning & Regeneration  
Borough of Charnwood  
Southfields  
Loughborough  
Leics. LE11 2TN  
Date: 6 Nov 2020  
Scale: 1:500  
Prep: NO'D

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Dear Mrs Laura Strong,

**Re: Reference PT/56 Tree Preservation Order 129 Rothley Road, Mountsorrel 1 x Ash, 2 x Holly, 2 x Sycamores**

I write to object to this order by way of explanation of our individual circumstances, effects on my property and disagreement over the assessment of the trees.

I have jointly owned a property and lived together with my mother (Aldeena Hughes) since 2003. However, on 21 September 2019 I married, and the living arrangements were no longer suitable for my new blended family. As a result of this significant life event my mother and I decided to sell our jointly owned property to allow us to purchase/build 2 separate properties. However, given our budget and exploring all possibilities it was apparent that I would need to purchase a property with enough land to allow for the building of a granny annex or small detached dwelling. Our property sold on 24<sup>th</sup> September 2020. We sought out a property to meet our individual requirements. With my mother's share of the proceeds of the sale and her retired status, it was not possible for her to purchase a property outright from the open property market. We obtained independent financial advice and our only solution was to buy a property where we could build a separate dwelling for her to live. 129 Rothley Road is in need of total renovation, so with its reduced sale price, the savings made using my husband's renovation skills and the adjacent land, this allowed for the possibility of having 2 separate dwellings within our means.

My mother is single, 69 years old and has significant health conditions, Type 1 insulin dependent diabetes being one of them. She is retired and receives attendance allowance due to the impact of her health conditions. Although very strong minded and independent, she relies on my support and care to help her maintain this independence and support her health and well-being. She suffers with sleep apnea and night cramps whereby assistance at night-time is often needed. At this late stage in her life it is crucial now more than in times past that we maintain the close connection and proximity to each other, and that settled accommodation is quickly provided. It was also important that breaking out from our joint property following my marriage would not place my mother at a disadvantage. Particularly where she is unable to take out her own mortgage or increase her income.

Therefore, after taking architects advice they recommended a dormer bungalow on the site and the pre planning application P/20/1327/2 was subsequently made. Given the shape and size of the garden and the number of trees in it, it was apparent that in order to erect a suitable new dwelling several of the trees would be lost, but not necessary to remove all. To counter the removal of certain trees we had intended to keep the trees furthest away from the dwellings and would plant other greenery around the site to provide a green landscape feature and visual amenity to the street and our home.

The street in itself is in any case built up with most properties being without trees or greenery, so the removal of the trees from our property would be in keeping with the rest of the street. We do not accept that our particular garden provides a significant landscape feature or contribution in this particular locality. The street is long and overall is very built up and hard in form of which removal of the trees would make very little difference to the overall visual of the street.

What's more, there are 20 plus trees in total in our modest sized garden which for this space is excessive and overbearing and limits how we are able to use the garden space and the light it allows into the house and garden. Therefore, removing the given trees to allow for the build will still leave a considerable amount of trees in the garden. One of the Holly trees is along the front of the house

which affects the possibility of extending the driveway to allow for the household's vehicles, another benefit to our home and the street.

In addition, an independent building survey was conducted on 26<sup>th</sup> June 2020 that recommended removal of the trees given their close proximity to the existing house and the possible cause of the cracks and movement in the structure of the house (report attached). Since starting the renovations, we have uncovered the full extent of this movement, which we are currently trying to rectify.

Upon the building surveyor's advice, we also completed an inspection of the drains on 17<sup>th</sup> July 2020 (report and photos attached) and as suspected found that the tree roots had infiltrated the drains and caused approximately £3000 worth of damage which we are needing to rectify. So, alongside our personal circumstances, the trees are problematic to the structure and functioning of the property, causing damage and great cost.

Given the information provided here we do not consider it reasonable for a preservation order to be issued and confirmed against these particular trees. Without being able to build a dwelling for my elderly unwell mother, she will be rendered homeless as we have no other viable option or solution. As well, without removal of these trees there would be continued damage to the existing property. Neither do we agree that they add the value of visual amenity to the street as the order states.

On balance we assert the tree preservation order to be disproportionate given that the impact will be detrimental to our lives and property.

I have completed and returned the statement of information form to your postal address as requested.

Please confirm receipt of this email objecting to the tree preservation order and advise if you require any further information.

Yours Sincerely,

Mrs Nicole Baksa (nee Hughes) and Miss Aldeena Hughes



## RICS Home Surveys Building Survey

### Property address

129 Rothley Road  
Mountsorrel  
Leicestershire  
LE12 7JT

### Client's name

Nicole Baksa

### Date of inspection

26th June 2020

# Contents

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- What to do now
- Description of the RICS Building Survey Service
- Typical house diagram

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In a world where more and more people, governments, banks and commercial organisations demand greater certainty of professional standards and ethics, attaining RICS status is the recognised mark of property professionalism.

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# A

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## Introduction to the report

This Building Survey is produced by an RICS surveyor who has written this report for you to use. If you decide not to act on the advice in this report, you do this at your own risk.

The Building Survey Report aims to:

- help you make a reasoned and informed decision when purchasing the property, or when planning for repairs, maintenance or upgrading of the property;
- provide detailed advice on condition;
- describe the identifiable risk of potential or hidden defects;
- where practicable and agreed, provide an estimate of costs for identified reports; and
- make recommendations as to any further actions or advice which need to be obtained before committing to purchase.

Section B gives an outline description of what the inspection covers. A more detailed description is contained in the 'Description of the RICS Building Survey Service' at the end of this report.

Any extra services provided that are not covered by the terms and conditions of this report must be covered by a separate contract.

After reading this report you may have comments or questions. If so, please contact the RICS surveyor who has written this report for you (contact details are given in section L).

If you want to complain about the service provided by the RICS surveyor, the surveyor will have a "RICS-complaint" handling procedure and will give you a copy if you ask.

### Property address

129 Rothley Road Mountsorrel Leicestershire LE12 7JT

## B

## About the inspection

**Surveyor's name**

Adrian Moore B.Sc MCIQB MCABE Assoc RICS VRS

**Surveyor's RICS number**

6658061

**Company name**

AMM Surveying Services Ltd

**Date of the inspection**

Friday 26th June 2020

**Report reference number**

20179

**Related party disclosure**

I am not aware that there is any conflict of interest as defined by the RICS in their Valuation Standards and also the RICS Rules of Conduct.

**Full address and postcode of the property**

129 Rothley Road  
Mountsorrel  
Leicestershire  
LE12 7JT

**Weather conditions when the inspection took place**

At the time of inspection it was dry and sunny following a few weeks of mixed weather.

**The status of the property when the inspection took place**

The property was unoccupied, partly furnished and floors were extensively covered at the time of our inspection. This prevented a detailed inspection of some areas of the property.

**Property address**

129 Rothley Road Mountsorrel Leicestershire LE12 7JT

# B

## About the inspection (continued)

We inspect the inside and outside of the main building and all permanent outbuildings. We also inspect the parts of the electricity, gas/oil, water, heating, drainage and other services that can be seen, but these are not tested other than through their normal operation in everyday use.

To help describe the condition of the home, we give condition ratings to the main parts (the 'elements') of the building, garage and some parts outside. Some elements can be made up of several different parts.

In the element boxes in parts E, F, G and H, we describe the part that has the worst condition rating first then briefly outline the condition of the other parts. The condition ratings are described as follows.

**3**

Defects that are serious and/or need to be repaired, replaced or investigated urgently.

**2**

Defects that need repairing or replacing but are not considered to be either serious or urgent. The property must be maintained in the normal way.

**1**

No repair is currently needed. The property must be maintained in the normal way.

**NI**

Not inspected (see 'Important note' below).

**Important note:** We carry out a desk-top study and make oral enquiries for information about matters affecting the property.

We carefully and thoroughly inspect the property using our best endeavours to see as much of it as is physically accessible. Where this is not possible an explanation will be provided.

We visually inspect roofs, chimneys and other surfaces on the outside of the building from ground level and, if necessary, from neighbouring public property and with the help of binoculars. Flat roofs no more than 3m above ground level are inspected using a ladder where it is safe to do so.

We inspect the roof structure from inside the roof space if there is safe access. We examine floor surfaces and under-floor spaces so far as there is safe access and permission from the owner. We are not able to assess the condition of the inside of any chimney, boiler or other flues. We do not lift fitted carpets or coverings without the owner's consent. Intermittent faults of services may not be apparent on the day of inspection.

If we are concerned about parts of the property that the inspection cannot cover, the report will tell you about any further investigations that are needed.

Where practicable and agreed we report on the cost of any work for identified repairs and make recommendations on how these repairs should be carried out. Some maintenance and repairs we suggest may be expensive. Purely cosmetic and minor maintenance defects that have no effect on performance might not be reported. The report that we provide is not a warranty.



Please read the 'Description of the RICS Building Survey Service' (at the back of this report) for details of what is, and is not, inspected.

### Property address

129 Rothley Road Mountsorrel Leicestershire LE12 7JT



# Overall assessment and summary of the condition ratings

This section provides our overall opinion of the property, highlighting areas of concern, and summarises the condition ratings of the different elements of the property (with only the worst rating per element being inputted into the tables). It also provides a summary of repairs (and cost guidance where agreed) and recommendations for further investigations.

To make sure you get a balanced impression of the property, we strongly recommend that you read all sections of the report, in particular the 'What to do now' section, and discuss in details with us.

## Overall Opinion

The survey inspection revealed a number of defects, some of which are of a serious nature and which require immediate further investigation. You are strongly advised not to proceed to purchase until all recommended further investigations have been undertaken and you are fully aware of your immediate and longer term liabilities.

The property is of an age and type where a certain amount of maintenance should be anticipated. As with any property, it is vital that the main fabric of the building is maintained in a watertight condition and to achieve this all major structural elements will require regular maintenance and repair. Brickwork, stone work, jointing and render should be regularly inspected and repaired, flashings redressed and defective/slipped roofing tiles repaired or replaced as necessary. Rainwater goods should be regularly cleaned, resealed and realigned and external joinery will need to be redecorated frequently with decayed sections being cut out and replaced. Paintwork should be maintained in a good condition. It is also vital that all services to the property are regularly maintained and upgraded in order to comply with prevailing current regulations.

Roof covering - see section E2  
 Roof Structure - see section F1  
 Ceilings - see section F2  
 Walls - see section F3  
 Floors - see section F4  
 Fireplaces - see section F5  
 Woodwork - see section F7  
 Kitchen - see section F8  
 Electricity - see section G1  
 Gas - see section G2  
 Heating - see section G4  
 Water Heating - see section G5  
 Drains - see section G6  
 Outbuildings - see section H2

To assist we set out above and below the defects listed as a Condition Rating 3, which is a summary of the main items in need of repair that, in our opinion, you should attend to both now and allow for in the future. This is not intended to be an exhaustive list and we would recommend the report is read in full to gain an overall picture of the property. The purpose of this report is to advise on the structural condition and state of repair of the property. The inspection has been carried out in accordance with the Terms of Engagement. The report should be construed as a comment upon the overall condition of the property and the quality of the structure, but not as an inventory of every single defect, many of which would not significantly affect the value of the property.

You are strongly advised to obtain competitive quotations from reputable contractors before you exchange contracts. As soon as you receive the quotations and report for the work specified above and the responses from your Legal Advisers, we will be pleased to advise you whether or not they would cause us to change the advice which we give in this report. We must advise you, however, that if you should decide to exchange contracts without obtaining this information you would have to accept the risk that adverse factors may come to light in the future.

Evidence of dampness was noted in the property. This dampness has resulted in damage of plaster and other

## Property address

129 Rothley Road Mountsorrel Leicestershire LE12 7JT



## Overall assessment and summary of the condition ratings (continued)

wall finishes. We recommend that further investigations by a specialist company are carried out to establish the need for a damp proof course and the likely cost of repairs. We have only been able to carry out a limited inspection and the full extent of damage, which may include decay to concealed timbers, may not have been fully established. For example, we have not been able to examine the ends of any timbers that may have been built into walls. (Please see Section J – Risks.)

We recommend that the entire electrical installation is tested by a competent electrician ('NICEIC/ECA' registered) and all recommendations implemented. Thereafter, the installation should be retested every ten years. (Please see Section G1 - Electricity and Section J - Risks).

You should instruct a 'Gas Safe' registered contractor to carry out a test of the system and confirm its safe operation. (Please see Section G2 – Gas/Oil and Section J - Risks).

3

Section of the report	Element number	Element name
E: Outside the property	E2	Roof coverings
F: Inside the property	F1 F2 F3 F4 F5 F7 F8	Roof structure Ceilings Walls and partitions Floors Fireplaces, chimney breast and flues Woodwork (e.g. staircase and joinery) Bathroom and kitchen fittings
G: Services	G1 G2 G4 G5 G6	Electricity Gas/oil Heating Water heating Drainage
H: Grounds (part)	H2	Permanent outbuildings and other structures

2

Section of the report	Element number	Element name
E: Outside the property	E1 E3 E4 E5 E6 E8 E9	Chimney stacks Rainwater pipes and gutters Main walls Windows Outside doors (including patio doors) Other joinery and finishes Other
F: Inside the property	F6	Built-in fittings (e.g wardrobes)
G: Services	G3 G8	Water Other services/features
H: Grounds (part)		

### Property address

129 Rothley Road Mountsorrel Leicestershire LE12 7JT

## C

# Overall assessment and summary of the condition ratings (continued)

1

Section of the report	Element number	Element name
E: Outside the property		
F: Inside the property		
G: Services		
H: Grounds (part)		

## Further investigations

Roof covering - see section E2  
 Roof Structure - see section F1  
 Ceilings - see section F2  
 Walls - see section F3  
 Floors - see section F4  
 Fireplaces - see section F5  
 Woodwork - see section F7  
 Kitchen - see section F8  
 Electricity - see section G1  
 Gas - see section G2  
 Heating - see section G4  
 Water Heating - see section G5  
 Drains - see section G6  
 Outbuildings - see section H2

Further investigations should be obtained prior to legal commitment to purchase the property (see 'What to do now')

## Property address

129 Rothley Road Mountsorrel Leicestershire LE12 7JT

# About the Property

## Type of property

The property semi-detached house on two floors.  
The front of the property faces approximately west.  
All directions contained in this report are stated as facing the front door of the property.

## Approximate year the property was built

We consider the property was built circa 1900.

## Approximate year the property was extended

The property has not been extended.

## Approximate year the property was converted

The property has not been converted

## Information relevant to flats and maisonettes

The property is not a flat.

## Accommodation

Floor	Living rooms	Bed rooms	Bath or shower	Separate toilet	Kitchen	Utility Room	Conser-vatory	Other	Name of other
Lower Ground									
Ground	3				1				
First		3	1	1					
Second									
Third									
Other									
Roof Space									

## Property address

129 Rothley Road Mountsorrel Leicestershire LE12 7JT

## D

## About the Property (continued)

### Construction

The main walls are assumed to be of solid brick construction beneath a pitched roof.  
The ground floor is of solid and suspended timber construction.  
The first floor is of suspended timber construction.

Given the age of the property it is possible that timber treatment may have been undertaken in the past with materials which are now considered hazardous. Likewise, materials such as lead and asbestos are likely to have been incorporated into some elements of the construction. We would draw your attention to our comments at Section J - Risks.

### Means of escape

We would recommend that you draw up a simple plan of your property and identify both direct and indirect routes to escape the property. A meeting place should also be identified, for example, a large tree or post box far enough away from the property to be safe.

It is recommended that windows at first floor level should not be locked in order to aid escape.

The first floor windows lack adequate restrictors to prevent someone from falling out of the window. See Section J3 – Risks to People.

Things to consider when assessing the fire risk in a residential property:

Layout and length of escape routes to the final exit avoiding the kitchen.

Condition of the staircase, walls and ceilings.

Smoke and fire detection equipment.

The type and condition of the space heating, open fires, electric fires and gas heaters.

The condition of the electrical system and the likelihood of overloading.

### Security

We did not identify an alarm system but you should confirm this with the Vendor.

You should ensure the locks to doors and windows comply with your Insurers requirements. Furthermore, we would always recommend locks are changed when a property is sold.

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# About the Property (continued)

## Energy

We have not prepared the Energy Performance Certificate (EPC). If we have seen the EPC, then we will present the ratings here. We have not checked these ratings and so cannot comment on their accuracy.

We are advised that the property's current energy performance, as recorded in the EPC, is:

### Energy Efficiency Rating

See section E9.

## Services (Mains)

Gas



Other

Electric



Other

Water



Other

Drainage



Other

Please see section K for more information about the energy efficiency of the property.

## Central heating

Gas

Electric

Solid fuel

Oil

None

### Other services or energy sources (including feed-in tariffs)

The surveyor is not aware of any other energy sources.

## Grounds

Front and rear garden with parking space.

## Location

The property is situated in an established residential area with properties of a similar character and age.

## Facilities

The property is in a location convenient for all local amenities and transport facilities.  
You should familiarise yourself with the locality and amenities before purchase.

## Property address

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## D

## About the Property (continued)

### Local Environment

We did not identify any other environmental matters.

### Other Local Factors

We are not aware of any additional local factors, for example significant external noise or other nuisances.

We inspected the property during the day. At the time of our inspection no significant sound from adjacent properties was noted. Having regard to the age of the property it is unlikely that any effective sound insulation was provided between adjacent properties at the time of construction. Therefore it is possible, dependent upon the lifestyle of the neighbours, that sound transmission will be encountered during your occupation of the property and which in the extreme could affect your quiet enjoyment.

We strongly advise that prior to exchange of contracts you should return to the property on a number of occasions, particularly in the evening and at weekends, in an attempt to establish who your neighbours are and whether the way in which they use and occupy their property will produce unreasonable levels of sound transmission which could affect your quiet enjoyment, such that, if known to you prior to purchase, would lead you to reconsider your proposal to purchase the property.

We recommend that formal legal enquiries should be made of the Vendor to determine whether any previous problems with noisy neighbours or indeed other disputes have been encountered by them during the period of their ownership.

We are not aware of instances of aircraft, rail, road or other noise unduly affecting this property. We would, however, recommend that your Legal Adviser makes formal enquiries of the Local Authority prior to purchase to determine whether there is any recorded evidence of noise pollution within the area which, if known to you at this time, would lead you to reconsider your purchase of the property. In addition, as part of pre-contract search enquiries, your Legal Adviser should determine whether there are any proposals for adjacent development or alteration to transport facilities (road, rail and air) which could impinge upon your quiet enjoyment of the property.

In adjoining properties high levels of sound transmission from one unit to another may cause disturbance. Adjoining properties may not have been occupied during our inspection and we therefore cannot comment on the efficiency or otherwise of any sound reduction material that may have been incorporated between the various parts of the structure.

### Property address

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# Outside the property

## Limitations to inspection

Only a limited view of elements at upper level was available from the ground.

It was not raining at the time of our inspection therefore, we cannot comment upon the adequacy or water tightness of the rainwater goods.

Access was insufficient to determine the condition of low-level roof timbers. Where water penetration has occurred then the timbers will eventually rot. One way of confirming their condition is to instruct a competent roofing contractor to lift the low-level slates, inspect the timbers and then replace the covering.

All measurements and dimensions mentioned are approximate or nominal only and should not be relied upon where accuracy is required.

Where the internal walls are dry lined, this significantly reduces our ability to test for dampness.

1 2 3 NI

## E1 Chimney stacks

The property has two chimney stacks built in brick and the flashings where visible are of lead. The rear chimney is shared with the neighbour. 2

From ground level, the front chimney appears to require a general programme of maintenance including repairs to the cracked and loose areas of brickwork and mortar jointing.

There is no flaunching around the top of the front stack and the chimney pots, as well as some bricks are loose. See photograph. Condition Rating 2

Disused chimney flues should be capped in such a way ensuring ventilation of the flues is available but at the same time preventing rain penetration.

Chimney stacks are by their nature exposed and consequently require regular inspections and maintenance.

We noted staining and damp penetration to the front chimney breast within the roof void. This indicates problems with, or lack of, a proper damp proof course arrangement within the chimney or defective flashings between the chimney and the adjacent roof tiling. Flashings are designed to provide a waterproof seal but are subject to wear or damage. Close inspection with the aid of a long ladder is advisable.

You should instruct a competent contractor to provide an estimate for these works and any necessary associated repairs. (Please see Section J - Risks).

## Property address

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## Outside the property (continued)



Photo - 1 Chimney in right gable. Sections of gable appear to only be single skin thickness



Photo - 2 Front chimney



Photo - 3 Front elevation of rear chimney

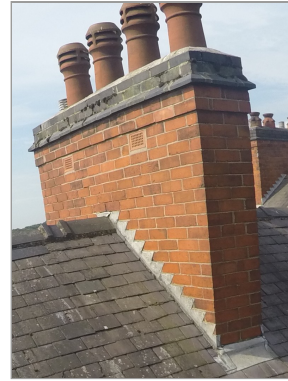


Photo - 4 Rear elevation of rear chimney

### E2 Roof coverings

The main roof is formed from a pitched design, clad with slate.

3

There is a bay window with a flat roof which is covered with lead. This roof appears to leak given the staining in the front reception room. See section F2. Condition Rating 3.

No significant sagging or deflection could be seen from the limited inspection from ground level and there are no indications to suggest any weakness in the timbers making up the roof frame. However, on closer inspection defects may become apparent, for example to ridge tiles, roof slates and their fixings. The roof covering shows signs of some general unevenness and deflection but the degree of movement noted is considered to be within normal tolerances and does not give cause for concern.

The roof covering is original and a waterproof felt has not been provided between the roof timbers and the covering. Instead a foam has been sprayed to the underside of the slates. See section F1. You should therefore anticipate re-covering of the roof and we recommend that you instruct a roofing contractor, prior to exchange of contracts, to carry out an inspection and provide a quotation so you are aware of the likely cost. Condition Rating 3

### Property address

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## Outside the property (continued)

The pointing to some ridge tiles appears to be deteriorating and tiles may be loose. Loose pointing should be raked out and renewed at which time re-bedding may also be required. Condition Rating 2

A number of slates have been secured with metal clips, known as tingles, which indicates that the nails holding the slates in position have corroded and the slates will shortly become loose and slip. The need for on-going repairs must be expected until such time as the roof is stripped and re-covered.

The mortar work below some verge tiles was noted to be cracked and defective requiring raking out and renewal. Raking out and re-pointing may prove a short-term solution and it is likely to fail again. Ideally, the verge tiles should be lifted, the defective mortar renewed and the tiles re-bedded. This should be carried out by a competent roofing contractor. Condition Rating 2

Despite the foam applied to the underside of the roof covering numerous slates have slipped and this is likely the cause of the water ingress that has damaged several rooms. Condition Rating 3

You should obtain an estimate from a reputable roofing contractor for the complete replacement of the roof covering together with any necessary repairs or strengthening of the roof frame, prior to purchase. (Please see Section J - Risks). Condition Rating 3



*Photo - 5 Front pitch with numerous slipped slates.*



*Photo - 6 Roof line*

### Property address

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## Outside the property (continued)



Photo - 7 Rear pitch



Photo - 8 Left elevation of rear projection



Photo - 9 Loose verge pointing



Photo - 10 Bay roof. Note loose flashings. This might explain water staining to ceiling in front reception

### E3 Rainwater pipes and gutters

The rainwater goods are made up of plastic gutters and downpipes and are shared with the adjoining property.

2

They are in poor decorative condition and significantly stained, presumably due to long term minor leakages, beginning to discolour and additionally are now of some age and likely to be brittle. The rubber seals are likely beginning to perish which will lead to leaking from the joints particularly at corners. We consider it prudent to completely upgrade these. Condition Rating 3

Where rainwater pipes discharge directly into the below ground drainage the drain may be more prone to blockages from obstructions entering the system at eaves level. The provision of an intermediate gully and grid is recommended.

At present, some rainwater downpipes discharge directly onto the ground for example the timber lean-to off the back of the outbuilding. This is inappropriate as it can lead to damp penetration and the downpipes should be extended to discharge directly into the below ground surface water disposal system, or to soakaways, preferably via open gulleys with grilles that can be visually inspected and

#### Property address

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## Outside the property (continued)

maintained easily. Condition Rating 2

Where downpipes discharge into gulleys then these should be kept clear and in good repair in order to assist with rainwater disposal and to reduce the likelihood of dampness affecting the property.

It is important that rainwater goods are always well maintained as any leaks or spillages, if not dealt with, can cause deterioration and damage to the outer surfaces of the property and decay to joinery.

You should instruct a competent contractor to provide an estimate for all works to the rainwater goods and any necessary associated repairs. (Please see Section J - Risks).



Photo - 11 Poor connections

### E4 Main walls

The main walls are assumed to be of solid brick construction.  
The main walls were measured and are approximately 240mm thick.

2

Where external walls are formed from solid construction dampness is kept at bay by the thickness of the walls and the quality of the repairs and maintenance. Repointing and repairs to stone and brickwork are important to help prevent against internal damp penetration.

Upper sections of the left gable in the loft appear to only be single skin thick and upgrading is likely if the roof is replaced. Condition Rating 2

General spalling was noted to some brickwork together with deterioration to mortar jointing. Bricks were also damaged and loose to the front bay window and beneath the gutters on the front elevation. The affected bricks should be cut out and replaced and pointing raked out and renewed as necessary. Condition Rating 2

Several areas of pointing were weathered and a significant amount will require repointing. The rear projection has also been painted with a textured coating which is peeling off in many areas. This should be stripped off. However, it is likely to have damaged the masonry beneath and you might need to render this area. Condition Rating 2

In view of the age of the property it cannot be readily assumed that window and door openings were

### Property address

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## Outside the property (continued)

provided with lintels to support masonry above. Consequently, the need to provide these in the future cannot be ruled out, particularly if you envisage renewing door or window frames.

Timber cladding (which is in poor condition) has been placed over what is assumed lintels over the two front bedroom windows. It is considered there originally was a soldier course of bricks over each opening but these have been removed. You should expect to upgrade any lintels that are behind this cladding and budget accordingly. Condition Rating 2

Cracking is visible to the rear elevation and on the left elevation over the rear reception window. We consider this is a result of settlement of the brickwork around the window and back door openings and exacerbated by the lack of a sufficient supporting lintel. In order to resolve this issue either an adequate supporting lintels needs inserting or the cracks should be strengthened by the installation of Helibars. These are available from [www.helifix.co.uk](http://www.helifix.co.uk) Condition Rating 2

The property has been provided with an injected damp proof course.

It is important to maintain a flow of air in the void beneath the timber ground floor in order to prevent dampness and the development of rot. There are a number of subfloor vents for the timber ground floor. These should be kept clear of obstruction to ensure that the subfloor areas are properly ventilated.

We refer to later comments in Section F3 – Walls & Partitions regarding dampness to the ground and first floor walls. You should arrange for a specialist contractor to carry out a full inspection of the property, including a disruptive inspection behind the wall linings on order that the full extent of any concealed liability can be made known to you.

Properties of this age contain timbers built into the walls, usually above and below openings. As the walls to the house are of solid construction and thus more prone to penetrating dampness such timbers are at risk from infestation by wood-boring insects and there is a possibility that some decay may exist which is hidden from view. Without further opening up, which will be expensive and disruptive, we are unable to confirm whether such timbers are free from significant defect. Defects become apparent when work is undertaken to the property, for example, removal of plaster exposing timbers beneath. Remedial work can be both expensive and disruptive.

The foundations have not been inspected and generally speaking are not visible. Your Legal Adviser should make enquiries and confirm that the property has not been underpinned as works may have been undertaken in the past, which are now not readily apparent. Older properties are likely to have limited foundations which are unlikely to comply with modern requirements. Where foundations are limited, then the building is likely to be constructed upon a subsoil subject to seasonal shrinkage and expansion, which can cause structural movement.

We found no evidence of significant past or present movement in the structure of the building, although we would recommend that confirmation is sought from the Vendors as it can be difficult to identify after remedial works have been undertaken.

The main walls are vertical within acceptable limits and there was no sign of any significant structural movement.

In the absence of instructions to fully expose foundations to the walls, you must accept the risk of unseen defects. We have not noted any above ground defects which have been caused by defective foundations, nor have we noted any above ground defects likely to affect foundations.

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## Outside the property (continued)

You should instruct a competent contractor to provide an estimate for these works and any necessary associated repairs. (Please see Section J - Risks).



Photo - 12 Front elevation



Photo - 13 Loose bricks beneath disconnected gutter in front left corner.



Photo - 14 Timber cladding over lintels to front elevation



Photo - 15 Damaged bricks beneath front bay. Also note injected DPC

### Property address

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## Outside the property (continued)



Photo - 16 Spalled bricks and weathered mortar

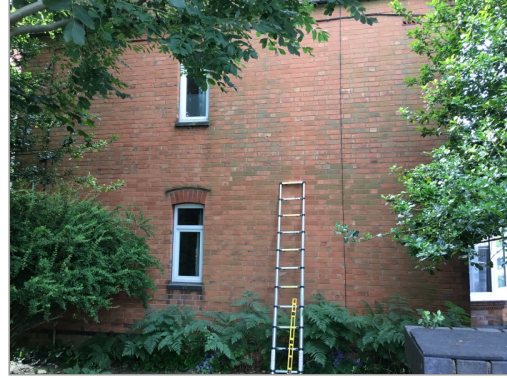


Photo - 17 Left elevation



Photo - 18 Left gable



Photo - 19 Textured coating in poor condition



Photo - 20 Rear projection



Photo - 21 Cracking apparent over rear projection

### Property address

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## Outside the property (continued)



Photo - 22 Cracking to rear elevation



Photo - 23 Cracking beneath back door on rear elevation

### E5 Windows

The windows are of uPVC construction with double glazed units.

2

Any glazing below 800mm above floor level should be fitted with safety glass to comply with Building Regulations.

The double glazed units appear dated. Several windows would not open or were stiff. Some, such as the back and middle bedrooms were taped shut. Consequently, their serviceability must be suspect and the need for routine maintenance anticipated until they are eventually renewed.

On first floors and above there should be at least 1 window in each bedroom with an opening of at least 450 x 450mm and also the bottom of the openable area no more than 1100mm above floor level, or direct access to a "protected stairway" in order to comply with Building Regulations for fire escape from upper levels.

A "protected stairway" is one which is separated by fire resistant construction (such as fire resistant plasterboard and fire doors to all rooms that lead onto it) at all storeys and leads onto a final exit or has access to a minimum of two doors that are separated from each other by fire resistant construction and fire doors.

The seals of some of the double glazed units have failed and vapour has entered the void. These units will require replacement.

Where windows and doors have been installed we would have expected the supporting lintels to have been exposed and where necessary, to have been upgraded (see section E4 regarding front bedroom windows). Whilst there are no obvious indications to suggest serious defect without disruptive investigations we are unable to confirm the adequacy of the lintels above the openings. If you are at all concerned, you should refer to the original installing contractor or arrange for the lintels to be exposed prior to purchase. It is a requirement today that replacement windows and doors are installed subject to Building Regulation approval or by a FENSA registered contractor.

Double glazing has a limited life and is prone to deterioration at edge seals. This can sometimes be

### Property address

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## Outside the property (continued)

recognised by moisture between panes but its presence is dependent upon atmospheric conditions, which are of course variable, therefore failure cannot always be diagnosed during a single inspection. Enquiries in respect of any guarantees available would be prudent as failure can occur at any time.



Photo - 24 Front windows



Photo - 25 Left elevation windows



Photo - 26 Blown seals



Photo - 27 Handle and lock broken on fire escape window in back bedroom

### Property address

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## Outside the property (continued)



Photo - 28 Unable to open fire escape window in middle bedroom



Photo - 29 Front bedroom window

### E6 Outside doors (including patio doors)

The external doors are largely of uPVC and appeared to be in dated condition. The timber frame to the front door is dated and possibly rotten in places. Condition Rating 2

2

Glazing does not appear to comprise safety glass and although it appeared satisfactory there are obvious safety and security implications. You may wish to have it checked and replace the glass with toughened safety glass carrying the BS Kitemark. However, it would be prudent to replace all doors and frames with more modern units for security reasons. Condition Rating 2

Please see comments at Section E5 – Windows, regarding the potential failure of sealed double glazed units.

Double glazing has a limited life and is prone to deterioration at edge seals. This can sometimes be recognised by moisture between panes but its presence is dependent upon atmospheric conditions, which are of course variable, therefore failure cannot always be diagnosed during a single inspection. Enquiries in respect of any guarantees available would be prudent as failure can occur at any time.



Photo - 30 Front door



Photo - 31 UPVC side door

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## E

## Outside the property (continued)



Photo - 32 Back door

### E7 Conservatory and porches

The property does not have a porch or a conservatory.

**NI**

### E8 Other joinery and finishes

There is no eaves level joinery with the gutters fixed directly to the walls.

**2**

Fascia boarding to the front bay window is of timber construction.

General deterioration was noted from ground level, to eaves level fascia boarding. A closer inspection may also reveal areas of wet rot especially behind guttering. A comprehensive overhaul of the woodwork is required and complete renewal of some sections of timber should be anticipated. Condition Rating 2

In older properties there is often a timber wall plate visible between the top of the external walls and the roof. These timbers have been exposed to the elements for a considerable period of time. Rot and wood-boring insect activity is inevitable and some repairs and replacements will be required. You should budget accordingly.

You should instruct a competent contractor to provide an estimate for these works and any necessary associated repairs. (Please see Section J - Risks).

### Property address

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## Outside the property (continued)



Photo - 33 Fascias in poor decorative condition

### E9 Other

We found no other matters concerning the exterior that require comment.

2

Loose steps, handrails and coping stones are potential health and safety hazards. We would recommend that these are regularly checked to ensure that they are properly fixed.

The thermal efficiency and potential of the property will be indicated in the Energy Performance Certificate (EPC) which is on the Estate Agents website and is attached below.

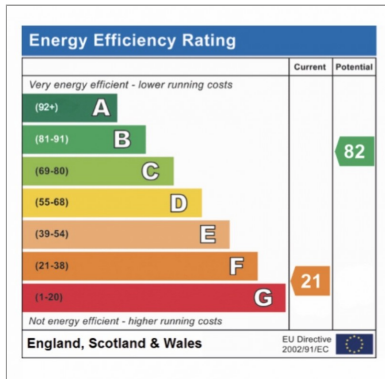


Photo - 34 Energy Efficiency Rating

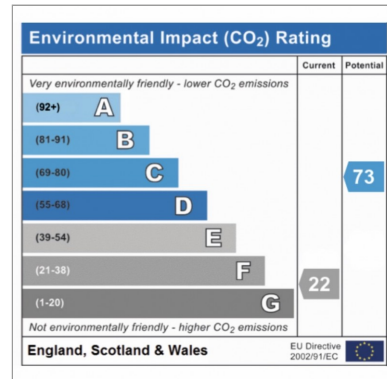


Photo - 35 Environmental Impact Rating

### Property address

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# E

## Outside the property (continued)



*Photo - 36 Loose steps to side door*

### Property address

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# Inside the property

## Limitations to inspection

In older properties with suspended timber floors, these are often rotten in some areas to both floor and subfloor timbers. Where these floors are covered with carpet or other coverings and furniture is in place it is often extremely difficult to identify. You should therefore anticipate some repairs and replacements especially where dampness has been identified and subfloor ventilation is limited. You should budget accordingly.

Due to the insulation we were only able to walk in the loft area immediately around the hatch. We also could not enter the loft area over the rear projection area.

We were not able to inspect the voids within the flat roofed areas or other parts of the pitched roof as no access was available. You must accept the risk of defects unless an inspection is made prior to your exchanging contracts.

A layer of insulation limited our inspection within the roof void.

The property was carpeted and partly furnished at the time of our inspection. Fitted floor coverings had been laid throughout most of the property and fastened down in most areas, with stored items in the loft, wardrobes and elsewhere. This placed some restrictions on our inspection.

1 2 3 NI

## F1 Roof structure

The roof void is accessed via a hatch on the landing.

3

The roof is of traditional construction comprising timber rafters which are supported along their span by timber beams or 'purlins' which in turn support the roof covering. The rafters sit on the outer walls on top of timber wall plates to which they are secured. Timber ceiling joists support the ceilings to the internal rooms but also secure the rafter feet together thus preventing outward movement of the roof (roof spread). This is typical of properties of this age and type.

Sprayed foam has been applied to the underside of the roof covering throughout the loft area. This is usually carried out to stop slates slipping. However, it has likely rendered the property un-mortgageable as most lenders refuse to provide mortgages in properties with this applied to the roof given that it hides damage, allows water ingress to go undetected and can cause roof timbers to rot. Condition Rating 3

Although we could see no evidence of water ingress in the loft it is obviously occurring given the damage to ceilings and walls beneath. Therefore, the foam coating has failed in its intended purpose and the property requires re-roofing. However, it is unlikely any slates will be salvageable given the foam coating and you should budget for purchasing new slate for the roof. Timbers will need scraping clear of the foam but some will be rotten and you will need to budget for some replacement timbers. Also if you replace the slate with a heavier concrete tile, additional support will be required to the roof structure. Condition Rating 3

The loft area is inadequately ventilated and condensation dampness could occur, especially on roof timbers and to the underside of the roof covering. We would recommend that airbricks are built into the external gable walls or vents are cut into the soffits at eaves level when the roof is replaced. Alternatively, ventilators may be installed on the roof slopes or main ridge.

Our inspection revealed no evidence of any significant rot or active wood-boring beetle infestation. However, having regard to the limitations of the inspection and the age of the property some timber

## Property address

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## F

## Inside the property (continued)

defects are likely to be present unless previous treatment has been properly carried out.

Some purlins are sagging slightly along with other timbers and contain natural "shakes". This condition is not unusual or progressive in properties of this age.

A full inspection of all timbers was not possible due to limited access. In a property of this age some timber defects could possibly be present unless previous treatment has been properly carried out.

Some insulation is present in the roof void although this is considered inadequate by modern day standards. We recommend a minimum thickness of 300mm of fibreglass quilt or similar insulating material is provided over all areas with the exception of the eaves, below cold water storage and expansion tanks and around electrical cabling, which should be kept clear.

The roof structure is of typical design for a property of this age and type and timbers are of adequate size and spacings to carry normal loads likely to be imposed upon them. The loft should only be used, if at all, for light storage and most importantly none of the timbers should be cut as this could considerably reduce the structural strength.

Asbestos materials are often used as an insulating material and are often found around flues in the roof space and we refer to later comments in Section J3 regarding the dangers of asbestos.

You should instruct a competent contractor to provide an estimate for these works and any necessary associated repairs. (Please see Section J - Risks).



Photo - 37 Foam applied to underside of slates.



Photo - 38 Shakes

### Property address

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## Inside the property (continued)



Photo - 39 Rooflight



Photo - 40 Unable to enter rear projection loft area



Photo - 41 Fill gap in part wall for fire safety



Photo - 42 Upper section of party wall is probably single skin

### F2 Ceilings

The ceilings all appear to be of lath and plaster construction, a type no longer used today.

3

Where polystyrene tiles are used as a surface finish they could present a fire risk and may also conceal poor finishes beneath. We recommend that they be removed although you should be aware that severe damage might occur to the underlying plasterwork as a result of the removal process.

Several ceilings such as the back bedroom and rear reception have suffered significant damage due to water ingress and these areas will require new ceilings. Condition Rating 3

Other areas have slight damage to ceilings but have been covered with a thick paper or woodchip. One of the main problems associated with older lath and plaster ceilings is their condition once the lining paper is stripped off. Even where the decorated surface appears true and even, the "structural woodchip" can cover a multitude of issues such as plaster that has lost its "key" with the laths.

It is likely that the ceilings that do not require replacement will require at least some repair and you should budget accordingly.

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## F

## Inside the property (continued)

You should instruct a competent contractor to provide an estimate for these works and any necessary associated repairs. (Please see Section J - Risks).



*Photo - 43 Polystyrene tiles*



*Photo - 44 Damaged ceiling in rear reception*



*Photo - 45 Water staining over side door*



*Photo - 46 Bathroom ceiling*

### Property address

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## Inside the property (continued)



*Photo - 47 Back bedroom ceiling*



*Photo - 48 Landing ceiling at junction with rear projection*



*Photo - 49 Damage around loft hatch on landing*



*Photo - 50 Front bedroom*



*Photo - 51 Water damage to bay ceiling*

### Property address

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## F

# Inside the property (continued)

## F3 Walls and partitions

The internal walls are formed from solid and lightweight construction. The wall surfaces were in poor condition in several rooms. However, further defects to plasterwork may become apparent when existing decorative finishes are removed.

3

The internal walls are a mixture of solid brick and blockwork construction and lightweight timber framing. Non-structural shrinkage cracking which needs to be raked out and filled, prior to redecoration.

In view of the age of the property you must expect to find that some areas of wall plaster will need attention when redecoration is carried out.

Water ingress which is most likely due to leaks in the roof have damaged walls (and ceilings) in several areas such as the middle and rear bedrooms and also the rear reception. Extensive replastering will be required in these areas. However, given the state of the plastering generally you may need to budget for complete re-plastering throughout. Condition Rating 3

The past settlement of some internal partitions has caused localised internal cracking and distortion to some door openings more noticeable at first floor level. The movement noted appears to be an established feature and is not considered unusual in buildings of this type. We consider the extent of movement noted to be within acceptable limits. However, we refer to section G6 and recommend the drains are surveyed as it is possible they are leaking given the age of the property. Any leaks pose a threat of causing subsidence damage to the property. Although unlikely, the cracking in the back bedroom and rear elevation could possibly be due to leaking drains.

The Surveyor is not aware that any internal structural alterations have been made to the property.

Under normal circumstances ground floor partition walls are supported on foundations or on a thickened section of the concrete ground floor. Without extensive and disruptive investigations we cannot confirm that the walls are properly supported but there was no evidence to indicate weaknesses to the inside walls on the ground floor.

Similarly, the partition walls upstairs should be built either above lower load bearing walls or the floors below strengthened to carry the additional weight. We cannot confirm that these walls are adequately supported without extensive investigations but there was no evidence to indicate any overstressing.

It is possible that asbestos may have been used in the make up or lining of some walls. We would refer you to our later comments under Section J3 – Risks to People, in this respect.

Tests were taken with a moisture meter at regular intervals in a structured methodical manner to internal wall surfaces. The readings obtained indicate that rising and/or penetrating dampness is present to the internal walls not only in every room on the ground floor but also on the first floor where water ingress has occurred in the middle and rear bedrooms. Condition Rating 3

You should instruct a specialist damp proofing contractor to carry out a full inspection of the property and carry out any necessary remedial repairs. Any contractor appointed should be a member of the Property Care Association (see [www.property-care.org](http://www.property-care.org)). It would be prudent for at least two contractors to be approached as remedial methods and costs vary. You should be mindful that any contractor appointed has a commercial interest in undertaking works and as such you should ensure that you are satisfied with any proposals. Damp remediation work is often disruptive and will usually involve at least partial replacement of wall plasters. (Please see Section J - Risks).

### Property address

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## Inside the property (continued)

Wall plaster affected by rising dampness contain salts in the soil which can attract moisture and until this plaster is removed and replaced with plasters to a suitable specification the walls will continue to attract moisture. It is necessary to remove plaster on the affected walls to a height of about 1m above floor level and these walls then to be re-plastered and allowed to satisfactory dry out. If the salt contaminated plaster is not removed or if the new plaster cannot resist the effects of remaining dampness in the wall, damp staining and deterioration may occur.

Dampness can be caused by a number of factors, for example:

External rendering/textured paint being in contact with the ground allowing moisture to rise and pass through the walls.

The external ground level being above the level of the damp proof course and internal floors.

The internal plaster being in contact with the flooring behind the skirting boards allowing moisture to rise. A failure of the damp proof course previously provided or the damp proof course being only partially installed.

Absence of a damp proof course in the walls in question.

Poor quality materials and/or poor workmanship in the original damp proof course.

Failure in the past to have the original damaged plaster removed and replaced with new plaster to the appropriate specification.

Other causes such as condensation giving the appearance of rising damp.

Where there are dry-linings or built in fittings such as kitchen fittings, dampness can be difficult to trace and costly and inconvenient to rectify.



Photo - 52 Cracking in hallway



Photo - 53 Front reception

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## Inside the property (continued)



Photo - 54 Middle reception



Photo - 55 Rear reception



Photo - 56 Section of doorframe missing and wall repaired beneath



Photo - 57 Distortion in back bedroom door frame suggests historic movement toward the left elevation has occurred.



Photo - 58 Damage in back bedroom most likely due to roof leak and also cracking on rear elevation (see section E4)



Photo - 59 Middle bedroom

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## Inside the property (continued)



Photo - 60 Damaged middle bedroom due to leak in roof



Photo - 61 Cracking in middle bedroom likely due to absence of lintel



Photo - 62 Rear wall in middle bedroom



Photo - 63 Front bedroom

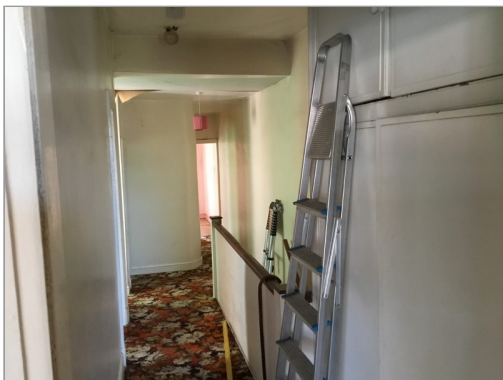


Photo - 64 Landing



Photo - 65 High moisture content and crumbling plaster in front reception

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## F

## Inside the property (continued)

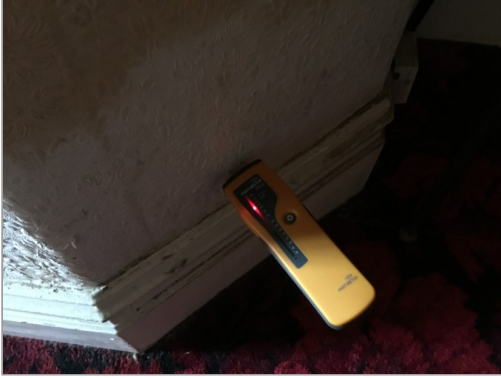


Photo - 66 High moisture content in hallway



Photo - 67 Crumbling plaster and high moisture content in kitchen by door



Photo - 68 High moisture content in party wall despite it being a newer plaster. Note "tide mark" in rear reception

### F4 Floors

Our inspection of floors was severely restricted by floor coverings and furniture and we cannot categorically confirm that they are all free from defect.

3

The ground floor is of suspended timber construction in the front and middle reception rooms and solid construction elsewhere. In a property of this age a damp proof membrane is unlikely to have been provided to solid floors. This can be both expensive and inconvenient to subsequently put in place.

The first floor is of suspended timber construction.

There is evidence of movement of the solid floor slab in the rear reception and kitchen and the floor requires levelling. This is not uncommon with a property of this age and is usually due to consolidation of the fill material beneath the concrete slab. The movement generally stabilises shortly after construction but it should be appreciated that from a single visual inspection this cannot be confirmed. Condition Rating 3

The timber floors at first floor level on the landing outside the wc showed some evidence of slight

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## Inside the property (continued)

deflection, which is probably a result of initial settlement, and unlikely to cause further problems, provided the floors are not overloaded.

Some floorboards are loose or creaking and need to be properly re-fixed. For example

Even though no significant defects were noted to the floors, due to the presence of damp in localised areas, we recommend that one or two floorboards are lifted in the front and middle receptions to confirm the integrity of the underlying floor joists.

You should instruct a competent contractor to provide an estimate for these works and any necessary associated repairs. (Please see Section J - Risks).



Photo - 69 Slight slope in landing floor



Photo - 70 Rear reception quarry tiled floor slopes severely toward left elevation



Photo - 71 Quarry tiled kitchen floor also slopes toward left elevation

### F5 Fireplaces, chimney breast and flues

The property has a fireplace located in the three reception rooms and also the front and back bedrooms. Without specialist tests we cannot comment on the condition of the flue walls. You may wish to arrange for an inspection prior to use.

3

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## Inside the property (continued)

The middle bedroom fireplace has been blocked up but no provision has been made for through ventilation to reduce the risk of condensation dampness. We would therefore recommend the installation of suitable vents in order to increase the level of ventilation to the flue.

Please note in buildings of this age the flue linings are often decayed and the flues unsuitable for use unless they are relined. You are recommended therefore to have them checked prior to use.

The gas appliances fitted to the fireplace in the middle and rear reception rooms may not comply with current safety and ventilation standards and we cannot confirm whether suitable flue liners have been provided.



Photo - 72 Front reception



Photo - 73 Middle reception



Photo - 74 Rear reception



Photo - 75 Back bedroom

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## Inside the property (continued)



Photo - 76 Front bedroom

### F6 Built-in fittings (e.g wardrobes)

The wardrobes and cupboards are flimsy with ill fitting and damaged doors and you will need to replace them.

2



Photo - 77 Bathroom cupboard



Photo - 78 Front bedroom

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## Inside the property (continued)



Photo - 79 Landing

### F7 Woodwork (e.g. staircase and joinery)

The general condition of the doors, stairs and other joinery is poor with some areas such as the front reception room skirting showing rot and sections missing, as is also the case in the hallway. However, given the age of the property, it is likely that further rot may become apparent on further investigation to skirting boards or floor timbers, especially where dampness has been noted and subfloor ventilation is inadequate. Condition Rating 3

3

Some doors bind and require adjustment. Others have been fitted with "rising butt" hinges to deal with sloping floors.

Glazing to the inner front door does not appear to comprise safety glass and although it appeared satisfactory there are obvious safety and security implications. You may wish to have it checked and replace the glass with toughened safety glass carrying the BS Kitemark. Condition Rating 2

Internal decorations are marked and deteriorating. A fair amount of preparation and making good will be necessary before redecorating.

Prior to 1965 paint with a high lead content was in common use. You should be aware that lead dust can accumulate on floors and can be created by sanding or removing areas of lead paint. Inhalation of lead dust, especially by young children, can be prejudicial to health. As a consequence you may be advised to take suitable precautions when preparing existing finishes for redecoration.

A full inspection of all internal timbers was not possible due to the closely fitted floor coverings and stored effects and furnishings. In a property of this age some timber defects are likely to be present unless previous repairs or remedial works have been properly carried out.

Some visible timbers, particularly skirting boards in the front and rear reception rooms were found to exhibit signs of significant dampness when exposed areas were tested with an electronic damp meter. The conditions are right for decay to occur and as a result we would recommend that following remedial works in respect of the source of the dampness, the timbers are fully exposed prior to purchase and repairs or replacements undertaken as necessary.

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## Inside the property (continued)

The staircase is of conventional timber construction and easy to ascend and descend and no significant defects were evident, although visibility was limited within the under stairs cupboard due to boarding and stored items.

Whilst we have been as thorough as possible in our inspection and taken all reasonable care, hidden fungal decay and woodworm could be present in areas which we were unable to inspect. Unless all timbers have been treated hidden outbreaks might exist.

You should instruct a competent contractor to provide an estimate for these works and any necessary associated repairs. (Please see Section J - Risks).



Photo - 80 Inner front door of dated design with no safety glass



Photo - 81 Bathroom door fitted with rising butts to deal with sloping floor



Photo - 82 Rotten skirtings in front reception

### F8 Bathroom and kitchen fittings

The sanitary fittings are dated and we would recommend that a quotation for their replacement is obtained prior to exchange of contracts. Condition Rating 2

3

Mechanical ventilation is recommended particularly in bathrooms but also within kitchens. The mechanical vents should be cleaned regularly.

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## F

## Inside the property (continued)

There was no electric extract fan within the bathroom. Good ventilation is important so you should consider the installation of an extract fan. It is a requirement of Part F of The Building Regulations. Ideally it should be linked to the light switch and operate on a delay mechanism. This installation should only be carried out by a qualified electrician. Condition Rating 2

The kitchen fittings are very dated and we would recommend that you obtain a quotation for their replacement prior to exchange of contracts. Condition Rating 3



Photo - 83 WC



Photo - 84 Bathroom



Photo - 85 Kitchen

### F9 Other

There were no integral garages, cellars or loft conversions identified within the property.

**NI**

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# Services

Services are generally hidden within the construction of the property. This means that we can only inspect the visible parts of the available services, and we do not carry out specialist tests. The visual inspection cannot assess the services to make sure they work efficiently and safely, or meet modern standards.

## Limitations to inspection

It should be appreciated that the majority of the electrical, gas and water installation is not visible. Our inspection only relates to the accessible areas. Any further investigation by a specialist contractor might highlight defects and an inspection and testing of the services is always recommended prior to exchange so that you are aware of any likely future costs.

**G1 Electricity** *Safety warning: The Electrical Safety Council recommends that you should get a registered electrician to check the property and its electrical fittings and that a periodic inspection and testing is carried out at the following times: for tenanted properties every 5 years or at each change of occupancy, whichever is sooner; at least every 10 years for an owner-occupied home. All electrical installation work undertaken after 1 January 2005 should have appropriate certification. For more advice contact the Electrical Safety Council.*

1 2 3 NI

Electricity is supplied from the mains via a meter and a consumer unit in the middle reception cupboard. **3**

The electrical system appears dated and is unlikely to comply with current regulations. We noted some issues such as a plastic and dated consumer unit and questionable wiring in the loft and we recommend an inspection is carried out prior to purchase by a competent electrician ('NICEIC/ECA' registered).

This inspection should be carried out prior to exchange so that you are aware of the likely cost. Thereafter, the installation should be re-tested every ten years (Please see Section J - Risks). You are advised to arrange for the electrical system to be renewed and upgraded to comply with current regulations (Please see Section J - Risks).

Any alterations that have been undertaken to the electrical installation within the property since 1st January 2005 must now follow certain Building Regulation principals (BS 7671), such work being undertaken and/or certified by a suitably accredited electrician. You would be advised to request that your Legal Adviser makes appropriate enquiries in this respect to confirm that any such works undertaken to the property do have appropriate approval.

We have not arranged for a specialist test of the electrical installation and are unable to comment upon it in detail. Without such a test it is not possible to say whether the installation is safe and complies fully with current regulations. We would recommend that the inspection is carried out prior to exchange.

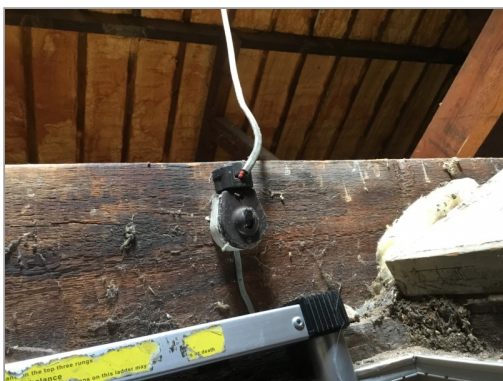


Photo - 86 Dated electrics



Photo - 87 Electrics

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## G

## Services (continued)

**G2 Gas/oil** *Safety warning: All gas and oil appliances and equipment should regularly be inspected, tested, maintained and serviced by an appropriately qualified Gas Safe Engineer or Registered Heating Engineer and in line with the manufacturer's instructions. For tenanted properties by law a 12 monthly gas safety check must be carried out on every gas appliance/flue. A gas safety check will make sure gas fittings and appliances are safe to use. This is important to make sure that the equipment is working correctly, to limit the risk of fire and carbon monoxide poisoning and to prevent carbon dioxide and other greenhouse gases from leaking into the air. For more advice contact the Gas Safe Register for gas installations, and OFTEC for oil installations.*

Mains gas is connected via a meter located next to the electric meter. This is no longer considered safe and it is recommended the gas meter is housed in a fire resistant cupboard. 3

Without specialist examinations of the system we are unable to comment on the quality or safety of the system and as a precautionary measure we would recommend further investigations be undertaken prior to purchase. Thereafter, the installation should be serviced annually.

You should instruct a 'Gas Safe' registered contractor to provide an estimate for these works and any necessary associated repairs (Please see Section J - Risks).

If a recent test certificate, dated within the last 12 months, is not available for the gas supply and appliance(s) then we recommend they are tested. See Sections I2 - Guarantees and J3 – Risks to People.



Photo - 88 Gas

### G3 Water

Cold water is supplied from the mains via an external stopcock located in the pavement. We were unable to locate an internal stopcock within the kitchen. 2

We cannot comment on the condition of the water service pipe into the building. It should be appreciated that leaks can occur for some time before signs are apparent on the surface.

The main supply pipe into the property appears to be/may be in lead. Such material does now represent a health hazard and should be replaced with more modern pipework.

Cold water is stored in a dated cold water storage tank located in the bathroom cupboard. See photograph. The tank appears to be in a dated condition and should be replaced.

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## Services (continued)

The distribution plumbing, where visible, comprises copper pipework. No significant leakage was noted on the surface although most of the pipework is concealed in ducts and floors.

A WC was flushed and some taps in the property were turned on. These appeared to operate satisfactorily within the limitations of our inspection.

The water supply pipe did not appear to be earth bonded to the electrical supply. Earth bonding is required to comply with current regulations.

In a property of this age, unless the main has been recently replaced you should budget for its replacement.

In properties with older plumbing systems, particularly where copper pipes are hidden, then leaks can occur which are not readily apparent. Some repairs and replacements of the pipework should be anticipated. The likelihood of work to the plumbing system will be greatly increased where the property has been rented out or poorly maintained.



Photo - 89 Water tank



Photo - 90 Stopcock

### G4 Heating

The property does not have a central heating system but there are electric wall mounted night storage heaters in the three reception rooms. We would recommend that these are tested prior to use. You may wish to install a more modern central heating system and we would recommend that you arrange for a quotation to be provided prior to exchange.

3

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## G

## Services (continued)



Photo - 91 Storage heater in front reception

### G5 Water heating

There is a dated copper hot water cylinder located in the airing cupboard which has a loose insulation jacket and was in poor condition. 3

You may wish to consider replacing the dated cylinder with a larger factory insulated alternative.

You should instruct a competent contractor to carry out an inspection of the hot water cylinder and carry out repairs or replacement as appropriate. (See Section J - Risks).



Photo - 92 Cylinder

### G6 Drainage

The property is presumed to drain to the mains sewer via drain lines, which appear to run to the left of the property. Your Legal Advisers should, however, confirm that the property is connected to the main. 3

We were unable to lift the cover to the inspection chamber which is located off the left of the rear projection and we are therefore unable to comment on any aspect of the below ground drainage system.

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## Services (continued)

We recommend a survey of the drains is carried out given the age of the property and the potential for drains in older properties to leak and cause subsidence movement to occur. We are mindful of cracking to the rear projection walls and movement of the floors in some areas and although unlikely, subsidence could be a potential cause of these areas of movement. Condition Rating 3.

Your Legal Adviser's enquiries should give you further information with regard to your liability in respect of the drains to the property.

We did not rod the drains through or carry out any tests and we cannot therefore comment on any defects which may exist in the underground drain runs. If you wish to be certain about the water tightness of the drains we would advise that you instruct a specialist to carry out a detailed inspection.

Given the age of the property you should be aware that unless the underground drains have been more recently replaced then you should anticipate replacements. This can be expensive and you should budget accordingly.

The cast iron part of the soil and vent stack shows signs of general deterioration including corrosion and the stack should be replaced with more modern plastic pipework (Please see Section J - Risks). (See also comments regarding asbestos at Section J3 – Risks to People).

Note: Much of the pipework is concealed internally within ducting and could not be inspected.

Rainwater is taken to soak-aways or the mains drainage system as far as we can tell but we are unable to confirm that proper connections have been made. You should be aware that soak-aways do silt up from time to time but there was no evidence of this at the time of inspection.

Gulleys should be kept in good condition and cleaned regularly to assist with the rapid disposal of water away from the property.

Cracked surrounds to various gulleys require repair and the gratings need to be cleaned out.



Photo - 93 Unable lift lid as it is broken



Photo - 94 Lower cast iron soil and vent pipe in poor condition

### G7 Common services

The property is not a flat.

**NI**

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## G

## Services (continued)

### G8 Other services/features

Mains smoke detectors are recommended in all properties particularly outside kitchens and in circulating areas at each floor level.

2

Any TV and radio installations were not inspected or tested. You should request details of any maintenance and service contract.

Any broadband and cable installations were not inspected or tested. You should request details of any maintenance and service contract.

Fan assisted ventilation reduces condensation and should be maintained in working order. Ideally, it should be controlled by the light switch and have a delayed cut-off mechanism.

A fan assisted ventilator should be provided to the bathroom and be controlled by the light switch with a delayed cut-off mechanism.

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# Grounds (including shared areas for flats)

## Limitations to inspection

The boundary walls/fences have not been inspected in detail.

The outbuildings contained a number of stored items which limited our inspection.

1 2 3 NI

## H1 Garage

The property no longer has a garage

NI



Photo - 95 Former garage

## H2 Permanent outbuildings and other structures

There is an out-building constructed of part single skin thick brick walls beneath a mono-pitched roof clad with slate. This structure houses a coal store and outside wc. The wc was not tested as part of the survey.

3

The outbuilding is of single skin brick in places and you should be aware that this is considered to be substandard construction. If you intend to use it for any other purpose then you should anticipate upgrading of the structure or replacement.

The outbuilding is generally in poor condition. The roof covering has slipped slates and there is also no flashing at the junction with the rear wall of the main property.

Timbers are rotten and some areas show signs of damage by wood boring beetles so treatment will be required to affected areas.

The brickwork is in poor condition with spalled bricks and weathered mortar visible.

Significant works will be required. Condition Rating 3

There is also a timber framed "lean-to" off the back of the outbuilding. Given its condition it is recommended this is demolished.

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## Grounds (including shared areas for flats) (continued)



Photo - 96 Outbuilding



Photo - 97 Lead flashing required



Photo - 98 Unable to enter loft area due to stored items



Photo - 99 Door and frame in poor condition



Photo - 100 Spalled and stained bricks from leaking gutter



Photo - 101 WC

### Property address

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## Grounds (including shared areas for flats) (continued)



Photo - 102 Timber framed storage area off rear of outbuilding



Photo - 103 Wallplate rotten and contains wood boring beetles



Photo - 104 Spalled and weathered bricks



Photo - 105 Roof

### H3 Other

The property has a garden to the front with parking to the side and the main garden at the rear.

Your Legal Adviser will establish who owns the boundaries and who is responsible for maintaining them. Please also see Section I – Issues for Your Legal Adviser.

The boundaries are generally defined by timber fencing and brick walls.

The timber boundary fences are deteriorating. Loose and damaged sections should be repaired or replaced and ideally, wooden fences would benefit from treatment with preservative.

The front boundary wall is in poor condition and has fallen down in places. Remaining sections might need rebuilding in places.

There are a number of trees within possible influencing distance of the property. Whilst these do not appear to have caused damage to the building, proper management including pruning but ideally removal is necessary.

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## Grounds (including shared areas for flats) (continued)

We have not carried out a detailed inspection of the whole garden. Sometimes asbestos cement sheeting may be used within a garden and we would draw your attention to our comments in Section J3 – Risks to People, regarding the dangers of asbestos and the problems and cost of its disposal.

The front garden slopes down towards the front of the house and it is possible that some localised flooding could occur during periods of high rainfall. Additional drainage may be required.

We are unable within the confines of this report to comment specifically on ground conditions to the subject property.

We did not notice any significantly wet ground at the date of our inspection. However, if wet ground conditions become evident in time we would recommend an inspection by a specialist and that additional land drainage is provided as recommended.



*Photo - 106 Boundary wall in poor condition with sections missing*



*Photo - 107 Driveway cracked and in poor condition*



*Photo - 108 Fences in poor condition*



*Photo - 109 Back garden*

### Property address

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## Grounds (including shared areas for flats) (continued)



*Photo - 110 Side garden*

### Property address

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# Issues for your legal advisers

We do not act as the legal adviser and will not comment on any legal documents. However, if during the inspection we identify issues that the legal advisers may need to investigate further, these will be listed and explained in this section (for example, check whether there is a warranty covering replacement windows). You should show your legal adviser this section of the report.

## I1 Regulation

We assume that Rothley Road is 'adopted' (that is, maintained by the Local Authority).

With regard to the alterations carried out to the property in the past, we strongly recommend that you instruct your Legal Adviser to make the necessary enquiries to ensure that all appropriate consents were obtained such as Building Regulations approval and Completion Certificate or if the work was carried out by an installer registered with the Competent Persons Scheme.

The Legal Adviser should check that any work carried out has been registered with the local Building Control Authority.

Structural alterations such as the removal of chimney breasts, partitions and loft conversions are often carried out without obtaining the necessary consents.

Where the means of support are concealed within the structure or casing we cannot comment on their suitability and we recommend that further investigations be carried out.

We are unaware of any development or road widening proposals that are likely to affect the property directly. We would recommend, however, that you instruct your Legal Adviser to make the usual searches in this regard.

We are not aware that the property is Listed or in a Conservation Area but your Legal Adviser should seek confirmation of this. If it becomes apparent that the property is Listed or in a Conservation Area then you should be aware that this will limit any alterations you intend to make.

As has been noted in the report, there are a number of trees either within neighbouring gardens or within the subject property's garden which could affect the house and other building. We would suggest that the neighbours (if the trees are outside of the boundaries) are informed of the fact and copies of any letters are placed with your own insurers.

The precise boundaries of the site should be identified and it should be noted which of these carry maintenance liability.

Confirmation should be obtained that all necessary Planning and Building Regulation Approvals were obtained for any alterations undertaken to the property and that these documents were adhered to during the construction process.

Check whether there are any covenants or encumbrances of an onerous or restrictive nature affecting the building and whether any environmental matters are planned, which would be to the detriment of the property.

We have not made enquiries concerning rights of way or other matters relating to Planning, Building Regulations, road improvements or others which are normally dealt with by your Legal Adviser when formal searches are made prior to legal commitment to purchase.

Your Legal Adviser should confirm the ownership and liability for footpaths and other access ways around the property. Your Legal Adviser should confirm that there are rights of way to your property from the public highway.

External locks to doors should be checked to ensure they meet your conditions or those of your insurers.

The Surveyor will assume that the property is not subject to any unusual or especially onerous restrictions or covenants which apply to the structure or affect the reasonable enjoyment of the property.

The Surveyor will assume that all By-Laws, Building Regulations and other consents required have been

### Property address

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# I

## Issues for your legal advisers (continued)

obtained. In the cases of new buildings, alterations and extensions which require statutory consents or approvals, the surveyor will not verify whether such consents have been obtained. Any enquiries should be made by the Client or his Legal Advisers. Drawings and specifications will not be inspected by the Surveyor.

The Surveyor will assume that the property is unaffected by any matters which would be revealed by a Local Search and replies to the usual enquiries, or by a Statutory Notice and that neither the property nor its condition, its use, or its intended use, is or will be unlawful.

Before you carry out any work to shared parts of the property such as the Party wall, roof, shared chimney stacks, fences and boundary walls etc, you may need to get your neighbour's permission to undertake any works. This is required under the Party Wall etc act 1996. Your Legal Advisor should confirm this and explain the implications to you.

### I2 Guarantees

It is possible that guarantees exist for the property. However, we are not aware of any.

Your Legal Advisers are responsible for checking relevant documents relating to the Property (these might include servicing records and any guarantees, reports and specifications on previous repair works) as well as for carrying out all the standard searches and enquiries.

### I3 Other matters

You should ask your Legal Advisers to investigate and advise on: (i) in addition to the necessary standard searches and enquiries, all the items referred to in Section I above. Please advise us immediately if any of this information is found to be inaccurate.

We understand that the property is to be sold Freehold. You should ask your Legal Adviser to confirm this and explain the implications.

Prior to the inspection we were provided with no documentation or information.

It is understood that the property is Freehold and that full vacant possession will be granted upon completion, but your Legal Adviser must confirm all details. There was no evidence of a tenancy at the time of our inspection.

Confirmation from your proposed building insurers regarding the current and future insurance status of the property is considered important as we can only advise upon the condition of the property on the date of inspection. We are unable to comment upon future climatic changes and in particular the affects which periods of adverse weather could have upon the subsoil and structural stability of the property.

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## J

# Risks

This section summarises defects and issues that present a risk to the building or grounds, or a safety risk to people. These may have been reported and condition rated against more than one part of the property or may be of a more general nature, having existed for some time and which cannot be reasonably changed.

## J1 Risks to the building

We recommend that you should treat the following matters as risks to the building and should be investigated as soon as possible.

Roof covering - see section E2  
 Roof Structure - see section F1  
 Ceilings - see section F2  
 Walls - see section F3  
 Floors - see section F4  
 Fireplaces - see section F5  
 Woodwork - see section F7  
 Kitchen - see section F8  
 Electricity - see section G1  
 Gas - see section G2  
 Heating - see section G4  
 Water Heating - see section G5  
 Drains - see section G6  
 Outbuildings - see section H2

You are advised to obtain competitive quotations from reputable contractors before you exchange contracts. As soon as you receive the quotations and report for the work specified above and also the responses from your Legal Advisers, we will be pleased to advise you whether or not they would cause us to change the advice given in this report. We must advise that if you should decide to exchange contracts without obtaining this information, you would have to accept the risk that adverse factors might come to light in the future.

## J2 Risks to the grounds

It is not possible in the course of inspection/survey to determine whether radon gas is present in any given building as the gas is colourless and odourless. Tests can be carried out to assess the level of radon in a building. At a small charge test instruments and results are available by post from the National Radiological Protection Board and other approved laboratories. The minimum testing period is three months. The National Radiological Protection Board strongly advises against using shorter term testing instruments as they can give misleading results.

As far as we are aware the property is not situated in a coal mining area. However, it would be sensible to seek confirmation via your Legal Adviser.

We found no evidence on the site or in the immediate vicinity to suggest the property has been affected by flooding but your Legal Adviser should make enquiries of the Environment Agency.

It is not possible during the course of our inspection/survey to determine the many different types of plants, shrubs and trees, etc. within close proximity to a property. Whilst the influence of trees may be noted, if causing damage at that time, no responsibility will be considered or attached for the future influence or damage howsoever caused by plants, shrubs or trees.

Whilst no evidence of Japanese Knotweed, Himalayan Balsam, American Skunk cabbage, Rhododendron ponticum and New Zealand Pigmyweed was present at the time of inspection, we cannot rule out its presence. For example: it could be that the Vendor has removed all visible signs prior to inspection. Consequently we recommend that you obtain a report from an accredited member of an industry recognised trade association

### Property address

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## Risks (continued)

such as the Property Care Association ([www.property-care.org/](http://www.property-care.org/) invasive-species) or the Invasive Non-Native Specialists Association ([www.innsa.org/](http://www.innsa.org/)) to confirm that it is not present, is hidden below the surface or has re-emerged since our visual inspection as part of our survey of the property.

We are not aware of the content of any environmental audit or other environmental investigation or soil survey which may have been carried out on the subject property or nearby and which may draw attention to any contamination or the possibility of such contamination. We are not aware of any factors which might suggest that the subject property has been affected by contamination but we have not carried out any specific investigations into past or present uses, either of the property or of any neighbouring land on this matter. This report therefore assumes that no contamination exists. However, should it subsequently be established that contamination, seepage or pollution exists at the property or on adjoining land or that the property has ever been put to a contaminative use, this might have a material effect on the saleability and value of the property.

From our local knowledge, the property may be built upon shrinkable subsoil. This is susceptible to shrinkage or expansion according to its moisture content and seasonal movement cannot be ruled out, especially during long spells of dry weather. Accordingly, we recommend that you ensure that the property insurance policy contains adequate provision against subsidence, landslip and heave.

We found no evidence of landslip conditions affecting the property.

We are not aware that the area is one that has been identified for fracking but your Legal Adviser should confirm this.

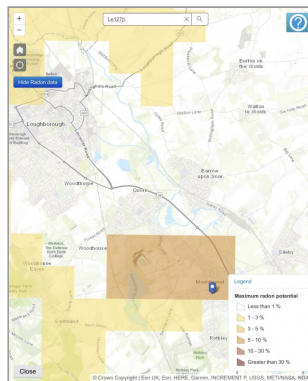


Photo - 111 Radon data map

### J3 Risks to people

Glazing to some doors and windows does not appear to comprise safety glass and there are obvious safety implications. We strongly urge you to replace the glass with toughened safety glass carrying the BS Kitemark.

Some building materials used in house construction during this period such as Artex, soffit boards, thermoplastic tiles and some wall and ceiling linings may contain asbestos. It is not always easy to tell whether a product contains asbestos without specialist tests. In the event that you are at all concerned about the possibility of asbestos being within the subject property, you may wish to seek specialist advice prior to purchase. We would comment that the removal of asbestos based materials can be expensive and does need specialist input.

Many building components contain asbestos but these can be difficult to identify particularly if encapsulated. There are significant health hazards associated within ingesting dust containing asbestos fibres. Once asbestos

#### Property address

129 Rothley Road Mountsorrel Leicestershire LE12 7JT

## J

## Risks (continued)

based materials have been identified care should be taken to avoid their disturbance or removal. Such work should be undertaken by a licensed asbestos contractor and this can be a significant cost.

We would recommend the installation of mains operated smoke and carbon monoxide detecting systems.

We did not note any high voltage electrical supply equipment close to the property. If, however, equipment is identified in the future it could deter some future purchasers.

Lead is a poison and studies have shown that very high levels of lead can cause serious ill health. Lead was once used as a pigment in house paints, although its use has gradually reduced since the 1950s. There is accordingly a risk that there could be lead paints to the subject property which have subsequently been over coated with modern lead free paints. From our inspection we found that paint surfaces are generally in a sound condition and provided that the surfaces are not rubbed back to expose the lead paint the risk of lead poisoning is considered low.

### J4 Other

If, after reading and considering this report you intend to proceed with the purchase, we advise you to send a copy of it as soon as possible to your Legal Advisers. Please draw to their attention the whole of Section J - Risks.

We are not aware of any other significant considerations affecting the property, for example, the impact of planning proposals. However, it is possible that other relevant matters may come to light as a result of the legal enquiries listed in Section I – Issues for Your Legal Advisers.

Your Legal Adviser should check with the Local Authority to determine whether there are any proposals close by to develop / redevelop / change the use of buildings or land, which could affect you and your enjoyment of the property.

We are not aware that the property is located on a significant flight path for a major airport. However, your Legal Adviser should confirm this.

### Property address

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# Energy efficiency

This section describes energy related matters for the property as a whole. It takes account of a broad range of energy related features and issues already identified in the previous sections of this report, and discusses how they may be affected by the condition of the property.

This is not a formal energy assessment of the building but part of the report that will help you get a broader view of this topic. Although this may use information obtained from an available EPC, it does not check the certificate's validity or accuracy.

## K1 Insulation

Adequate insulation requires a minimum of 300mm of fibreglass quilt or similar with the insulation not obstructing any provision for ventilation. Insulation should not run underneath decking for water tanks and should not cover power cables or light fittings.

Windows and doors are double glazed and double glazed units have a limited life due to progressive deterioration of the edge seals.

In connected properties high levels of sound transmission from one unit to another may cause disturbance. Adjoining properties may not have been occupied during our inspection and we therefore cannot comment on the efficiency or otherwise of any sound reduction material that may have been incorporated between the various parts of the structure.

The hot water cylinder has a factory applied insulation jacket which is in poor condition.

## K2 Heating

The property does not have a central heating system.

## K3 Lighting

The property appeared to be generally provided with a reasonable level of both natural and artificial lighting. However, improvements can always be made. We would strongly recommend the purchase of energy efficient bulbs in the future.

## K4 Ventilation

There appears to be sufficient subfloor ventilation with a number of air vents visible at low level to the external walls. You should ensure that these are kept clear to maintain a through flow of air to the subfloor areas.

Where ground floors are solid, subfloor ventilation is not required.

We noted no evidence of significant condensation dampness within the property. However, many properties are affected to some degree by condensation and in order to minimise the problem it is necessary to achieve a balance between insulation, ventilation and heating.

Ventilation within the roof void needs to be increased. See comments at Section F1 – Roof Structure.

The replacement uPVC double glazing throughout does not incorporate trickle ventilation, which is required in modern replacement windows to combat the effects of condensation.

The control of condensation is of importance and the following notes are provided for assistance:  
Ventilate rooms to the outside during and immediately after cooking, washing or bathing, or whenever the window shows signs of misting.

Restrict the drying of clothes indoors, only to rooms with opening windows and keep internal doors closed.

Avoid the use of flueless oil and gas heaters.

## Property address

129 Rothley Road Mountsorrel Leicestershire LE12 7JT

## K

## Energy efficiency (continued)

Adequate insulation should be provided to help prevent the occurrence of condensation on cold internal surfaces. Adequate ventilation will help remove to the outside air the water vapour being produced, particularly in kitchens and bathroom areas and the installation of electrical extractor fans, possibly incorporating a humidistat is recommended.

Internal walls and ceiling surfaces should be made as airtight as possible to reduce the passage of water vapour into the walls and roof spaces.

### K5 General

The Surveyor is not aware of any other energy sources.

### Property address

129 Rothley Road Mountsorrel Leicestershire LE12 7JT



# Surveyor's declaration

"I confirm that I have inspected the property and prepared this report"

## Signature

## Surveyor's RICS number

6658061

## Qualifications

B.Sc MCIQB MCABE Assoc RICS VRS

## Company

AMM Surveying Services Ltd

## Address

51 Long Close

## Town

Anstey

## County

Leicestershire

## Postcode

LE7 7QG

## Phone number

07432 298190

## Website

www.ammsurveyingservices.com

## Fax number

## Email

ammsurveyingservices@sky.com

## Property address

129 Rothley Road Mountsorrel Leicestershire LE12 7JT

## Clients name

Nicole Baksa

## Date this report was produced

Fri 26th Jun 2020

## RICS Disclaimer

1. This report has been prepared by a surveyor ('the Employee') on behalf of a firm or company of surveyors ('the Employer'). The statements and opinions expressed in this report are expressed on behalf of the Employer, who accepts full responsibility for these.

Without prejudice and separately to the above, the Employee will have no personal liability in respect of any statements and opinions contained in this report, which shall at all times remain the sole responsibility of the Employer to the exclusion of the Employee.

In the case of sole practitioners, the surveyor may sign the report in his or her own name unless the surveyor operates as a sole trader limited liability company.

To the extent that any part of this notification is a restriction of liability within the meaning of the Unfair Contract Terms Act 1977 it does not apply to death or personal injury resulting from negligence.

2. This document is issued in blank form by the Royal Institution of Chartered Surveyors (RICS) and is available only to parties who have signed a licence agreement with RICS.

RICS gives no representations or warranties, express or implied, and no responsibility or liability is accepted for the accuracy or completeness of the information inserted in the document or any other written or oral information given to any interested party or its advisers. Any such liability is expressly disclaimed.



Please read the 'Description of the RICS Building Survey Service' (at the back of this report) for details of what is, and is not, inspected

## Property address

129 Rothley Road Mountsorrel Leicestershire LE12 7JT

# What to do now

## Getting quotations

The cost of repairs may influence the amount you are prepared to pay for the property. Before you make a legal commitment to buy the property, you should get reports and quotations for all the repairs and further investigations the surveyor may have identified.

You should get at least two quotations from experienced contractors who are properly insured. You should also:

- ask them for references from people they have worked for;
- describe in writing exactly what you will want them to do; and
- get the contractors to put the quotations in writing.

Some repairs will need contractors with specialist skills and who are members of regulated organisations (for example, electricians, gas engineers, plumbers and so on). Some work may also need you to get Building Regulations permission or planning permission from your local authority.

## Further investigations

If the surveyor is concerned about the condition of a hidden part of the building, could only see part of a defect or does not have the specialist knowledge to assess part of the property fully, the surveyor may have recommended that further investigations should be carried out to discover the true extent of the problem.

## Who you should use for these further investigations

You should ask an appropriately qualified person, though it is not possible to tell you which one. Specialists belonging to different types of organisations will be able to do this. For example, qualified electricians can belong to five different government-approved schemes. If you want further advice, please contact the surveyor.

## What the further investigations will involve

This will depend on the type of problem, but to do this properly, parts of the home may have to be disturbed and so you should discuss this matter with the current owner. In some cases, the cost of investigation may be high.

## When to do the work

The condition ratings help describe the urgency of the repair and replacement work. The following summary may help you decide when to do the work.

- **Condition rating 2** – repairs should be done soon. Exactly when will depend on the type of problem, but it usually does not have to be done right away. Many repairs could wait weeks or months, giving you time to organise suitable reports and quotations.
- **Condition rating 3** – repairs should be done as soon as possible. The speed of your response will depend on the nature of the problem. For example, repairs to a badly leaking roof or a dangerous gas boiler need to be carried out within a matter of hours, while other less important critical repairs could wait for a few days.

## Warning

Although repairs of elements with a condition rating 2 are not considered urgent, if they are not addressed they may develop into defects needing more serious repairs. Flat roofs and gutters are typical examples. These can quickly get worse without warning and result in serious leaks.

As a result, you should regularly check elements with a condition rating 2 to make sure they are not getting worse.

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# Description of the RICS Building Survey Service

## The service

### The RICS Building Survey Service includes:

- a thorough inspection of the property (see 'The inspection');
- a detailed report based on the inspection (see 'The report').

### The surveyor who provides the RICS Building Survey Service aims to give you professional advice to:

- help you make a reasoned and informed decision when purchasing the property, or when planning for repairs, maintenance or upgrading the property;
- provide detailed advice on condition;
- describe the identifiable risk of potential or hidden defects;
- where practicable and agreed, provide an estimate of costs for identified repairs; and
- make recommendations as to any further actions or advice which needs to be obtained before committing to purchase.

Any extra services provided that are not covered by the terms and conditions of this service must be covered by a separate contract.

## The inspection

The surveyor carefully and thoroughly inspects the inside and outside of the main building and all permanent outbuildings, recording the construction and defects (both major and minor) that are evident. This inspection is intended to cover as much of the property as physically accessible. Where this is not possible an explanation is provided in the 'limitations of inspection' box in the relevant section of the report.

The surveyor does not force or open up the fabric without occupier/owner consent, or if there is a risk of causing personal injury or damage. This includes taking up fitted carpets, fitted floor coverings or floorboards, moving heavy furniture, removing the contents of cupboards, roof spaces, etc., removing secured panels and/or hatches or undoing electrical fittings. If necessary, the surveyor carries out parts of the inspection when standing at ground level from adjoining public property where accessible. This means the extent of the inspection will depend on a range of individual circumstances at the time of inspection, and the surveyor judges in each case on an individual basis.

The surveyor uses equipment such as a damp-meter, binoculars and torch, and uses a ladder for flat roofs and for hatches no more than 3m above level ground (outside) or floor surfaces (inside) if it is safe to do so.

The surveyor also carries out a desk-top study and makes oral enquiries for information about matters affecting the property

## Services to the property

Services are generally hidden within the construction of the property. This means that only the visible parts of the available services can be inspected, and the surveyor does not carry out specialist tests. The visual inspection cannot assess the efficiency or safety of electrical, gas or other energy sources; plumbing, heating or drainage installations (or whether they meet current regulations); or the inside condition of any chimney, boiler or other flue.

## Outside the property

The surveyor inspects the condition of boundary walls, fences, permanent outbuildings and areas in common (shared) use. To inspect these areas, the surveyor walks around the grounds and any neighbouring public property where access can be obtained.

Buildings with swimming pools and sports facilities are also treated as permanent outbuildings, but the surveyor does not report on the leisure facilities, such as the pool itself and its equipment, landscaping and other facilities (for example, tennis courts and temporary outbuildings).

## Flats

When inspecting flats, the surveyor assesses the general condition of outside surfaces of the building, as well as its access and communal areas (for example, shared hallways and staircases) and roof spaces, but only if they are accessible from within the property or communal areas. The surveyor also inspects (within the identifiable boundary of the flat) drains,

lifts, fire alarms and security systems, although the surveyor does not carry out any specialist tests other than their normal operation in everyday use.

## Dangerous materials, contamination and environmental issues

The surveyor does not make any enquiries about contamination or other environmental dangers. However, if the surveyor suspects a problem, he or she should recommend a further investigation.

The surveyor may assume that no harmful or dangerous materials have been used in the construction, and does not have a duty to justify making this assumption. However, if the inspection shows that these materials have been used, the surveyor must report this and ask for further instructions.

The surveyor does not carry out an asbestos inspection and does not act as an asbestos inspector when inspecting properties that may fall within the Control of Asbestos Regulations 2012. With flats, the surveyor assumes that there is a 'duty holder' (as defined in the regulations), and that in place are an asbestos register and an effective management plan which does not present a significant risk to health or need any immediate payment. The surveyor does not consult the duty holder.

## The report

The surveyor produces a report of the results of inspection for you to use, but cannot accept any liability if it is used by anyone else. If you decide not to act on the advice in the report, you do this at your own risk. The report is aimed at providing you with a detailed understanding of the condition of the property to allow you to make an informed decision on serious or urgent repairs, and on maintenance of a wide range of issues reported.

### The report is in a standard format and includes the following sections.

- A Introduction to the report
- B About the inspection
- C Overall assessment and summary of the condition ratings
- D About the property
- E Outside the property
- F Inside the property
- G Services
- H Grounds (including shared areas for flats)
- I Issues for your legal advisers
- J Risks
- K Energy Efficiency
- L Surveyor's declaration
  - What to do now
  - Description of the RICS Building Survey Service
  - Typical house diagram

## Condition ratings

The surveyor gives condition ratings to the main parts (the 'elements') of the main building, garage and some outside elements. The condition ratings are described as follows.

**Condition rating 3** – defects that are serious and/or need to be repaired, replaced or investigated urgently

**Condition rating 2** – defects that need repairing or replacing but are not considered to be either serious or urgent. The property must be maintained in the normal way.

**Condition rating 1** – no repair is currently needed. The property must be maintained in the normal way.

**NI** – not inspected.

The surveyor notes in the report if it was not possible to check any parts of the property that the inspection would normally cover. If the surveyor is concerned about these parts, the report tells you about any further investigations that are needed.

The surveyor does not report on the cost of any work to put right defects or make recommendations on how these repairs should be carried out. However, there is general advice in the 'What to do now' section at the end of the report.



# Description (continued)

## Energy

The surveyor has not prepared the Energy Performance Certificate (EPC) as part of the RICS Building Survey Service for the property. If the surveyor has seen the current EPC, he or she will present the energy-efficiency rating in this report, but does not check the rating and cannot comment on its accuracy. Where possible and appropriate, the surveyor will include additional commentary on energy related matters for the property as a whole in the energy efficiency section of the report, but this is not a formal energy assessment of the building.

## Issues for legal advisers

The surveyor does not act as 'the legal adviser' and does not comment on any legal documents. If, during the inspection, the surveyor identifies issues that your legal advisers may need to investigate further, the surveyor may refer to these in the report (for example, check whether there is a warranty covering replacement windows).

This report has been prepared by a surveyor ('the Individual Surveyor') merely in his or her capacity as an employee or agent of a firm or company or other business entity ('the Company'). The report is the product of the Company, not of the Individual Surveyor. All of the statements and opinions contained in this report are expressed entirely on behalf of the Company, which accepts sole responsibility for these. For his or her part, the Individual Surveyor assumes no personal financial responsibility or liability in respect of the report and no reliance or inference to the contrary should be drawn. In the case of sole practitioners, the surveyor may sign the report in his or her own name unless the surveyor operates as a sole trader limited liability company.

Nothing in this report excludes or limits liability for death or personal injury (including disease and impairment of mental condition) resulting from negligence.

## Risks

This section summarises defects and issues that present a risk to the building or grounds, or a safety risk to people. These may have been reported and condition rated against more than one part of the property or may be of a more general nature, having existed for some time and which cannot reasonably be changed.

If the property is leasehold, the surveyor gives you general advice and details of questions you should ask your legal advisers.

This includes the cost of rebuilding any garage, boundary or retaining walls and permanent outbuildings, and clearing the site. It also includes professional fees, but does not include VAT (except on fees).

## Standard terms of engagement

- The service** – the surveyor provides the standard RICS Building Survey Service ('the service') described in the 'Description of the RICS Building Survey Service', unless you and the surveyor agree in writing before the inspection that the surveyor will provide extra services. Any

extra service will require separate terms of engagement to be entered into with the surveyor. Examples of extra services include:

- plan drawing
- schedules of works;
- supervision of works;
- re-inspection;
- detailed specific issue reports; and
- market valuation and re-instatement cost; and
- negotiation.

- The surveyor** – the service is to be provided by an AssocRICS, MRICS or FRICS member of the Royal Institution of Chartered Surveyors, who has the skills, knowledge and experience to survey, value and report on the property.
- Before the inspection** – this period forms an important part of the relationship between you and the surveyor. The surveyor will use reasonable endeavours to contact you regarding your particular concerns regarding the property and explain (where necessary) the extent and/ or limitations of the inspection and report. The surveyor also carries out a desktop study to understand the property better.
- Terms of payment** – you agree to pay the surveyor's fee and any other charges agreed in writing.
- Cancelling this contract** – nothing in this clause 5 shall operate to exclude, limit or otherwise affect your rights to cancel under the *Consumer Contracts (Information, Cancellation and Additional Charges) Regulations 2013* or the *Consumer Rights Act 2015*, or under any such other legislation as may from time to time be applicable. Entirely without prejudice to any other rights that you may have under any applicable legislation, you are entitled to cancel this contract in writing by giving notice to the surveyor's office at any time before the day of the inspection, and in any event within fourteen days of entering into this contract. Please note that where you have specifically requested that the surveyor provides services to you within fourteen days of entering into the contract, you will be responsible for fees and charges incurred by the surveyor up until the date of cancellation.
- Liability** – the report is provided for your use, and the surveyor cannot accept responsibility if it is used, or relied upon, by anyone else.

## Complaints handling procedure

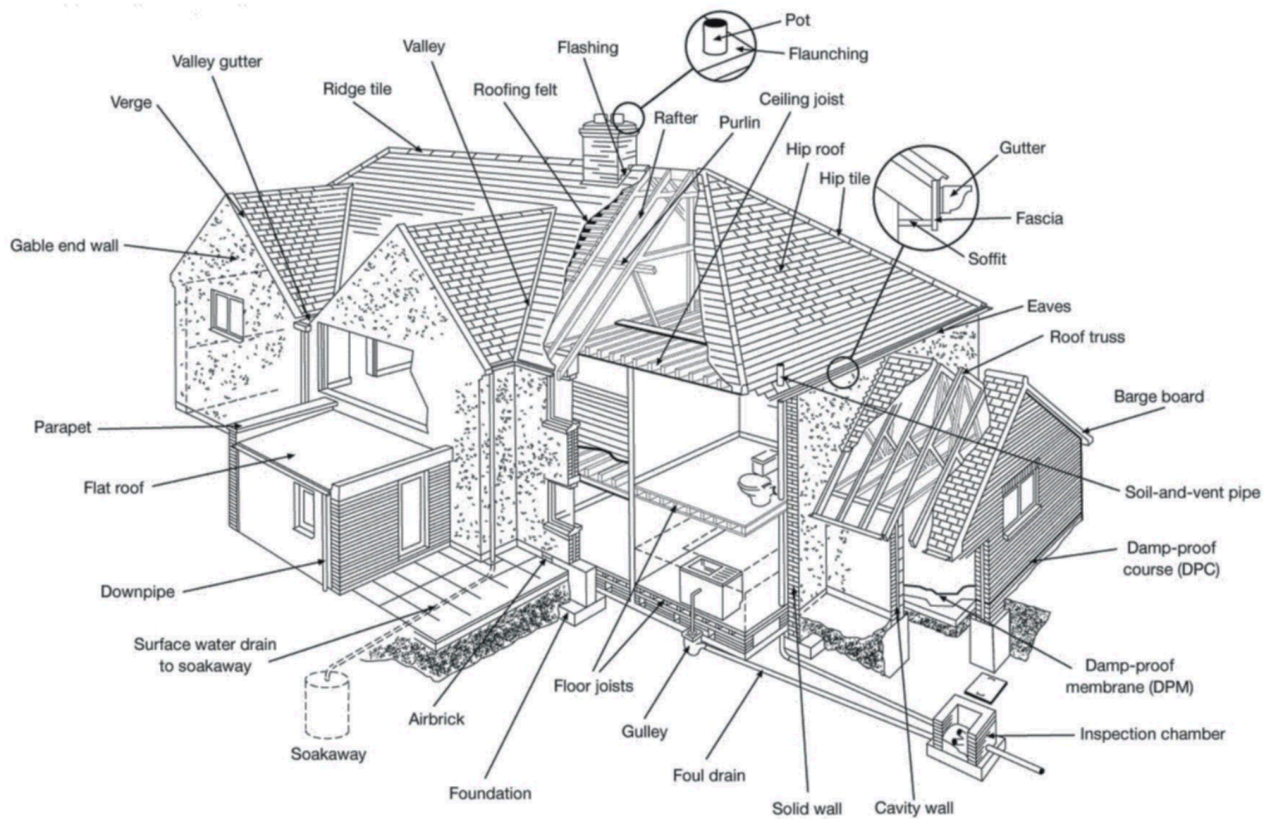
The surveyor will have a complaints handling procedure and will give you a copy if you ask.

**Note: These terms form part of the contract between you and the surveyor.**

Note: These terms form part of the contract between you and the surveyor.

# Typical house diagram

This diagram illustrates where you may find some of the building elements referred to in the report.





## / Main sections

Project name : <b>129 ROTHLEY ROAD</b>	Contract number :	Contact :	Date : <b>21/07/2020</b>
---	-------------------	-----------	-----------------------------

No.	U/S MH	D/S MH	Date	Road	Tape No.	Material	m	(m)
2	GULLY	MH F1 A	21/07/2020	129 ROTHLEY ROAD		Vitrified clay	2.80	2.80
3	SVP	MH F1 B	21/07/2020	129 ROTHLEY ROAD		Vitrified clay	2.94	2.94

**Pipe size: CIRCULAR 100 = 5.74 m (5.74 m)**

No.	U/S MH	D/S MH	Date	Road	Tape No.	Material	m	(m)
4	MH F1	MAIN O/S	21/07/2020	129 ROTHLEY ROAD		Vitrified clay	20.38	20.38

**Pipe size: CIRCULAR 150 = 20.38 m (20.38 m)**

**All sections = 26.12 m (26.12 m)**

**Inspection summary**Project Name:  
**129 ROTHLEY ROAD**

Project Number :

Contact :




Date :  
**21/07/2020**

Total Length of sewer network .....	<b>26.12 m</b>
Inspected Length of sewer network .....	<b>26.12 m</b>
Not inspected Length of sewer network .....	<b>0.00 m</b>
Total Length of sewer network (abandoned) .....	<b>0.60 m</b>
Inspected Length of sewer network (abandoned) .....	<b>0.60 m</b>
Not inspected Length of sewer network (abandoned) .....	<b>0.00 m</b>
Total Length of house connections (satellite) .....	<b>0.00 m</b>
Inspected Length of house connections (satellite) .....	<b>0.00 m</b>
Not inspected Length of house connections (satellite) .....	<b>0.00 m</b>
Number of Sections .....	<b>3</b>
Number of Sections (abandoned) .....	<b>1</b>
Number of house connections .....	<b>0</b>
Number of Photos .....	<b>10</b>




## Inspection Summary

Date: <b>21/07/2020</b>	Project Number :	Contact :	Date : <b>21/07/2020</b>
----------------------------	------------------	-----------	-----------------------------

Place: Road: Upstr. MH: Downstr. MH:	<b>HOUSE 129 ROTHLEY ROAD GULLY MH F1 A</b>	Pipe shape: Pipe size: Material Lining:	<b>Circular 100 mm Vitrified clay</b>
---	---	--	---

	<b>MH F1 A</b> .....	<b>0.00</b>	ST	Start of survey	0
	.....	<b>0.00</b>	MH	Manhole Remarks: MH F1 A	0
	.....	<b>0.00</b>	WL	Water level, 0% of sewer height	0
	.....	<b>0.91</b>	JDM	Joint displaced, medium (between 1.0 and 1.5 times the pipe wall thickness)	1
	.....	<b>2.75</b>	JDM	Joint displaced, medium (between 1.0 and 1.5 times the pipe wall thickness)	1
	.....	<b>2.80</b>	MH	Manhole Remarks: GULLY	0
	<b>GULLY</b> .....	<b>2.80</b>	FH	Finish survey	0

Place: Road: Upstr. MH: Downstr. MH:	<b>HOUSE 129 ROTHLEY ROAD SVP MH F1 B</b>	Pipe shape: Pipe size: Material Lining:	<b>Circular 100 mm Vitrified clay</b>
---	---	--	---

	<b>MH F1 B</b> .....	<b>0.00</b>	ST	Start of survey	0
	.....	<b>0.00</b>	MH	Manhole Remarks: MH F1 B	0
	.....	<b>0.00</b>	WL	Water level, 0% of sewer height	0
	.....	<b>0.18</b>	JDM	Joint displaced, medium (between 1.0 and 1.5 times the pipe wall thickness)	1
	.....	<b>2.94</b>	MH	Manhole Remarks: SVP	0
	<b>SVP</b> .....	<b>2.94</b>	FH	Finish survey	0



## Inspection Summary

Date: <b>21/07/2020</b>	Project Number :	Contact :	Date : <b>21/07/2020</b>
----------------------------	------------------	-----------	-----------------------------

Place: <b>HOUSE</b>	Pipe shape: <b>Circular</b>
Road: <b>129 ROTHLEY ROAD</b>	Pipe size: <b>150 mm</b>
Upstr. MH: <b>MH F1</b>	Material: <b>Vitrified clay</b>
Downstr. MH: <b>MAIN O/S</b>	Lining:

	<b>0.00</b>	ST	Start of survey	0
	<b>0.00</b>	MH	Manhole Remarks: MH F1	0
	<b>0.00</b>	WL	Water level, 0% of sewer height	0
	<b>0.68</b>	JDM	Joint displaced, medium (between 1.0 and 1.5 times the pipe wall thickness)	1
	<b>1.87</b>	JDM	Joint displaced, medium (between 1.0 and 1.5 times the pipe wall thickness)	1
	<b>5.09</b>	JDM	Joint displaced, medium (between 1.0 and 1.5 times the pipe wall thickness)	1
	<b>5.09</b>	RFJ	Roots, fine at joint	2
	<b>5.68</b>	JDM	Joint displaced, medium (between 1.0 and 1.5 times the pipe wall thickness)	1
	<b>8.26</b>	RFJ	Roots, fine at joint	2
	<b>9.33</b>	DE	Debris, 25% cross-sectional area loss	4
	<b>20.38</b>	MH	Manhole Remarks: MAIN O/S	0
	<b>20.38</b>	FH	Finish survey	0



## Project-information

 Project name :  
**129 ROTHLEY ROAD**

Contract Number :

Contact :

 Date :  
**21/07/2020**

 Client: **NICOLE**

Contact Name:

Department:

Road:

Town:

County:

Telephone:

Fax:

Mobile:

E-mail:

 Site: **129 ROTHLEY ROAD**

Contact Name:

Department:

Road:

 Town: **MOUNT SORREL**

 County: **LEICESTERSHIRE**

Telephone:

Fax:

Mobile:

E-mail:

 Contractor **ALL DRAINS SERVICES LTD**

 Contact Name: **DARREL**

Department:

 Road: **GRAVELSTONES LITTLE GLEN ROAD**

Town:

 County: **LEICESTER**

Telephone:

Fax:

 Mobile: **07800 500 321**

 E-mail: **info@alldrains.co.uk**



## Project-information

 Project name :  
**129 ROTHLEY ROAD**

Contract Number :

Contact :

 Date :  
**21/07/2020**

Mh F1 was found to be full of roots ,debris ,failing brick work and damaged benching  
 The roots and debris were removed from MH F1 to carry out the survey (as per picture)  
 MH F1 upstream has mass roots  
 MH F1 A to gully has several displaced joints  
 Mh F1 B to svp has several displaced joints  
 Mh F1 to main has several displaced joints and root ingress

We would recommend

Excavation and removal of Mh F1

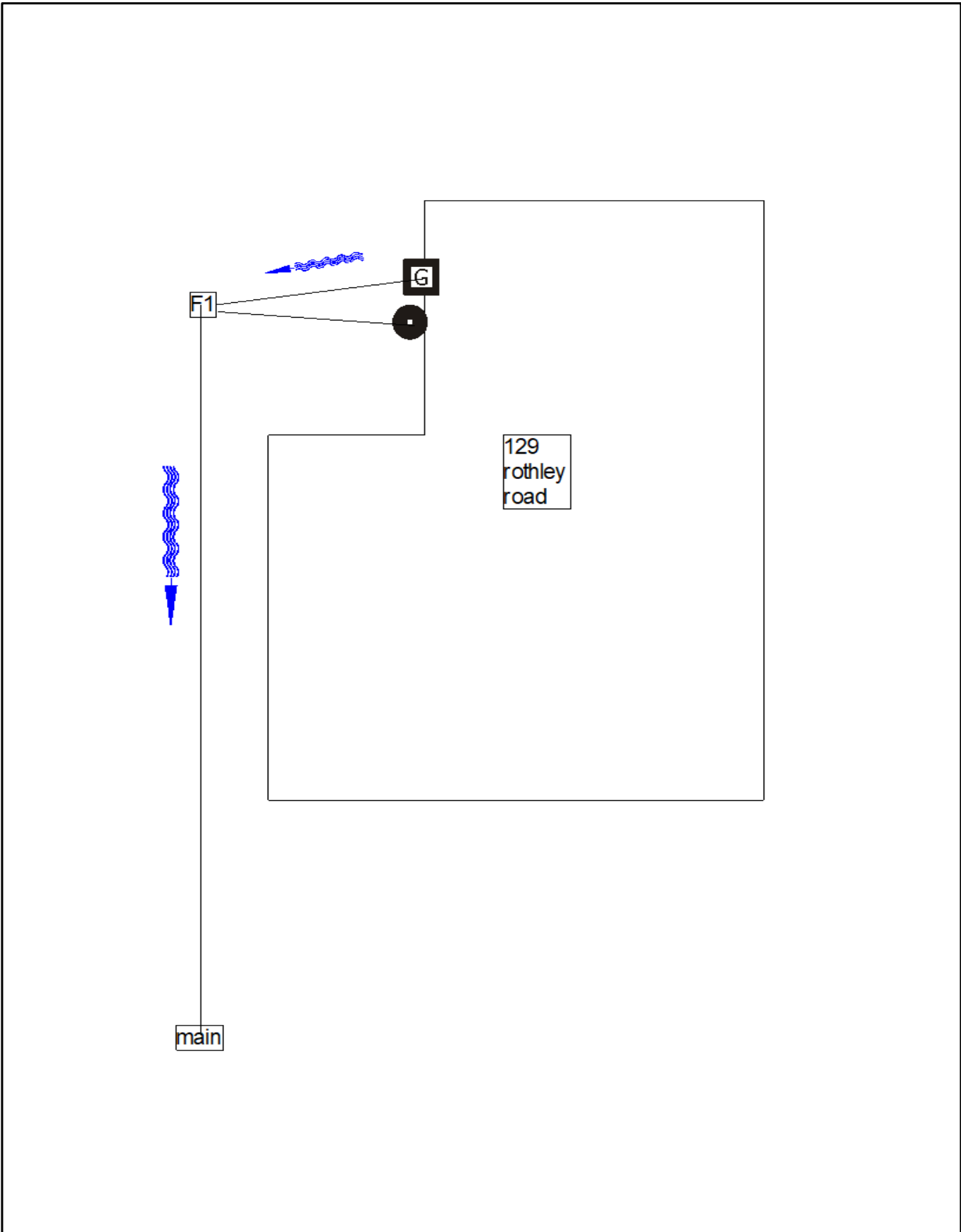
Excavation and removal of branch A and B to the Gully and SVP  
 attempting to remove the mass roots

Installation of a new UPVC manhole and cover and two branches to SVP and Gully  
 and installation of a resin liner to the Main



### Project-information

Project name : 129 ROTHLEY ROAD	Contract Number :	Contact :	Date : 21/07/2020
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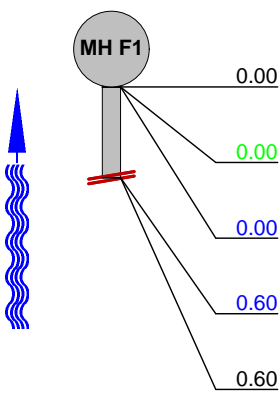

## Inspection report

Date : <b>21/07/2020</b>	Job number :	Weather : <b>Dry</b>	Sewer category:	Section number : <b>1</b>	PLR suffix : <b>X</b>
Present :	Vehicle :	Camera : <b>SOLO PRO+</b>	Preset :	Cleaned : <b>yes</b>	Operator : <b>DARREL</b>

Place : Road : Location Inspection	<b>HOUSE</b> <b>129 ROTHLEY ROAD</b> <b>Gardens</b> <b>MH F1 (U/S) UNKNOWN</b>	Location details: Catchment: Tape number : Pipe length :	U/S MH : U/S Depth : D/S MH : D/S Depth :	<b>UNKNOWN</b>  <b>MH F1</b> <b>0.8</b>
---	---	---	--	--

Use: <b>Combined</b>	Pipe shape : <b>Circular</b>
Year laid :	Pipe size : <b>150 mm</b>
Purpose : <b>Sample survey to determin asset condition</b>	Pipe material : <b>Vitrified clay</b>
Total length :	Lining :

Comment :

1:50	Position	Code	Observation	Grade	
	<b>Depth: 0.8</b>				
					
	0.00	ST	Start of survey	(Misc) 0	
	0.00	MH	Manhole	(Constr) 0	 0.6 m
	0.00	WL	Water level, 0% of sewer height	(Serv) 0	
	0.60	RM	Roots, mass, 95% cross-sectional area loss	(Serv) 5	
	0.60	SA	Survey abandoned	(Misc) 0	

<b>Structural Defects</b>					<b>Constructional Features</b>				
<b>Service Defects</b>					<b>Miscellaneous Features</b>				
STR no def	STR peak	STR mean	STR total	STR grade	SER no def	SER peak	SER mean	SER total	SER grade
0	0	0	0	1	1	20	33.33	20	5





### Inspection pictures

Place : <b>HOUSE</b>	Road : <b>129 ROTHLEY ROAD</b>	Date : <b>21/07/2020</b>	Section number : <b>1</b>	PLR suffix : <b>X</b>
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Photo: 1\_4A, 00:00:11  
0.6m, Roots, mass, 95% cross-sectional area loss

## Inspection report

Date : <b>21/07/2020</b>	Job number :	Weather : <b>Dry</b>	Sewer category:	Section number : <b>2</b>	PLR suffix : <b>X</b>
Present :	Vehicle :	Camera : <b>SOLO PRO+</b>	Preset :	Cleaned : <b>yes</b>	Operator : <b>DARREL</b>

Place : Road : Location Inspection	<b>HOUSE</b> <b>129 ROTHLEY ROAD</b> <b>Gardens</b> <b>MH F1 A (U/S) GULLY</b>	Location details: Catchment: Tape number : Pipe length :	U/S MH : U/S Depth : D/S MH : D/S Depth :
Use: Year laid : Purpose : Total length :	<b>Combined</b>  <b>Sample survey to determin asset condition</b>	Pipe shape : Pipe size : Pipe material : Lining :	<b>GULLY</b>  <b>MH F1 A</b> <b>0.8</b>  <b>Circular</b> <b>100 mm</b> <b>Vitrified clay</b>

Comment :

1:50 Depth: 0.8	Position	Code	Observation	Grade	
	<b>MH F1 A</b>				
	0.00	ST	Start of survey	(Misc) 0	
	0.00	MH	Manhole	(Constr) 0	
	0.00	WL	Water level, 0% of sewer height	(Serv) 0	
	0.91	JDM	Joint displaced, medium (between 1.0 and 1.5 times the pipe wall thickness)	(Struct) 1	
	2.75	JDM	Joint displaced, medium (between 1.0 and 1.5 times the pipe wall thickness)	(Struct) 1	
	2.80	MH	Manhole	(Constr) 0	
	2.80	FH	Finish survey	(Misc) 0	
	<b>GULLY</b>				

<b>Structural Defects</b>					<b>Constructional Features</b>				
<b>Service Defects</b>					<b>Miscellaneous Features</b>				
STR no def	STR peak	STR mean	STR total	STR grade	SER no def	SER peak	SER mean	SER total	SER grade
0	0	0	0	1	0	0	0	0	1



### Inspection pictures

Place : <b>HOUSE</b>	Road : <b>129 ROTHLEY ROAD</b>	Date : <b>21/07/2020</b>	Section number : <b>2</b>	PLR suffix : <b>X</b>
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Photo: 2\_4A, 00:00:09  
0.91m, Joint displaced, medium (between 1.0 and 1.5 times the pipe wall thickness)



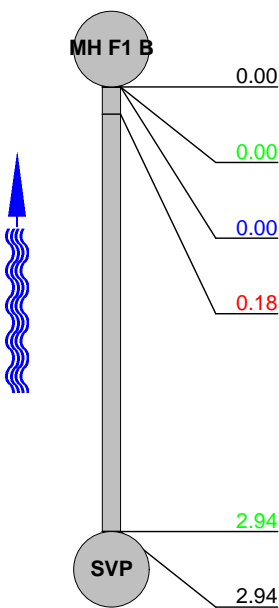
Photo: 2\_5A, 00:00:22  
2.75m, Joint displaced, medium (between 1.0 and 1.5 times the pipe wall thickness)


## Inspection report

Date : <b>21/07/2020</b>	Job number :	Weather : <b>Dry</b>	Sewer category:	Section number : <b>3</b>	PLR suffix : <b>X</b>
Present :	Vehicle :	Camera : <b>SOLO PRO+</b>	Preset :	Cleaned : <b>yes</b>	Operator : <b>DARREL</b>

Place : Road : Location Inspection	<b>HOUSE</b> <b>129 ROTHLEY ROAD</b> <b>Gardens</b> <b>MH F1 B (U/S) SVP</b>	Location details: Catchment: Tape number : Pipe length :	U/S MH : <b>SVP</b> U/S Depth : D/S MH : <b>MH F1 B</b> D/S Depth : <b>0.8</b>
Use: Year laid : Purpose : Total length :	<b>Combined</b>  <b>Sample survey to determin asset condition</b>	Pipe shape : Pipe size : Pipe material : Lining :	<b>Circular</b> <b>100 mm</b> <b>Vitrified clay</b>

Comment :

1:50 Depth: 0.8	Position	Code	Observation	Grade
				
	0.00	ST	Start of survey	(Misc) 0
	0.00	MH	Manhole	(Constr) 0
	0.00	WL	Water level, 0% of sewer height	(Serv) 0
	0.18	JDM	Joint displaced, medium (between 1.0 and 1.5 times the pipe wall thickness)	(Struct) 1
	2.94	MH	Manhole	(Constr) 0
	2.94	FH	Finish survey	(Misc) 0



0.18 m

<b>Structural Defects</b>					<b>Constructional Features</b>				
<b>Service Defects</b>					<b>Miscellaneous Features</b>				
STR no def	STR peak	STR mean	STR total	STR grade	SER no def	SER peak	SER mean	SER total	SER grade
0	0	0	0	1	0	0	0	0	1



### Inspection pictures

Place : <b>HOUSE</b>	Road : <b>129 ROTHLEY ROAD</b>	Date : <b>21/07/2020</b>	Section number : <b>3</b>	PLR suffix : <b>X</b>
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Photo: 3\_4A, 00:00:07  
0.18m, Joint displaced, medium (between 1.0 and 1.5 times the pipe wall thickness)








## Inspection report

Date : <b>21/07/2020</b>	Job number :	Weather : <b>Dry</b>	Sewer category:	Section number : <b>4</b>	PLR suffix : <b>X</b>
Present :	Vehicle :	Camera : <b>SOLO PRO+</b>	Preset :	Cleaned : <b>yes</b>	Operator : <b>DARREL</b>

Place : Road : Location Inspection	<b>HOUSE</b> <b>129 ROTHLEY ROAD</b> <b>Gardens</b> <b>MH F1 (D/S) MAIN O/S</b>	Location details: Catchment: Tape number : Pipe length :	U/S MH : U/S Depth : D/S MH : D/S Depth :
Use: Year laid : Purpose : Total length :	<b>Combined</b>  <b>Sample survey to determin asset condition</b>	Pipe shape : Pipe size : Pipe material : Lining :	<b>Circular</b> <b>150 mm</b> <b>Vitrified clay</b>

Comment :

1:165 Depth: .8	Position	Code	Observation	Grade	
	MH F1				
	0.00	ST	Start of survey	(Misc) 0	
	0.00	MH	Manhole	(Constr) 0	0.68 m
	0.00	WL	Water level, 0% of sewer height	(Serv) 0	
	0.68	JDM	Joint displaced, medium (between 1.0 and 1.5 times the pipe wall thickness)	(Struct) 1	
	1.87	JDM	Joint displaced, medium (between 1.0 and 1.5 times the pipe wall thickness)	(Struct) 1	1.87 m
	5.09	JDM	Joint displaced, medium (between 1.0 and 1.5 times the pipe wall thickness)	(Struct) 1	
	5.09	RFJ	Roots, fine at joint	(Serv) 2	
	5.68	JDM	Joint displaced, medium (between 1.0 and 1.5 times the pipe wall thickness)	(Struct) 1	5.09 m
	8.26	RFJ	Roots, fine at joint	(Serv) 2	
	9.33	DE	Debris, 25% cross-sectional area loss	(Serv) 4	
	20.38	MH	Manhole	(Constr) 0	5.68 m
	20.38	FH	Finish survey	(Misc) 0	
					8.26 m

**Structural Defects**
**Constructional Features**
**Service Defects**
**Miscellaneous Features**

STR no def	STR peak	STR mean	STR total	STR grade	SER no def	SER peak	SER mean	SER total	SER grade
0	0	0	0	1	1	5	0.25	5	4



### Inspection pictures

Place : <b>HOUSE</b>	Road : <b>129 ROTHLEY ROAD</b>	Date : <b>21/07/2020</b>	Section number : <b>4</b>	PLR suffix : <b>X</b>
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Photo: 4\_4A, 00:00:10  
0.68m, Joint displaced, medium (between 1.0 and 1.5 times the pipe wall thickness)



Photo: 4\_5A, 00:00:14  
1.87m, Joint displaced, medium (between 1.0 and 1.5 times the pipe wall thickness)



Photo: 4\_6A, 00:00:39  
5.09m, Joint displaced, medium (between 1.0 and 1.5 times the pipe wall thickness)



Photo: 4\_8A, 00:00:41  
5.68m, Joint displaced, medium (between 1.0 and 1.5 times the pipe wall thickness)



### Inspection pictures

Place : <b>HOUSE</b>	Road : <b>129 ROTHLEY ROAD</b>	Date : <b>21/07/2020</b>	Section number : <b>4</b>	PLR suffix : <b>X</b>
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Photo: 4\_9A, 00:00:52  
8.26m, Roots, fine at joint



Photo: 4\_10A, 00:01:13  
9.33m, Debris, 25% cross-sectional area loss



































**129 Rothley Road, Mountsorrel**  
Tree Preservation Order Assessment

Client: Mrs N Baksa  
12<sup>th</sup> January 2021 – Issue 1  
Ref: GL1479



**Report Issue 1:** 12/01/2021

**Status:** Final Issue

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## APPENDIX

A	BOROUGH OF CHARNWOOD (129 ROTHLEY ROAD, MOUNTSORREL) TREE PRESERVATION ORDER 2021
B	DRAIN INSPECTION REPORT
C	SITE PHOTOGRAPHS



## 1 INTRODUCTION

1.1 On the 13<sup>th</sup> November 2020 Charnwood Borough Council made the provisional Borough of Charnwood (129 Rothley road, Mountsorrel) Tree Preservation Order 2020 (referred to the 'Order' or 'TPO' hereafter). The Order includes five individual trees in the property garden. The Council advise the Order was made in response to a pre-application advice request for the erection of a single dwelling within the garden, which would require the removal of some of the trees.

1.2 Planning Practice Guidance (March 2014) issued by Government states:

*"Authorities should bear in mind that, since they are responsible for making and confirming Orders, they are in effect both proposer and judge. They should therefore consider how best to demonstrate that they have made their decisions at this stage in an even-handed and open manner."*

1.3 Golby & Luck have been instructed by Mrs Nicole Baska of 129 Rothley Road, Mountsorrel, to consider the Authority's decision to make the provisional Order and to review the appropriateness of those trees included. David Carter of Golby & Luck Ltd visited the property on Monday 14<sup>th</sup> December 2020 to assess the trees.

1.4 This report should be read in conjunction with the Tree Preservation Order details, supporting drain inspection report and site photographs, see **Appendix A - C**.

1.5 The trees are identified as trees T1 – T5 in the Order schedule and shall be referred to as such throughout this report.

### **Statutory Protection & Procedural Matters**

1.6 The provisional Borough of Charnwood (129 Rothley road, Mountsorrel) Tree Preservation Order 2020 includes one ash, two holly and two sycamore. The trees are positioned to the north of the existing dwelling, within the garden and as indicated on the Order plan.

1.7 Full details of the Order are included at **Appendix A**.

1.8 For the Order to apply in perpetuity, it must be confirmed by the Borough Council within six months of the date it was made - by 13<sup>th</sup> May 2021.





- 1.9 The Borough Council has the option to confirm the Order with or without modification and include or exclude the trees of the provisional Order as they see fit.

### **Assessment Summary**

- 1.10 The purpose of the report is to assess the trees and consider whether their inclusion in the Order is appropriate, when considered against standing national guidance, legislation and planning practice.
- 1.11 The Assessment first considers the tree assessment results, see **Section 3**. This sets out the condition of the trees in arboricultural terms, summarising their quality and estimated safe life expectancy. To be included in an Order, trees should be in a good, safe condition and represent good examples of their species or have significant potential to mature into good examples. In addition, they should not present existing or significant future risk of property damage or personal injury.
- 1.12 Where this criteria is met, the Assessment then considers the public amenity value of the trees; to what degree do the trees contribute to the appearance and character of the area, as experienced by the public. Secondly, it considers any supporting attributes such as cultural or ecological value. **Section 4** sets out the legislative context for making a Tree Preservation Order and summaries the national planning guidance published by central Government in relation to Tree Preservation Orders. Also included is example guidance from local planning authorities in England.
- 1.13 Having considered all relevant material, the Assessment concludes by making an objective judgement on each tree's suitability for inclusion in the Borough of Charnwood (129 Rothley road, Mountsorrel) Tree Preservation Order 2020, see **Section 5**. The Assessment shall seek to exclude four trees from the Order, namely trees T2 to T5 inclusive, requesting the Order is confirmed with this modification.

### **Relevant Information**

- 1.14 In addition to the information included in Appendix A-C, this Assessment considers the following sources:
- Town & Country Planning Act 1990;
  - Town & Country Planning (Tree Preservation) (England) Regulations 2012;



- Planning Practice Guidance 2014 - <https://www.gov.uk/guidance/tree-preservation-orders-and-trees-in-conservation-areas#confirming-tree-preservation-orders>;
- Protected Trees: A Guide to Tree Preservation Procedures – Department for Local Communities & Local Government:  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/244528/2127793.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/244528/2127793.pdf);
- Charnwood Borough Council website – Tree Preservation Order advice:  
[https://www.charnwood.gov.uk/pages/tree\\_preservation\\_and\\_hedges](https://www.charnwood.gov.uk/pages/tree_preservation_and_hedges)
- London Borough of Richmond Council website – Tree Preservation Order advice:  
[https://www.richmond.gov.uk/tree\\_preservation\\_orders](https://www.richmond.gov.uk/tree_preservation_orders)
- Melton Borough Council website – Tree Preservation Order advice:  
[http://www.melton.gov.uk/homepage/135/tree\\_preservation\\_order](http://www.melton.gov.uk/homepage/135/tree_preservation_order); and
- British Standard 5837:2012 – Trees in relation to design, demolition and construction.



## 2 TREE CONDITION SURVEY - DATA COLLECTION

2.1 Information has been produced on only those trees included within the Order. The following information describes terminology and assessment methods used in the tree assessment.

2.2 Life stage was assessed as follows:

**Young (Y)** Recently established and/or showing juvenile form.

**Semi-mature (S/M)** An established tree, but with growth to make before reaching its potential maximum size. Within the first 1/3rd of life span.

**Early-mature (E/M)** A tree that is reaching its ultimate potential height, whose growth rate is slowing down but, if healthy, will still increase in stem diameter and crown spread. Within the second 1/3rd of life span.

**Mature (M)** A mature specimen with limited potential for any significant increase in size, even if healthy. A tree within its final 1/3rd of life span.

**Over-mature (O/M)** A senescent or moribund specimen of low vigour within its final third of life span. Possibly also containing structural defects requiring remedial work.

**Veteran (V)** Specimens exhibiting features of biological, cultural or aesthetic value that are characteristic of, but not exclusive to, individuals surviving beyond the typical age range for the species concerned.

**Dead (D)** The tree is dead. Its age up till death is of no significance.

2.3 Measurements have been recorded for height, stem diameter, crown clearance and branch spread at the cardinal points for all trees surveyed. Height measurements above 10m are accurate within 1m. Height, stem diameter and width measurements for hedgerows are provided as an average of the overall length.

2.4 Physiological and structural condition has been recorded has one of the following categories:





- Good (G)** A tree or hedgerow in good health typical of the species. Needling little, if any, remedial work. Few minor defects of minimal significance such as physical damage or suppressed branches. Showing no adverse risk of failure or decline.
- Fair (F)** A tree or hedgerow with minor but rectifiable defects or in the early stages of stress, from which it may recover. Showing minor signs of decline, including major defects in early life stages, or multiple minor defects. Remedial work possibly required.
- Poor (P)** A tree with major structural or physiological defects such that it would be inappropriate to retain in its current or future environment. Unlikely to return to a good condition given time or remedial work.
- Dead (D)** A tree no longer alive.

2.5 Estimated safe remaining contribution (ERC) has been categorised as: 0 - 10 years, 10+ years, 20+ years or 40+ years, based upon an assessment of the tree's potential safe and useful life expectancy relative to its species type and environment.

2.6 Deadwood has been defined as the following:

- Twigs** Small branch material up to 10mm diameter
- Minor deadwood** Deadwood 10mm to 50mm diameter
- Major deadwood** Deadwood greater than 50mm diameter

2.7 Structural defects, pathogens, disease and other relevant observations of trees condition have been noted.

### **Limitations**

2.8 The survey was a visual assessment undertaken from ground level - no aerial inspection or invasive inspection techniques (e.g. drilling, excavation) were undertaken. Only binoculars, polythene mallet and a metal probe have been used to aid tree assessment. Trees and hedgerows were in full leaf when assessed and weather conditions were windy.



- 2.9 The recommendations and conclusions in this report relate only to the conditions found on this site at the time of the site visit and inspection. Trees are living organisms the condition of which can change significantly and sometimes unpredictably in short time periods, particularly when the surrounding environment is subject to change or extreme weather conditions.
- 2.10 The findings of this report are valid for a period of twelve months only from the date of survey. Any major alteration to the site or unforeseeable events (level changes, hydrological changes, severe weather events, tree works undertaken without seeking arboricultural advice etc) may affect the trees and necessitate a re-assessment of those specimens affected. Potential hazards and levels of risk may change as the site usage alters during and following completion of the development. Unless otherwise stated, all trees should be re-inspected in 12 months from the date of survey or following any major storm event.
- 2.11 This report is in no way intended to address subsidence or heave, a future risk thereof, or a detailed assessment of site soils. It remains the client's responsibility to ensure any building design or future tree removal is fully considered and supported with appropriate engineering advice.



### 3 TREE ASSESSMENT RESULTS

#### Site Description

3.1 The site contains a single semi-detached residential dwelling of Victorian era. There is pedestrian access to the property front, off Rothley Road, together with an elevated parking area to the northern side of the house. A low brick wall and holly hedge define the frontage boundary. A garden area extends to the north side and rear of the property which has been left unmanaged for a number of years. Within this, the trees included in the Order are present, together with sporadic areas of young scrubby self-set vegetation that include species such as ash, sycamore and holly.

#### T1 - Ash

3.2 Tree T1 is an early mature ash situated in the north-eastern corner of the garden. The tree appears in **good** physiological condition and has a broadly symmetrical canopy supported by two primary stems which emanate from a bifurcation on the main stem at 1m above ground level. The junction of the stems exhibits a minor bark inclusion. There is sufficient proportions of supporting wood below the union such that likelihood of failure is very low. The tree is considered to be in **fair** physiological condition. The tree's current condition suggests an estimated safe remaining contribution of 20+ years.

3.3 The tree can be seen clearly from viewpoints on the adjacent public highways at Linkfield Road and Maitland Avenue, and has moderate public amenity value. It is a single native tree to which some wildlife value can be attributed, though not of any special significance. The tree is not rare or unusual and is not related to a heritage designation.

#### T2 - Sycamore

3.4 Tree T2 is a semi-mature sycamore which has established in the property garden as a result of the species typical self-colonisation. The tree appears in **good** physiological condition but presents a series of structural defects that suggest **poor** structural condition. These include squirrel damage and evidence of particularly poor historic pruning.

3.5 The tree cannot be seen clearly from any viewpoints on the adjacent public footpath or road network. It is not considered to have any notable public amenity value and is poor in appearance, see **photograph 3, Appendix C**. It is a non-native alien tree which adversely colonises and depletes the diversity of native habitats. As such, it does not have any particular or special wildlife value. The tree is not rare or unusual and is not related to a heritage designation.





- 3.6 The site Drain Inspection Report, see **Appendix B**, identifies areas of root ingress into the drains, together with displacement of pipework. This is most commonly caused by roots proliferating along the outer face of the pipes where condensation and moisture gather. Roots may also penetrate gaps or cracks in pipework. Such ingress becomes particularly problematic if the roots then grow further, increasing in girth and displacing or cracking pipework more significantly.
- 3.7 T2 is positioned within approximately 3m of the property drains, such that it is highly likely to be partly responsible for this damage. Sycamore are a particularly vigorous species, the roots of which will actively proliferate around drains, as described above pictured in the Report.
- 3.8 Table A.1 of British Standard 5837:2012 below provides the following guidance for young or new trees and their proximity to services, such as drains. T2 is a sycamore. This species has the potential to develop a stem diameter greater than 600mm, and therefore the far right column applies.

**Table A.1 Minimum distance between young trees or new planting and structure to avoid direct damage to a structure from future tree growth**

Type of structure	Minimum distance between young trees or new planting and structure, in metres (m)		
	Stem dia. <300 mm <sup>A)</sup>	Stem dia. 300 mm to 600 mm <sup>A)</sup>	Stem dia. >600 mm <sup>A)</sup>
Buildings and heavily loaded structures	—	0.5	1.2
Lightly loaded structures such as garages, porches etc.	—	0.7	1.5
Services			
<1 m deep	0.5	1.5	3.0
>1 m deep	—	1.0	2.0
Masonry boundary walls	—	1.0	2.0
In-situ concrete paths and drives	0.5	1.0	2.5
Paths and drives with flexible surfaces or paving slabs	0.7	1.5	3.0

<sup>A)</sup> Diameter of stem at 1.5 m above ground level at maturity

- 3.9 The tree is closer to services than is recommended by the British Standard. As a semi-mature tree, T2 is young by standards for the species and with notable growth potential. The risk of persistent future damage to the drains is therefore high.

### **T3 – Holly**

- 3.10 Tree T3 is an early-mature holly appearing in **good** physiological, as indicated by normal foliage cover. The appearance and form of the tree is not a good example of the species. It is a small multi-stemmed specimen with canopy displaying fragmented and



suppressed branch development to the north, indicating **poor** structural condition that is unlikely to improve given time, see **photograph 3, Appendix C**. It has an estimated safe remaining contribution of 20+ years.

- 3.11 The tree cannot be seen clearly from Linkfield Road or Maitland Avenue and is relatively concealed from the streetscene of Rothley Road, due to be being located behind the main building line of the road, see **photograph 4, Appendix C**. The tree is not considered to have any notable public amenity value. It is a single native tree to which some wildlife value can be attributed, though this does not extend beyond nesting habitat and food resource, which most trees provide to some degree. The tree is not rare or unusual and is not related to a heritage designation.

#### **T4 - Sycamore**

- 3.12 Tree T4 is a semi-mature sycamore which has established approximately 5m from the northern elevation of the existing house and 3m from the alignment of the property's main drain. The tree appears in **good** physiological, as indicated by normal foliage cover. It displays a moderate structural defect at ground level in the form of an included bark union of two codominant stems. This type of union is susceptible to failure for two reasons. Firstly, due to an absence of wood fibres joining the opposing stems, the development of which has been inhibited by ingrown bark. Secondly, because of internal compressive stress pushes the stems apart as they increase in girth with incremental annual growth. In addition, the tree's canopy is asymmetric and etiolated, which exacerbates risk of failure further due to disproportionate wind loading. The tree's structural condition is **poor**. The risk of failure immediately adjacent to a building should be addressed by removal of the tree or crown reduction.
- 3.13 The tree cannot be seen clearly from Linkfield Road or Maitland Avenue. It is visible on Rothley Road but does not form a prominent feature in the streetscene, set back behind the main building line. It is most visible when viewed from the opposing road junction with Rockhill Drive, see **photographs 4 and 5, Appendix C**. Though visible, its appearance is not representative of a good example of the species and is unlikely to improve due to its constrained environment between buildings and requirement for remedial pruning. T5 is not considered to have any significant public amenity value.
- 3.14 Moreover, as with T2, the tree is a non-native alien species, has no particular wildlife value and is not rare or unusual or related to a heritage designation. Its proximity to the site's drains also suggest it is responsible for the identified drain damage, as described in paragraphs 3.6 to 3.9 and the accompanying Drain Inspection Report. Its proximity to buildings will cause maintenance issues and potential damage if left to grow.



### **T5 – Holly**

- 3.15 T5 is a section of hedge that has not been trimmed for several years, such that upward growth has developed from the main hedge structure. The hedge structure is established to an approximate height of 3-4m and trimmed back from the footpath, with further apical growth above. It appears in **good** physiological condition. Its structural condition is of limited relevance given its intended management as a hedge; it is outgrown but this is not suggestive of poor structural condition or any risk of failure. It is visible in the streetscene and adds a minor green element to the street, but not one of any particular stature or visual quality. Indeed, its lack of management is evident in its untidy appearance, see **photograph 6, Appendix C**. It is considered to be of minimal amenity value. It is a single native tree to which some wildlife value can be attributed, though this does not extend beyond nesting habitat and food resource, which most hedges provide to some degree. The hedge is not rare or unusual and is not related to a heritage designation.





## 4 MAKING TREE PRESERVATION ORDERS

### Legislative Context

4.1 The making of Tree Preservation Orders is governed principally by the Town & Country Planning Act 1990 and Town & Country Planning (Tree Preservation) (England) Regulations 2012.

4.2 Section 198 of the Town & Country Planning Act 1990 affords authorities powers to make TPOs where:

*“it is expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area”*

4.3 Amenity is not defined in law. However, national and local planning guidance can be used to understand its function and composition.

### National Planning Practice Guidance

4.4 There are two key pieces of national guidance issued by Government in relation to Tree Preservation Orders. These set out clearly the procedures for making TPOs and criteria for including trees.

4.5 Paragraphs 005 to 012 of 'Tree Preservation Orders and trees in Conservation Areas' are of particular relevance. The following sections are of note.

4.6 Paragraphs 008:

***“What might a local authority take into account when assessing amenity value?”***

*When considering whether trees should be protected by an Order, authorities are advised to develop ways of assessing the amenity value of trees in a structured and consistent way, taking into account the following criteria:*

***Visibility***

*The extent to which the trees or woodlands can be seen by the public will inform the authority's assessment of whether the impact on the local environment is significant. **The trees, or at least part of them, should normally be visible from a public place, such as a road or footpath, or accessible by the public.***



### **Individual, collective and wider impact**

*Public visibility alone will not be sufficient to warrant an Order. The authority is advised to also assess the particular importance of an individual tree, of groups of trees or of woodlands by reference to its or their characteristics including:*

- *size and form;*
- *future potential as an amenity;*
- *rarity, cultural or historic value;*
- *contribution to, and relationship with, the landscape; and*
- *contribution to the character or appearance of a conservation area.*

### **Other factors**

*Where relevant to an assessment of the amenity value of trees or woodlands, authorities may consider taking into account other factors, such as importance to nature conservation or response to climate change. These factors alone would not warrant making an Order."*

4.7 Paragraph 012:

### **"Can shrubs and hedges be protected by a Tree Preservation Order?"**

*Authorities may only use an Order to protect anything that may ordinarily be termed a tree. This would not normally include shrubs, but could include, for example, trees in a hedge or an old hedge which has become a line of trees of a reasonable height."*

### **Local Authority Guidance**

4.8 It is widely accepted that the starting point for suitability in an Order must be that a tree has public amenity value, such that its loss would have a significant negative impact on the environment and its enjoyment by the public. Examples of typical local authority guidance that support this are set out below, including guidance from Charnwood Borough Council.

4.9 Charnwood Borough Council states the following guidance on its website:

*"A Tree Preservation Order is a legal order which prevents certain trees from being cut down, uprooted, topped/lopped or purposefully damaged without our*



permission. **We do this to protect trees which may visually enhance the quality of the borough's environment or trees which are a benefit to the community.**

Other factors such as the importance of a site as a wildlife habitat may be taken into consideration **which alone would not be sufficient to justify a TPO.**"

4.10 Melton Borough Council states the following guidance on its website:

"TPO's are used to protect selected trees and woodlands where they make a significant contribution to the quality of an area and their removal would have a **negative impact on the environment and its enjoyment by the public.**

Trees may be worthy of preservation for their intrinsic beauty or their contribution to the landscape, because they serve as a screen or for their scarcity. Other factors such as their value as a wildlife habitat may also be considered.

Tree Preservation Orders (TPOs) were introduced to enable Local Planning Authorities to protect important trees. TPOs can be placed on any tree that has amenity value, including hedgerow trees **but not hedges, bushes or shrubs.** "

4.11 The London Borough of Richmond sets out the following guidance on its website:

"We will consider serving a TPO where there is a specific threat to the appearance or existence of trees that provide significant **public visual amenity or where their removal would be detrimental to the local and wider landscape**, so it is important that the request is clearly justified.

Including photographs of the tree, taken from a public place, will help us to decide whether the creation of a TPO is warranted.

We will send you a full response within 20 working days.

We are unlikely to grant requests for trees which:

- Are young or non-established
- **Are large (or have the potential to get large) and situated too close to a building or structure, causing potential obstruction and unreasonable relationship.**
- **Are dying, dead or dangerous**





- **Do not offer a 'perceived visual amenity', for example, are within a back garden and cannot be viewed from a public place**
- *Are not under a clear threat of removal or pruning which may impact upon the amenity."*

4.12 This national and local guidance surmise clearly that TPO trees must have value to the public, derived principally from their visual contribution to the area. It confirms that hedges or shrubs should not be included and that secondary factors alone, such as wildlife value, are not sufficient to justify a TPO. Indeed, there are wider legislative controls for the protection of wildlife. Lastly, it suggests Orders should not be made where trees are likely to cause significant issues with residential amenity and buildings, unless the trees are of exceptional value.

### **Development Proposals**

4.13 The making of the Order was instigated by proposals for development on the site. Planning Practice Guidance, paragraph 010 states:

*"In some cases the authority may believe that certain trees are at risk as a result of development pressures and may consider, where this is in the interests of amenity, that it is expedient to make an Order. Authorities can also consider other sources of risks to trees with significant amenity value.*

4.14 The Borough Council noted the presence of trees on the site and responded to the development proposal in line with this guidance. The provisional Order now provides the opportunity for the quality of the trees to be considered.

4.15 In doing so, it must be noted that the future use of the land has **no relevance** to whether trees are suitable for inclusion in the Order. While there is degree of threat that some trees may be removed, it must still be expedient in the interest of amenity to protect those trees, as clearly set out above. In other words, notwithstanding future development, the trees must be of sufficient value to warrant protection. Furthermore, it may be possible for development to come forward while still retaining trees on a site, in line with industry guidance British Standard 5837:2012 – Trees in relation to design, demolition & construction, and for development to deliver new, viable tree planting.



## 5 CONFIRMING THE TREE PRESERVATION ORDER

5.1 This section reviews each tree's suitability for inclusion in the Order and, where appropriate, recommends modifications to be taken into account at confirmation.

### T1 - Ash

5.2 The tree is in normal condition and in its current condition has a life expectancy of 20+ years. It is a fair example of the species and can be seen clearly from adjacent public vantage points on Linkfield Road and Maitland Avenue, see **photograph 1, Appendix C**. As such, its removal would be considered likely to have some negative impact to public amenity. As a native species, the tree also has some biodiversity value as an individual tree. Consequently, it is concluded that the tree is considered **suitable** for inclusion in the Order.

### T2 - Sycamore

5.3 The tree is a poor condition sycamore with several defects that will significantly hinder its development as a specimen of arboricultural merit and visual potential, see paragraph **3.4** and **photograph 2, Appendix C**. The tree is also causing significant issues with the property drains which will worsen if left to mature, see **Appendix B**. For these reasons, T2 is considered **unsuitable** for retention in the Order and should be excluded.

5.4 Additionally, the tree has no identifiable rarity, cultural or historic value nor any important identified relationship with the surrounding landscape or heritage designations. It occupies a concealed position within the garden. It is a non-native alien species renowned for prolific self-seeding and nuisance. The tree has only established to such size owing to the garden being unmanaged for a lengthy period by the property's former, elderly owner. If retained, it will cause significant ongoing maintenance issues with the property and restrict reasonable enjoyment of its garden. The tree is of limited merit and to protect it in the knowledge it is likely to be a cause of significance maintenance and property issues in the future is contrary to standing guidance, as detailed in **section 5**. There is no clear public to protecting the tree that would outweigh placing Mrs Baksa under such burden.



### T3 – Holly

- 5.5 The tree is in normal condition, but of poor form. Visually, it is a small specimen of restricted height and stature, such that it is difficult to attribute any significant public amenity value to the tree. It is set back significantly from the roadside, behind the building line of the street and does not form a prominent feature in any views along the Rothley Road streetscene, **see photographs 3, 4 and 5 Appendix C**. There are also no clear views obtainable from the public highways at Linkfield Road or Maitland Avenue.
- 5.6 The tree is not rare and has no identifiable cultural or historic value, nor any important identified relationship with the surrounding landscape or heritage designations. As a native species, it has some wildlife value as nesting habitat and food source, but this alone is not sufficient to warrant a TPO. To this end, the loss of the tree would not result in a significant negative impact to the public enjoyment of the immediate area; therefore, it is not expedient in the interests of amenity to protect the tree and it is considered **unsuitable** for retention in the Order.

### T4 – Sycamore

- 5.7 The tree is in normal physiological condition but has a structural defect that makes failure of the main stems likely in adverse weather conditions, see paragraph **3.12**. This presents a risk of property damage. In addition, there is clear evidence that the tree's roots are causing issues with the property drains, see **Appendix B**.
- 5.8 In terms of amenity value, while visible in the public domain it does not form a notable feature, nor does it present as a good example of the species or display a particularly aesthetically pleasing appearance, see **photographs 4 and 5, Appendix C**. Its position on the property causes identical issues to the sycamore T2, as detailed in paragraph **5.4**. The tree is a non-native alien species. It is not rare, it has no identifiable cultural or historic value and it has no important identified relationship with the surrounding landscape or heritage designations. The defects recorded limited its safe life expectancy and potential to increase in amenity value. The tree's inclusion in the Order would place an unreasonable burden on the landowner, that is not outweighed by any identified public benefit. It is therefore concluded that T4 is **unsuitable** for retention in the Order and should be excluded.





## **T5 – Holly**

- 5.9 The tree cannot be termed as a tree as would ordinarily be defined, see paragraph **4.7** and relevant guidance from Government. It forms part of an outgrown section of holly hedgerow, that as with the wider garden was left unmanaged for some time, see **photograph 6, Appendix C**. Its inclusion in the Order is clearly **unsuitable** and would be wholly contrary to national guidance and a tenuous application of the Authority's legislative powers. The tree should be excluded from the Order.

## **Summary**

- 5.10 Trees to be included in the Order when confirmed: **T1**
- 5.11 Trees to be included from the Order when confirmed: **T2 – T5**



## 6 SUMMARY

6.1 Charnwood Borough Council have exercised their statutory powers to secure the provisional protection of trees at 129 Rothley Road, Mountsorrel. This follows a proposal to develop the property. The provisional Order now provides the opportunity to consider carefully the quality of the trees, in terms of both their arboricultural condition, amenity value and other supporting factors. The quotation at the opening of this report is revisited below:

*“Authorities should bear in mind that, since they are responsible for making and confirming Orders, they are in effect both proposer and judge. They should therefore consider how best to demonstrate that they have made their decisions at this stage in an even-handed and open manner.”*

6.2 This Assessment has provided a transparent and balanced review of each tree's condition and subsequently considered their suitability for inclusion in a Tree Preservation Order. It has made recommendations to inform the Council's decisions in confirming the Order, proposing that the Order be modified to include T1 and exclude T2 to T5. Trees T2 to T4 are recommended to be excluded owing to restricted arboricultural and amenity value. T5 is recommended to be excluded due to being a section of hedge that does not represent what can be termed as a tree.

6.3 It is therefore requested that the Council give fair and objective consideration to the representations in this report and confirm the Borough of Charnwood (129 Rothley Road, Mountsorrel) Tree Preservation Order 2020 with modification to exclude trees T2 – T5.



# Appendix A

## Borough of Charnwood (129 Rothley Road, Mountsorrel) Tree Preservation Order 2020



**Town and Country Planning Act 1990**  
**The Borough of Charnwood (129 Rothley Road, Mountsorrel)**  
**Tree Preservation Order 2020**

The Charnwood Borough Council, in exercise of the powers conferred on them by section 198 of the Town and Country Planning Act 1990 make the following Order:

**Citation**

1. This Order may be cited as The Borough of Charnwood (129 Rothley Road, Mountsorrel) Tree Preservation Order 2020.

**Interpretation**

2. (1) In this Order “the authority” means the Charnwood Borough Council.  
(2) In this Order any reference to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990 and any reference to a numbered regulation is a reference to the regulation so numbered in the Town and Country Planning (Tree Preservation)(England) Regulations 2012.

**Effect**

3. (1) Subject to article 4, this Order takes effect provisionally on the date on which it is made.  
(2) Without prejudice to subsection (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners) and, subject to the exceptions in regulation 14, no person shall:
  - (a) cut down, top, lop, uproot, wilfully damage, or wilfully destroy; or
  - (b) cause or permit the cutting down, topping, lopping, wilful damage or wilful destruction of,


any tree specified in the Schedule to this Order except with the written consent of the authority in accordance with regulations 16 and 17, or of the Secretary of State in accordance with regulation 23, and, where such consent is given subject to conditions, in accordance with those conditions.

**Application to trees to be planted pursuant to a condition**

4. In relation to any tree identified in the first column of the Schedule by the letter "C", being a tree to be planted pursuant to a condition imposed under paragraph (a) of section 197 (planning permission to include appropriate provision for preservation and planting of trees), this Order takes effect as from the time when the tree is planted.

Dated this 13th day of November 2020

The Common Seal of the Charnwood Borough Council  
was affixed to this Order in the presence of:

  
.....



2020/21-90

**SPECIFICATION OF TREES**

**Trees specified individually**  
(encircled in black on the map)

Reference on map	Description	Situation
T1	Ash	SK 458308 314092
T2	Sycamore	
T3	Holly	
T4	Sycamore	
T5	Holly	

**Trees specified by reference to an area**  
(within a dotted black line on the map)

Reference on map	Description	Situation
	None	

**Groups of trees**  
(within a broken line on the map)

Reference on map	Description (including number of trees in the group)	Situation
	None	

**Woodlands**  
(within a continuous black line on the map)

Reference on map	Description	Situation
	None	

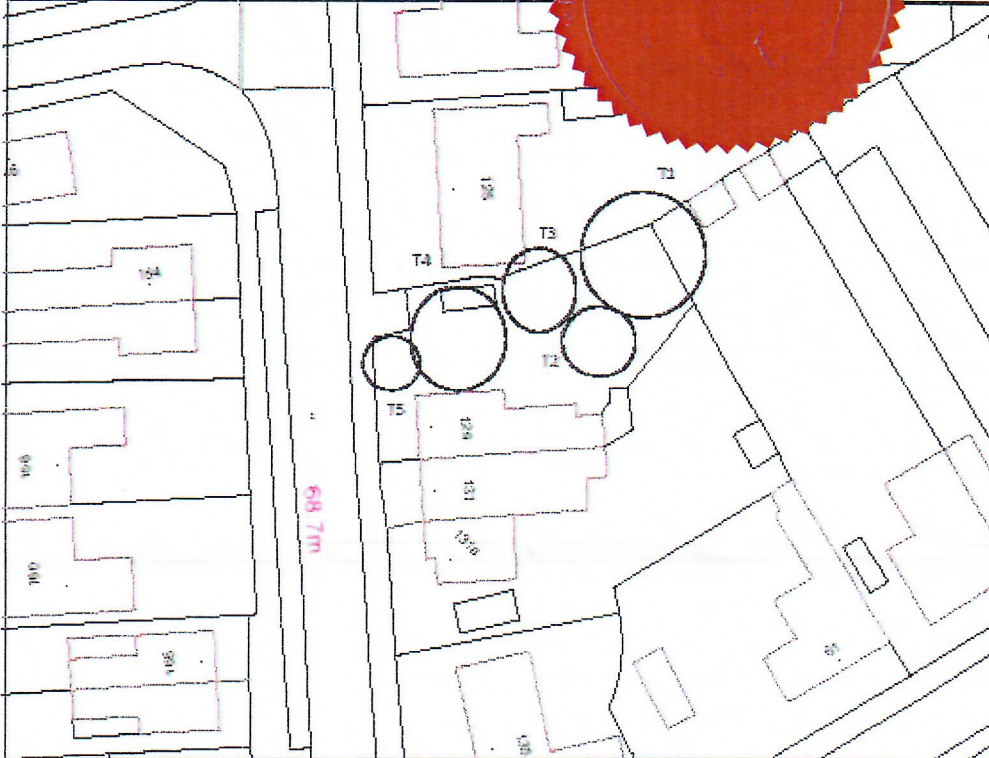


I certify this map shows the tree referred to in the first schedule of the Borough of Charnwood (129 Rothley Road, Mountsorrel) Tree Preservation Order 2020



Authorised signatory .....

2020/21-90



**Borough of Charnwood**  
**(129 Rothley Road Mountsorrel)**  
**Tree Preservation Order 2020**

R Bennett Dip. TP, MRTPI  
Head of Planning & Regeneration  
Borough of Charnwood  
Southfields  
Loughborough  
Leics. LE11 2TN  
Date: 8 Nov 2020  
Scale: 1:500  
Prep: NO D

Licence No 100023558 Reproduced from the Ordnance Survey Map with permission of the Controller of Her Majesty's Stationary Office, Crown Copyright Reserved.



# Appendix B

## Drain Inspection Report



## / Main sections

Project name : <b>129 ROTHLEY ROAD</b>	Contract number :	Contact :	Date : <b>21/07/2020</b>
---	-------------------	-----------	-----------------------------

No.	U/S MH	D/S MH	Date	Road	Tape No.	Material	m	(m)
2	GULLY	MH F1 A	21/07/2020	129 ROTHLEY ROAD		Vitrified clay	2.80	2.80
3	SVP	MH F1 B	21/07/2020	129 ROTHLEY ROAD		Vitrified clay	2.94	2.94

**Pipe size: CIRCULAR 100 = 5.74 m (5.74 m)**

No.	U/S MH	D/S MH	Date	Road	Tape No.	Material	m	(m)
4	MH F1	MAIN O/S	21/07/2020	129 ROTHLEY ROAD		Vitrified clay	20.38	20.38

**Pipe size: CIRCULAR 150 = 20.38 m (20.38 m)**

**All sections = 26.12 m (26.12 m)**



**Inspection summary**Project Name:  
**129 ROTHLEY ROAD**

Project Number :

Contact :




Date :  
**21/07/2020**

Total Length of sewer network .....	<b>26.12 m</b>
Inspected Length of sewer network .....	<b>26.12 m</b>
Not inspected Length of sewer network .....	<b>0.00 m</b>
Total Length of sewer network (abandoned) .....	<b>0.60 m</b>
Inspected Length of sewer network (abandoned) .....	<b>0.60 m</b>
Not inspected Length of sewer network (abandoned) .....	<b>0.00 m</b>
Total Length of house connections (satellite) .....	<b>0.00 m</b>
Inspected Length of house connections (satellite) .....	<b>0.00 m</b>
Not inspected Length of house connections (satellite) .....	<b>0.00 m</b>
Number of Sections .....	<b>3</b>
Number of Sections (abandoned) .....	<b>1</b>
Number of house connections .....	<b>0</b>
Number of Photos .....	<b>10</b>




## Inspection Summary

Date: <b>21/07/2020</b>	Project Number :	Contact :	Date : <b>21/07/2020</b>
----------------------------	------------------	-----------	-----------------------------

Place: <b>HOUSE</b>	Pipe shape: <b>Circular</b>
Road: <b>129 ROTHLEY ROAD</b>	Pipe size: <b>100 mm</b>
Upstr. MH: <b>GULLY</b>	Material: <b>Vitrified clay</b>
Downstr. MH: <b>MH F1 A</b>	Lining:

	<b>0.00</b>	ST	Start of survey	0
	<b>0.00</b>	MH	Manhole Remarks: MH F1 A	0
	<b>0.00</b>	WL	Water level, 0% of sewer height	0
	<b>0.91</b>	JDM	Joint displaced, medium (between 1.0 and 1.5 times the pipe wall thickness)	1
	<b>2.75</b>	JDM	Joint displaced, medium (between 1.0 and 1.5 times the pipe wall thickness)	1
	<b>2.80</b>	MH	Manhole Remarks: GULLY	0
	<b>2.80</b>	FH	Finish survey	0

Place: <b>HOUSE</b>	Pipe shape: <b>Circular</b>
Road: <b>129 ROTHLEY ROAD</b>	Pipe size: <b>100 mm</b>
Upstr. MH: <b>SVP</b>	Material: <b>Vitrified clay</b>
Downstr. MH: <b>MH F1 B</b>	Lining:

	<b>0.00</b>	ST	Start of survey	0
	<b>0.00</b>	MH	Manhole Remarks: MH F1 B	0
	<b>0.00</b>	WL	Water level, 0% of sewer height	0
	<b>0.18</b>	JDM	Joint displaced, medium (between 1.0 and 1.5 times the pipe wall thickness)	1
	<b>2.94</b>	MH	Manhole Remarks: SVP	0
	<b>2.94</b>	FH	Finish survey	0

## Inspection Summary

Date: <b>21/07/2020</b>	Project Number :	Contact :	Date : <b>21/07/2020</b>
----------------------------	------------------	-----------	-----------------------------

Place: <b>HOUSE</b>	Pipe shape: <b>Circular</b>
Road: <b>129 ROTHLEY ROAD</b>	Pipe size: <b>150 mm</b>
Upstr. MH: <b>MH F1</b>	Material: <b>Vitrified clay</b>
Downstr. MH: <b>MAIN O/S</b>	Lining:

	<b>0.00</b>	ST	Start of survey	0
	<b>0.00</b>	MH	Manhole Remarks: MH F1	0
	<b>0.00</b>	WL	Water level, 0% of sewer height	0
	<b>0.68</b>	JDM	Joint displaced, medium (between 1.0 and 1.5 times the pipe wall thickness)	1
	<b>1.87</b>	JDM	Joint displaced, medium (between 1.0 and 1.5 times the pipe wall thickness)	1
	<b>5.09</b>	JDM	Joint displaced, medium (between 1.0 and 1.5 times the pipe wall thickness)	1
	<b>5.09</b>	RFJ	Roots, fine at joint	2
	<b>5.68</b>	JDM	Joint displaced, medium (between 1.0 and 1.5 times the pipe wall thickness)	1
	<b>8.26</b>	RFJ	Roots, fine at joint	2
	<b>9.33</b>	DE	Debris, 25% cross-sectional area loss	4
	<b>20.38</b>	MH	Manhole Remarks: MAIN O/S	0
	<b>20.38</b>	FH	Finish survey	0





## Project-information

 Project name :  
**129 ROTHLEY ROAD**

Contract Number :

Contact :

 Date :  
**21/07/2020**

 Client: **NICOLE**

Contact Name:

Department:

Road:

Town:

County:

Telephone:

Fax:

Mobile:

E-mail:

 Site: **129 ROTHLEY ROAD**

Contact Name:

Department:

Road:

 Town: **MOUNT SORREL**

 County: **LEICESTERSHIRE**

Telephone:

Fax:

Mobile:

E-mail:

 Contractor **ALL DRAINS SERVICES LTD**

 Contact Name: **DARREL**

Department:

 Road: **GRAVELSTONES LITTLE GLEN ROAD**

Town:

 County: **LEICESTER**

Telephone:

Fax:

 Mobile: **07800 500 321**

 E-mail: **info@alldrains.co.uk**



## Project-information

 Project name :  
**129 ROTHLEY ROAD**

Contract Number :

Contact :

 Date :  
**21/07/2020**

Mh F1 was found to be full of roots ,debris ,failing brick work and damaged benching  
 The roots and debris were removed from MH F1 to carry out the survey (as per picture)  
 MH F1 upstream has mass roots  
 MH F1 A to gully has several displaced joints  
 Mh F1 B to svp has several displaced joints  
 Mh F1 to main has several displaced joints and root ingress

We would recommend

Excavation and removal of Mh F1

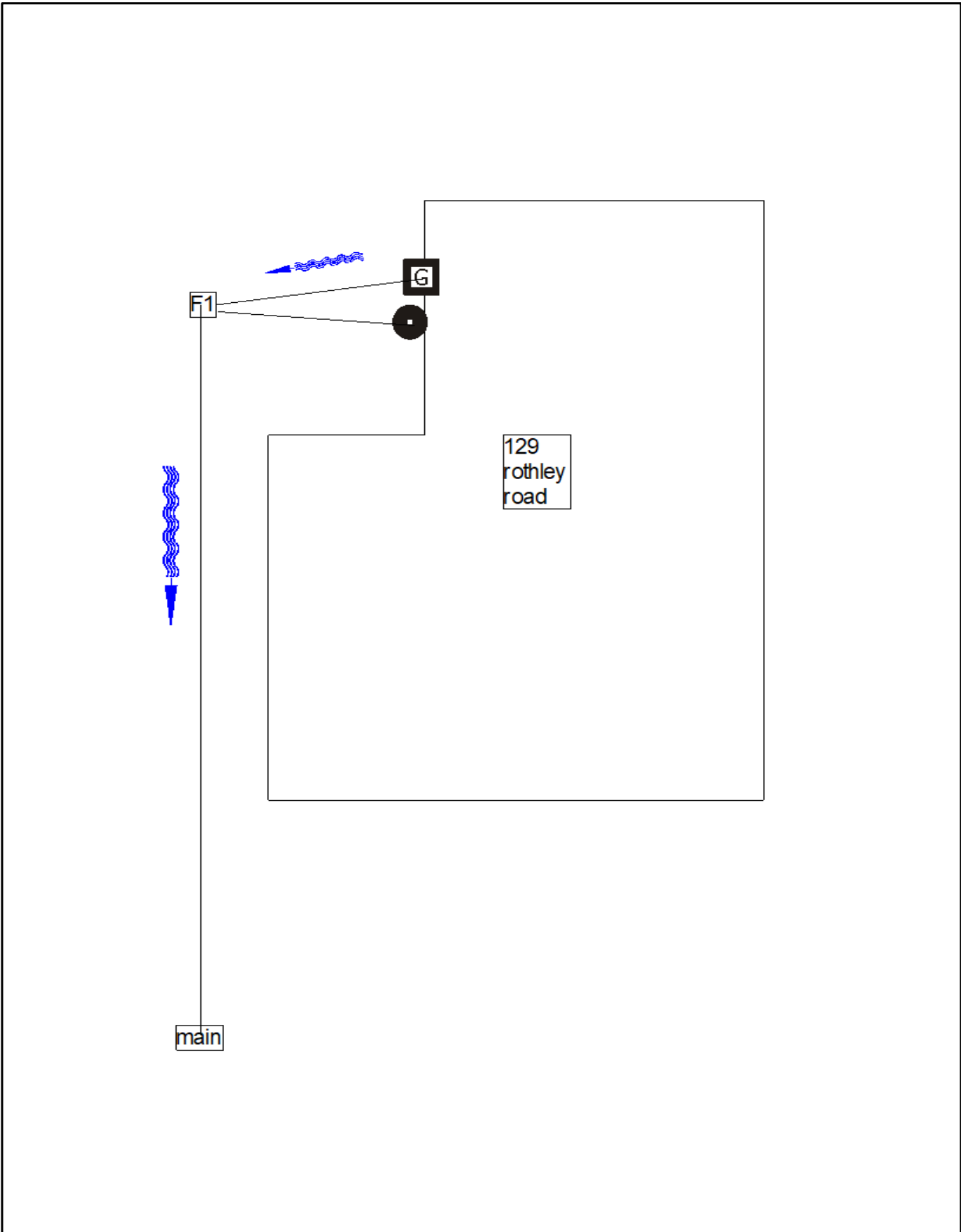
Excavation and removal of branch A and B to the Gully and SVP  
 attempting to remove the mass roots

Installation of a new UPVC manhole and cover and two branches to SVP and Gully  
 and installation of a resin liner to the Main



### Project-information

Project name : <b>129 ROTHLEY ROAD</b>	Contract Number :	Contact :	Date : <b>21/07/2020</b>
---	-------------------	-----------	-----------------------------





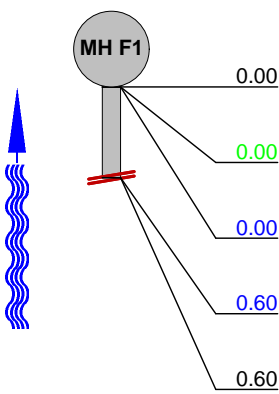

## Inspection report

Date : <b>21/07/2020</b>	Job number :	Weather : <b>Dry</b>	Sewer category:	Section number : <b>1</b>	PLR suffix : <b>X</b>
Present :	Vehicle :	Camera : <b>SOLO PRO+</b>	Preset :	Cleaned : <b>yes</b>	Operator : <b>DARREL</b>

Place : Road : Location Inspection	<b>HOUSE</b> <b>129 ROTHLEY ROAD</b> <b>Gardens</b> <b>MH F1 (U/S) UNKNOWN</b>	Location details: Catchment: Tape number : Pipe length :		U/S MH : U/S Depth : D/S MH : D/S Depth :	<b>UNKNOWN</b>  <b>MH F1</b> <b>0.8</b>
---	---	---	--	--	--

Use: Year laid : Purpose : Total length :	<b>Combined</b>  <b>Sample survey to determin asset condition</b>	Pipe shape : Pipe size : Pipe material : Lining :	<b>Circular</b> <b>150 mm</b> <b>Vitrified clay</b>
--	---	--	---

Comment :

1:50	Position	Code	Observation	Grade	
	Depth: 0.8				
		ST	Start of survey	(Misc) 0	
		MH	Manhole	(Constr) 0	
		WL	Water level, 0% of sewer height	(Serv) 0	
		RM	Roots, mass, 95% cross-sectional area loss	(Serv) 5	
		SA	Survey abandoned	(Misc) 0	

<b>Structural Defects</b>					<b>Constructional Features</b>				
<b>Service Defects</b>					<b>Miscellaneous Features</b>				
STR no def	STR peak	STR mean	STR total	STR grade	SER no def	SER peak	SER mean	SER total	SER grade
0	0	0	0	1	1	20	33.33	20	5



### Inspection pictures

Place : <b>HOUSE</b>	Road : <b>129 ROTHLEY ROAD</b>	Date : <b>21/07/2020</b>	Section number : <b>1</b>	PLR suffix : <b>X</b>
-------------------------	-----------------------------------	-----------------------------	------------------------------	--------------------------



Photo: 1\_4A, 00:00:11  
0.6m, Roots, mass, 95% cross-sectional area loss



### Inspection report

Date : <b>21/07/2020</b>	Job number :	Weather : <b>Dry</b>	Sewer category:	Section number : <b>2</b>	PLR suffix : <b>X</b>
Present :	Vehicle :	Camera : <b>SOLO PRO+</b>	Preset :	Cleaned : <b>yes</b>	Operator : <b>DARREL</b>

Place : Road : Location Inspection	<b>HOUSE</b> <b>129 ROTHLEY ROAD</b> <b>Gardens</b> <b>MH F1 A (U/S) GULLY</b>	Location details: Catchment: Tape number : Pipe length :	U/S MH : U/S Depth : D/S MH : D/S Depth :	<b>GULLY</b>  <b>MH F1 A</b> <b>0.8</b>
---	---	---	--	--

Use: Year laid : Purpose : Total length :	<b>Combined</b>  <b>Sample survey to determin asset condition</b>	Pipe shape : Pipe size : Pipe material : Lining :	<b>Circular</b> <b>100 mm</b> <b>Vitrified clay</b>
--	---	--	---

Comment :

1:50 Depth: 0.8	Position	Code	Observation	Grade
	MH F1 A	ST	Start of survey	(Misc) 0
	0.00	MH	Manhole	(Constr) 0
	0.00	WL	Water level, 0% of sewer height	(Serv) 0
	0.91	JDM	Joint displaced, medium (between 1.0 and 1.5 times the pipe wall thickness)	(Struct) 1
	2.75	JDM	Joint displaced, medium (between 1.0 and 1.5 times the pipe wall thickness)	(Struct) 1
	GULLY	MH	Manhole	(Constr) 0
2.80	FH	Finish survey	(Misc) 0	



<b>Structural Defects</b>					<b>Constructional Features</b>				
<b>Service Defects</b>					<b>Miscellaneous Features</b>				
STR no def	STR peak	STR mean	STR total	STR grade	SER no def	SER peak	SER mean	SER total	SER grade
0	0	0	0	1	0	0	0	0	1



## Inspection pictures

 Place :  
**HOUSE**

 Road :  
**129 ROTHLEY ROAD**

 Date :  
**21/07/2020**

 Section number :  
**2**

 PLR suffix :  
**X**


Photo: 2\_4A, 00:00:09  
 0.91m, Joint displaced, medium (between 1.0 and 1.5 times the pipe wall thickness)



Photo: 2\_5A, 00:00:22  
 2.75m, Joint displaced, medium (between 1.0 and 1.5 times the pipe wall thickness)



### Inspection report

Date : <b>21/07/2020</b>	Job number :	Weather : <b>Dry</b>	Sewer category:	Section number : <b>3</b>	PLR suffix : <b>X</b>
Present :	Vehicle :	Camera : <b>SOLO PRO+</b>	Preset :	Cleaned : <b>yes</b>	Operator : <b>DARREL</b>

Place : Road : Location Inspection	<b>HOUSE</b> <b>129 ROTHLEY ROAD</b> <b>Gardens</b> <b>MH F1 B (U/S) SVP</b>	Location details: Catchment: Tape number : Pipe length :	U/S MH : U/S Depth : D/S MH : D/S Depth :	<b>SVP</b>  <b>MH F1 B</b> <b>0.8</b>
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Use: Year laid : Purpose : Total length :	<b>Combined</b>  <b>Sample survey to determin asset condition</b>	Pipe shape : Pipe size : Pipe material : Lining :	<b>Circular</b> <b>100 mm</b> <b>Vitrified clay</b>
--	---	--	---

Comment :

1:50	Position	Code	Observation	Grade
Depth: 0.8				
	0.00	ST	Start of survey	(Misc) 0
	0.00	MH	Manhole	(Constr) 0
	0.00	WL	Water level, 0% of sewer height	(Serv) 0
	0.18	JDM	Joint displaced, medium (between 1.0 and 1.5 times the pipe wall thickness)	(Struct) 1
	2.94	MH	Manhole	(Constr) 0
	2.94	FH	Finish survey	(Misc) 0



<b>Structural Defects</b>					<b>Constructional Features</b>				
<b>Service Defects</b>					<b>Miscellaneous Features</b>				
STR no def	STR peak	STR mean	STR total	STR grade	SER no def	SER peak	SER mean	SER total	SER grade
0	0	0	0	1	0	0	0	0	1



### Inspection pictures

Place : <b>HOUSE</b>	Road : <b>129 ROTHLEY ROAD</b>	Date : <b>21/07/2020</b>	Section number : <b>3</b>	PLR suffix : <b>X</b>
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Photo: 3\_4A, 00:00:07  
0.18m, Joint displaced, medium (between 1.0 and 1.5 times the pipe wall thickness)










### Inspection report

Date : <b>21/07/2020</b>	Job number :	Weather : <b>Dry</b>	Sewer category:	Section number : <b>4</b>	PLR suffix : <b>X</b>
Present :	Vehicle :	Camera : <b>SOLO PRO+</b>	Preset :	Cleaned : <b>yes</b>	Operator : <b>DARREL</b>

Place : Road : Location Inspection	<b>HOUSE</b> <b>129 ROTHLEY ROAD</b> <b>Gardens</b> <b>MH F1 (D/S) MAIN O/S</b>	Location details: Catchment: Tape number : Pipe length :	U/S MH : U/S Depth : D/S MH : D/S Depth :	<b>MH F1</b> <b>.8</b> <b>MAIN O/S</b>
Use: Year laid : Purpose : Total length :	<b>Combined</b>  <b>Sample survey to determin asset condition</b>	Pipe shape : Pipe size : Pipe material : Lining :	<b>Circular</b> <b>150 mm</b> <b>Vitrified clay</b>	

Comment :

1:165 Depth: .8	Position	Code	Observation	Grade	
	MH F1	ST	Start of survey	(Misc) 0	
0.00		MH	Manhole	(Constr) 0	0.68 m
0.00		WL	Water level, 0% of sewer height	(Serv) 0	
0.68		JDM	Joint displaced, medium (between 1.0 and 1.5 times the pipe wall thickness)	(Struct) 1	
1.87		JDM	Joint displaced, medium (between 1.0 and 1.5 times the pipe wall thickness)	(Struct) 1	
5.09		JDM	Joint displaced, medium (between 1.0 and 1.5 times the pipe wall thickness)	(Struct) 1	
5.09		RFJ	Roots, fine at joint	(Serv) 2	
5.68		JDM	Joint displaced, medium (between 1.0 and 1.5 times the pipe wall thickness)	(Struct) 1	
8.26		RFJ	Roots, fine at joint	(Serv) 2	
9.33		DE	Debris, 25% cross-sectional area loss	(Serv) 4	
20.38		MH	Manhole	(Constr) 0	
20.38		FH	Finish survey	(Misc) 0	

<b>Structural Defects</b>					<b>Constructional Features</b>				
<b>Service Defects</b>					<b>Miscellaneous Features</b>				
STR no def	STR peak	STR mean	STR total	STR grade	SER no def	SER peak	SER mean	SER total	SER grade
0	0	0	0	1	1	5	0.25	5	4

## Inspection pictures

 Place :  
**HOUSE**

 Road :  
**129 ROTHLEY ROAD**

 Date :  
**21/07/2020**

 Section number :  
**4**

 PLR suffix :  
**X**


Photo: 4\_4A, 00:00:10  
0.68m, Joint displaced, medium (between 1.0 and 1.5 times the pipe wall thickness)



Photo: 4\_5A, 00:00:14  
1.87m, Joint displaced, medium (between 1.0 and 1.5 times the pipe wall thickness)



Photo: 4\_6A, 00:00:39  
5.09m, Joint displaced, medium (between 1.0 and 1.5 times the pipe wall thickness)



Photo: 4\_8A, 00:00:41  
5.68m, Joint displaced, medium (between 1.0 and 1.5 times the pipe wall thickness)



### Inspection pictures

Place : <b>HOUSE</b>	Road : <b>129 ROTHLEY ROAD</b>	Date : <b>21/07/2020</b>	Section number : <b>4</b>	PLR suffix : <b>X</b>
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Photo: 4\_9A, 00:00:52  
8.26m, Roots, fine at joint



Photo: 4\_10A, 00:01:13  
9.33m, Debris, 25% cross-sectional area loss





# Appendix C

## Site Photographs



Photograph 1 - T1 as viewed from the junction of Maitland Avenue and Linkfield Road.





Photograph 2 - Evidence of poor historic pruning and poor form in T2.





Photograph 3 - Displaying the multi-stemmed form of T3 and the suppression and poor branch development in the north canopy.







Photograph 4 - Displaying Rothley Road as approaching from the south. Views of trees T2 and T3 are not obtainable due to their position behind housing. A small proportion of T4s upper canopy is visible. T5 is visible adjacent to the footpath at the property front.





Photograph 5 - Displaying Rothley Road looking south. Views of trees T2 and T3 are not obtainable due to their position behind housing. T4 is visible in part and T5 is visible adjacent to the footpath at the property front.







Photograph 6 - Displaying T5 as viewed from directly opposite the no. 129 from Rothley Road.





**APPEALS AND REVIEWS COMMITTEE, 19 April 2021**BOROUGH OF CHARNWOOD (129 Rothley Road Mountsorrel) TREE PRESERVATION ORDER 2020 – PROVISIONAL**1.0 Introduction****1.1 Background**

An application was received seeking pre-app advice on the potential to build a new dwelling within the garden space of the above address. The garden although somewhat neglected contains a number of trees which individually and collectively provide a significant landscape feature to the street by way of a punctuation and softening green relief to the built form of the street.

The trees of merit consist of 1 x ash, 2x holly, 2x sycamore are in good condition as viewed from ground level. The trees are early mature and mature, of good form and, most importantly, and visible from the street, the junction with Rockhill Drive and in the case of ash from Linkfield road and Maitland Avenue.

**1.2 The Site**

The site is the domestic side and rear garden of the dwelling. The dwelling is one of a semidetached pair. The design intention was that the space between the dwelling pair and the next semi-detached be unbuilt. Such gaps perform important function of relief in built form and allow for trees and other vegetation to flourish. While it is accepted the garden is somewhat overgrown and unkempt through neglect the overall principle, is that the space be garden. The trees are an important component in this garden, the effective landscape characteristic of which is wooded shade. The side garden presents an open aspect to the street with a parking platform and assorted dilapidated outbuildings.

**1.3 Condition of the trees**

The trees are in fair-good condition of reasonable form and were correctly evaluated for their collective public amenity merit. Not all trees were considered some are too close to the dwelling and or interfere with drains or are of poor form failed the amenity and expediency test. The trees selected are the principal trees of the garden; T1 ash, T2 sycamore, T3 holly T4 sycamore and T5 holly. Trees which are smaller and /or in poor condition, and/ or poor aesthetic form were not included.

**2.0 The Objections to the Order**

The objections to the Order were received by email.



## **Objection - Mrs Baksa – several correspondences dated 26 November 2020**

The main thrust of the objection was to reference personal circumstances.

### The objection covered:

#### 2.1 Effect of trees on the property.

The objector included her standard buyers RICS home building survey dated 26 June 2020. The surveyors report on page 50 states *“There are a number of trees within possible influencing distance of the property. Whilst these do not appear to have caused damage to the building, proper management including pruning but ideally removal is necessary”*. The poor condition of dwelling and outbuildings is not attributed to the trees. The second part of the objection claims that the tree are causing significant damage to the property drains. A drain inspection report by All Drains Services dated 21 July 2020 detailing the disjoints and collapse of drains confirming the present of tree roots. Drainage clearance works was carried out following a call-out to clear roots and soil from blocked drains with a high-pressure waterjetter. The recommendation was to replace or repair and the objector chose the cheaper repair option which uses a resin sleeve inserted to the collapsed drains. All aspects of the repair are now completed.

#### 2.2 Disagreement over the assessment of the trees –clarification email of objection dated 15 March 2021

2.2.1 Mrs Baksa *inter alia* sets out the view that all the trees covered by the Order should not merit protection saying *“The street in itself is in any case built up with most properties being without trees or greenery, so the removal of the trees from our property would be in keeping with the rest of the street. We do not accept that our particular garden provides a significant landscape feature or contribution in this particular locality. The street is long and overall is very built up and hard in form of which removal of the trees would make very little difference to the overall visual of the street”*.

2.2.2 The number of trees in relation to the size of the garden asserting it to be overbearing and excessive.

2.2.3 Mrs Baksa cites the drainage works and the potential for future subsidence mentioned in the RICS report should the trees be retained.

2.2.4 Mrs Baksa states an intention to retain that principle tree to the rear garden space and to enhance the garden.

## **Objection by Golby & Luck on behalf of Mrs Baksa Tree Preservation Order Assessment dated 12 January 2021, a 51 page report.**

The objection covered tree condition, aesthetics of structural form and potential to mature in terms of estimate safe life expectancy all aspects which address either a tree's public amenity value and /or expediency of protection.

The report looked at each of the trees T1 –T5 individually. (See appendix for extracted key points of argument and my response). Golby and Luck do not argue lifting of the Order but make a proposal for modification excluding T2-T4 from the Order and to confirm the Order in the case of T1, only.

The report concluded only T1 ash to merit protection under the Order.

The report with regard to the ash, T1 state in para 3.2 that is areas in good physiological condition but further down then claims it is in fair physiological condition . These points therefore contradict. It is acknowledged that the tree provides public amenity value.

### **3.0 Response to the Objections – Mrs Baksa**

With regard to the cited personal matters it should be noted that TPOs are neither made nor revoked on the basis of 'personal circumstances' no matter how compelling they may seem. I will therefore not address them not least because they have little or no material weight in the evaluation for protection for trees. The focus should rather be on whether the protection of tree is fair and reasonable.

#### **3.1 Effect of trees on the property.**

The surveyors statement quoted above is a general statement and indicates that the condition of the house cannot be attributed to the presence of the tree. The second part of recommendation that "ideally removal is necessary" is a standard catch all caveat of such reports not borne out by the findings of the report.

Trees do not 'break into' sound drains. Their root systems take advantage of drains which have already been compromised either by cracks or collapse. The roots within a drain may be removed as part of remedial and or replacement drain works providing the stem and anchor roots are not compromised. Clearly, if the stems and or anchor roots of a tree were so close as to exert lateral pressure on the drainage apparatus a case could be made for the trees removal. However this has not been the case presented even when I asked whether anchor roots might be implicated. The solution chosen by Mrs Baksa is the cheaper repair option involving CIPP / cure-in-place pipe trenchless rehabilitation method. Mrs Baksa has declined the recommendation to enhance protection of her drains by retrofitting a proprietary root deflector. My understanding is that this drainage repair is now complete.

#### **3.2 Disagreement over the assessment of the trees**

3.2.1 Mrs Baksa cited the very street scene point though in reverse to the characteristic of the street and the role it plays in terms of urban design. She correctly identified that the street is harsh with few trees. Her observation thus supported that fact that the side garden is only one of few current spaces with trees to punctuate an otherwise harsh built streetscene. Of particular importance to the function are the trees fronting the side garden and the tree to the rear, the ash T1.

3.2.2 The number of trees in relation to the size of the garden asserting it to be overbearing and excessive. The Order does not cover all trees nor all woody stemmed species. Mrs Baksa counted 20 trees the Order only protects 5. This level of protection therefore cannot be regarded as over bearing or excessive as there is still scope to remove trees and other vegetation so as to create better light penetration and facilitated a reasonable use of the garden.

3.2.3 Mrs Baksa cites the drainage works and the potential for future subsidence mentioned in the RICS report should the trees be retained. The drainage works are completed without impediment. No evidence of latent or incipient subsidence has been submitted. The Order does not prevent the renovation and updating of the house.

3.2.4 It is welcomed and acknowledge that Mrs Baksa expressed a desire either way to the retention of the ash T1. The view is a point of common ground.

#### **4.0 Response to Objection from Golby and Luck**

On the points analysing ash T1 I agree it is in good physiological condition and suggest their latter contradictory statement be dismissed. They agree the tree merits protection and so this is a point of common ground.

Regarding sycamore T2 it should be noted that sycamore is well established in England at least since Roman times. It should be noted that many non-native species of animal and plants are well established such as sycamore, horse chestnut (late 16<sup>th</sup> C) and beech (Neolithic introduction considered native only in the south of England) all of which can and should be regarded as naturalised to the British Isles in much the same way we regard the rabbit and the pheasant. Sycamore is classified by [forestresearch.gov.uk](http://forestresearch.gov.uk) as '**naturalised**' with **British provenance** therefore should not be described as 'alien' suggestive of it being invasive and legally restricted by DEFRA. Therefore the point about it being non-native should be dismissed from consideration because the species is naturalised in the wild and has distinct British provenance as noted by the Woodland Trust. The reference to the BS5837:2012 I in regard to T2 sycamore moot because the tree is according to Golby and luck 3m from the drains (para 3.7 ) The stated minimum distance in the BS5837:2021 Table A.1. for young trees of stem diameter 600mm or more is 3m. It meets the minimum standard.



On the points of direct public visibility and aesthetic form, I agree the tree T2 sycamore could be omitted from the Order.

The multistem holly tree T3 contributes secondary density to the grouping of trees but is agreed it does not provide primary visibility not would it individually. on its own merit TPO On the points of direct public visibility, I agree the tree T3 holly could be omitted from the Order.

With regard to the form of T4 sycamore I contest the point of forking and branch attachment is debatable especially when one considers latest research such as carried out by Dr Duncan Slater of Myerclough College. This means the traditional view on forking is open to much debate and further research. It is wrong to condemn that all branching or forking to be inherent a 'defect' or dangerous. Forking and branching are arguably survival adaptations of dicotyledonous trees. Arguably the use of term and concept 'defect' to describe natural structures is questionable. There is no evidence of incipient failure.

I contest the points of public visibility and amenity in relation to T4 sycamore. The trees crown is visible from vantages along Rothley road as well as directly opposite in good full visibility and the junction of Rockhill Drive as evidence in Photograph 5 of the Golby & Luck report. This is sufficient to merit protection. It is agreed the site is constrained and the tree will require periodic crown reduction. This alone should not be taken to conclude protection should not be afforded the tree. The tree should be retained in the Order.

I contest the points made to suggest that T5 holly ought not be protected. It is irrelevant that the holly T5 was originally part of a hedge. It is not very much a tree.. It is prominent on the frontage and makes a significant contribution to the street scene. Arguably is it of sufficient stature to be prominent on the frontage. The tree should be retained in the Order.

## **5.0 Conclusion**

Removing the Order by failing to confirm it at this appeal and review committee is not being sought by the Objectors. Instead they propose the modification of the Order to protect only T1 ash. This would mean that other trees which do provide publically visible amenity and contributed to the street scene would be lost with impact on the character of the area. I concede that the argument to protect T2 and T3 are tenuous and that these trees do not make sufficient visible amenity. It is accepted that they are not of particular merit and were they assessed individually would not attract a TPO. Therefore, as part of a reconsideration taking into account the report by Golby & Luck, the principal objectors consultant assessment, I agree that both T2 and T3 holly could be omitted. However both T4 sycamore and T5 holly do make prominent amenity contribution along with T1 ash. The committee is therefore recommended to confirm the Order with modification to omit T2 and T3, only.

Contact Officer:

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Senior Landscape Officer

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APPENDIX A -

Photographic study of context and presentation of site 129 Rothley Road  
Mountsorrel

Character Context – opp site looking south along Rothley Road



Google street scene imagery dated May 2016

Character Context- View looking North along Rothley Road, including junction with Rockhill Drive



Character Context- from opp Co- op Store on Rothley Road





Here the T5 Holly and upper crown of T4 ( as vegetated backdrop to built form) provide green relief to the otherwise harsh built form of the street. Visually the holly balances the distant Lombardy Poplars and other trees to south.

Character context- mid distant view near junction with Linkfield Road



Again T5 holly and T4 Sycamore contribute to the street scene.

## Site presentation



Google street imagery May 2016

## Site presentation –at junction with Rockhill Drive



Arrows indicating L-R T1 T4 and T5

Imagery date 2016 so the trees clearly then and now make a significant contribution to the street scene. While most properties do not present tree or green relief, some do and this provides cadence which repeats along the road in both direction.

## APPENDIX B

### Analysis of main points of the Golby & Luck assessment of trees they claim should not be afforded protection and my response

Sycamore T2		
Golby & Luck tree assessment	Senior Landscape Officer response	Recommendation
semi-mature	this is a point of common ground	
Good physiological condition with poor structural condition due to squirrel damage and being poorly worked.	The reference to poor form is accepted as valid. The tree exhibits evidence of topping, a practice which is not recommended as it can lead to multiple weak unions more prone to fracture.	valid point agreed and conceded
not seen clearly from direct vantage	The point regarding the lack of direct visual presentation to a public vantage is a valid point though it should be remembered that it provides background density to the appearance of trees. It is conceded that if trees are reductively and individually assessed the tree would not on its own merit TPO though were the TPO to be a group TPO it could.	valid point agreed and conceded
It makes a claim in para 3.5 that because the tree is not native that it adversely impact native diversity.	Sycamore is well established in England at least since Roman times. It should be noted that many non-native species of animal and plants are well established such as sycamore, horse chestnut (late 16 <sup>th</sup> C) and beech (Neolithic introduction considered native only in the south of England) all of which can and should be regarded as naturalised to the British Isles in much the same way we regard the rabbit and the pheasant. Sycamore is classified by <a href="http://forestresearch.gov.uk">forestresearch.gov.uk</a> as ' <b>naturalised</b> ' with <b>British provenance</b> therefore should not be described as 'alien' suggestive of it being invasive and legally restricted by DEFRA. Therefore the point about it being non-native should be dismissed from consideration because the species is naturalised in the wild and has	inadmissible



	distinct British provenance as noted by the Woodland Trust.	
not rare	This is a point of common ground	
not unusual	This is a point of common ground	
not related to heritage	This is a point of common ground	
It references the drainage report and that the tree would have caused displacement and includes Table A.1 from BS5837:2021	The reference to the BS5837:2012 is moot because the tree is according to Golby and Luck 3m from the drains (para 3.7 ) The stated minimum distance in the BS5837:2021 Table A.1. for young trees of stem diameter 600mm or more is 3m. It meets the minimum standard.	not agreed.
	<b>Conclusion</b>	<b>Modify Order to omit</b>

<b>Holly T3</b>		
<b>Golby &amp; Luck tree assessment</b>	<b>Senior Landscape Officer response</b>	Recommendation
early mature	This is a point of common ground	
a multistem specimen of good physiological condition and poor form	This is partially agreed. However holly takes well to shaping such as topiary and poor aesthetic form can be mitigated	not agreed as valid objection to Order
20yr+ estimate safe lifespan	This is a point of common ground	
limited direct public visibility therefore limited public amenity value	The tree contributes secondary density to the grouping of trees but but is agreed it does not provide primary visibility not would it individually on its own merit TPO	agreed and conceded
native	this a point of common ground	
not rare or unusual	This is a point of common ground	
no heritage significance	This is a point of common ground	
	<b>Conclusion</b>	<b>Modify the Order to omit</b>

<b>T4 Sycamore</b>		
<b>Golby &amp; Luck tree assessment</b>	<b>Senior Landscape Officer response</b>	Recommendation
semi- mature	this is a point of common ground	
good physiological condition	This is a point of common ground	
structural form poor form- moderate defect co-dominant stems with included bark	the point of forking and branch attachment is debatable especially when one considers latest research such as carried out by Dr Duncan	not agreed as a valid objection to the Order

	Slater of Myerclough College. This means the traditional view on forking is open to much debate and further research. It is wrong to condemn that all branching or forking to be inherent a 'defect' or dangerous. Forking and branching are arguably survival adaptations of dicotyledonous trees. Arguably the use of term and concept 'defect' to describe natural structures is questionable. There is no evidence of incipient failure.	
limited visibility not clear from Linkfield road or Maitland Avenue only from Rothley road	The trees crown is visible from vantages along Rothley road as well as directly opposite in good full visibility and the junction of Rockhill Drive as evidence in Photograph 5 of the Golby & Luck report. This is sufficient to merit protection	not agreed as a valid objection to the Order
not a good representative example	The tree is typical in form and therefore representative.	not agreed as a valid objection to the Order
constrained environment; would require crown reduction as part of management	It is agreed the site is constrained and the tree will require periodic crown reduction. This alone should not be taken to conclude protection should not be afforded the tree.	not agreed as a valid objection to the Order
non native	irrelevant point	inadmissible
not rare or unusual	This is a point of common ground	
no heritage significance	This is a point of common ground	
	Conclusion	<b>Retain in the Order and confirm</b>

<b>T5 Holly</b>		
<b>Golby &amp; Luck tree assessment</b>	<b>Senior Landscape Officer</b>	<b>Recommendation</b>
originally part of hedge	irrelevant as the specimen is now very much a tree	
good physiological condition	this is a point of common ground	
visible in the street scene	this is a point of common ground. It is prominent on the frontage and makes a significant contribution to the street scene	
not of particular stature	arguably is it of sufficient stature to be prominent on the frontage	
native tree	this is a point of common ground	
not rare or unusual	this is a point of common ground	

no heritage significance	this is a point of common ground	
	Conclusion	<b>Retain in the Order and confirm</b>



## APPEALS AND REVIEWS COMMITTEE 19TH APRIL 2021

### Report of the Head of Strategic Support

ITEM 6 BOROUGH OF CHARNWOOD (THE BRADGATE, 37 MAIN STREET, NEWTOWN LINFORD) TREE PRESERVATION ORDER 2020

The above Order relates to 4 trees, T1 – Ash, T2 – Lime, T3 – Alder, T4 – Alder situated in the rear car park garden at the above site.

The Council's Head of Planning and Regeneration considers that the trees make a significant contribution to the visual amenity, character and appearance of the Conservation Area of Newtown Linford. A S211 Notice P/20/2093/2 was received seeking to crown reduce several trees by 30%. This proposed work is considered excessive and would be detrimental to the aesthetic form and health of the trees. A lesser degree of tree works is recommended to ensure clearance from buildings and removal or reduction of selected lower branches could be consented should a TPO Tree Works application be subsequently submitted. It should be borne in mind that necessary works to remove deadwood or dangerous branches is exempt formal application. The trees are visible from the Main Street and within the publicly accessible car park and form part of the locality's green infrastructure which provide backdrop to housing on Grey Crescent and Main Street. They consist of a mature ash tree, two early mature alders and one young lime. No issues were reported regarding their health. They are worthy of retention and preservation. Therefore, the Head of Planning and Regeneration considers it is appropriate to ensure that the trees are properly protected and retained in a satisfactory manner through the making of a Tree Preservation Order.

Therefore, an Order was made on 18th December 2020 to provisionally protect the trees.

A copy of the Order is attached at **Annex 1**.

Objections to the Order were received on 22nd December 2020 from the occupier of 14 Grey Crescent, Newtown Linford and on 4th January 2021 from the occupier of 16 Grey Crescent, Newtown Linford.

A copy of the objections is attached at **Annex 2**.

The Head of Planning and Regeneration's comments on the issues raised in the objection are attached at **Annex 3**.

The Committee is asked to consider the issues raised by the objectors and the comments of the Head of Planning and Regeneration in accordance with the procedure set out and to determine whether or not the Tree Preservation Order should be confirmed and, if so, whether with or without modification.

Officer to contact:

Laura Strong  
Democratic Services Officer  
01509 634734  
[laura.strong@charnwood.gov.uk](mailto:laura.strong@charnwood.gov.uk)

**Town and Country Planning Act 1990**  
**The Borough of Charnwood (The Bradgate, 37 Main Street, Newtown  
Linford)**  
**Tree Preservation Order 2020**

The Charnwood Borough Council, in exercise of the powers conferred on them by section 198 of the Town and Country Planning Act 1990 make the following Order:

**Citation**

1. This Order may be cited as The Borough of Charnwood (The Bradgate, 37 Main Street, Newtown Linford) Tree Preservation Order 2020.

**Interpretation**

2. (1) In this Order “the authority” means the Charnwood Borough Council.  
(2) In this Order any reference to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990 and any reference to a numbered regulation is a reference to the regulation so numbered in the Town and Country Planning (Tree Preservation)(England) Regulations 2012.

**Effect**

3. (1) Subject to article 4, this Order takes effect provisionally on the date on which it is made.  
(2) Without prejudice to subsection (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners) and, subject to the exceptions in regulation 14, no person shall:
  - (a) cut down, top, lop, uproot, wilfully damage, or wilfully destroy; or
  - (b) cause or permit the cutting down, topping, lopping, wilful damage or wilful destruction of,



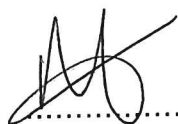
any tree specified in the Schedule to this Order except with the written consent of the authority in accordance with regulations 16 and 17, or of the Secretary of State in accordance with regulation 23, and, where such consent is given subject to conditions, in accordance with those conditions.

**Application to trees to be planted pursuant to a condition**

4. In relation to any tree identified in the first column of the Schedule by the letter "C", being a tree to be planted pursuant to a condition imposed under paragraph (a) of section 197 (planning permission to include appropriate provision for preservation and planting of trees), this Order takes effect as from the time when the tree is planted.

Dated this 18th day of December 2020

The Common Seal of the Charnwood Borough Council  
was affixed to this Order in the presence of:



2020/21-107



## SPECIFICATION OF TREES

### Trees specified individually (encircled in black on the map)

Reference on map	Description	Situation
T1	Ash	In the rear car park garden north of the pub building @ SK451885 310080
T2	Lime	In the rear car park garden north of the pub building SK 451894 310082
T3	Alder	In the rear car park garden north of the pub building SK 451878 310083
T4	Alder	In the rear car park garden north of the pub building SK 451876 310080

### Trees specified by reference to an area (within a dotted black line on the map)

Reference on map	Description	Situation
	None	

### Groups of trees (within a broken line on the map)

Reference on map	Description (including number of trees in the group)	Situation
	None	

### Woodlands (within a continuous black line on the map)

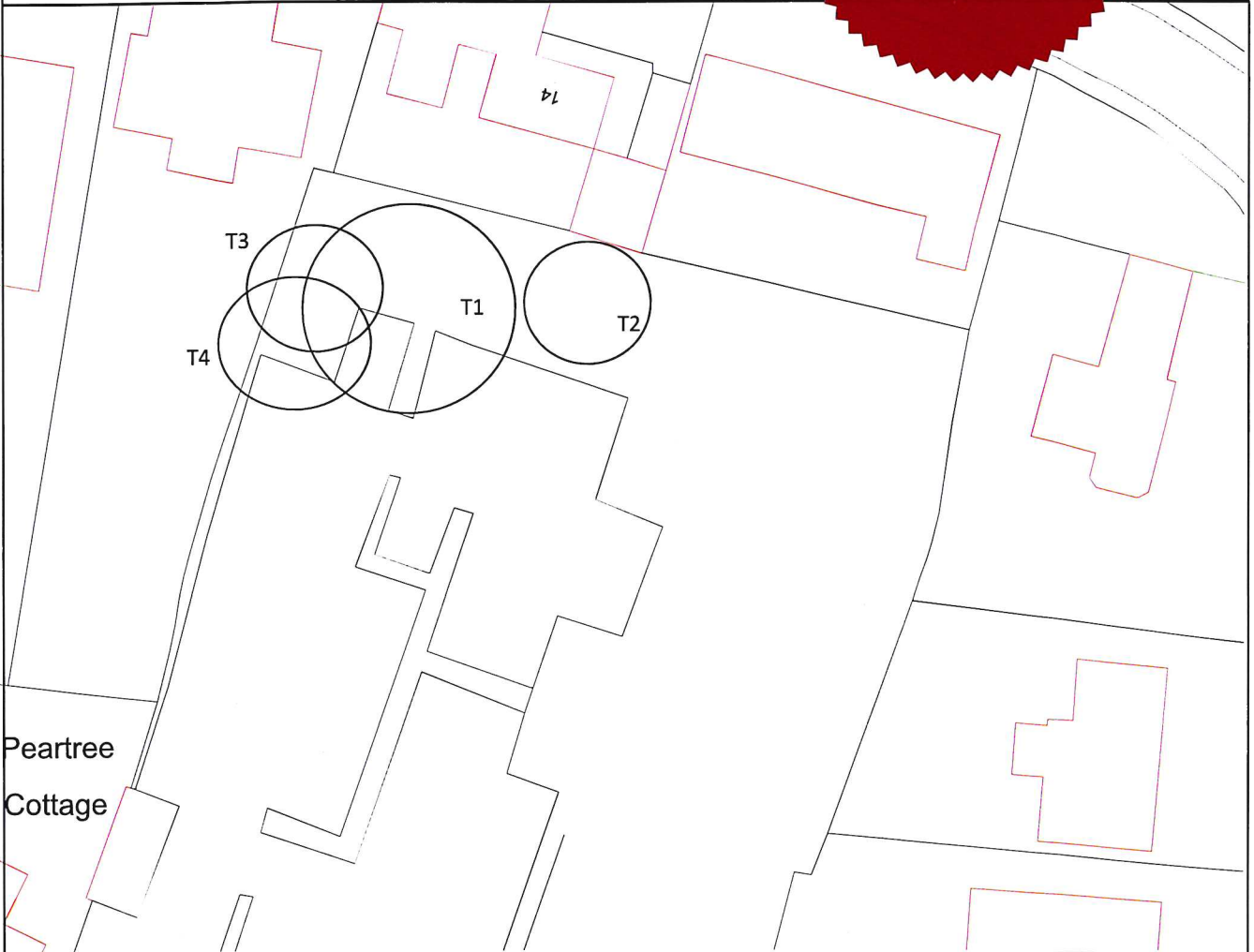
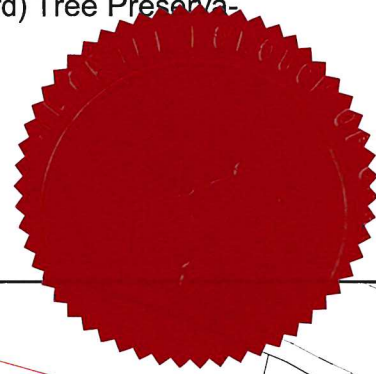
Reference on map	Description	Situation
	None	

I certify this map shows the tree referred to in the first schedule of the Borough of Charnwood (The Bradgate 37 Main Street, Newtown Linford) Tree Preservation Order 2020



Authorised signatory .....

2020/21-107.



**Borough of Charnwood**  
**(The Bradgate, 37 Main Street, Newtown Linford)**  
**Tree Preservation Order 2020**

R Bennett Dip. TP. MRTPI  
Head of Planning & Regeneration  
Borough of Charnwood  
Southfields  
Loughborough  
Leics. LE11 2TN  
Date: 15Dec 2020  
Scale: 1:500  
Prep: NO'D

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From: David Young  
Sent: 22 December 2020 14:16  
To: Strong Laura <Laura.Strong@charnwood.gov.uk>  
Subject: P/20/2093/2 your ref : PT/58

Dear Laura,

From David Young 14 Grey Crescent LE60AA

I am shocked to see you are protecting the trees at the back of me.

I have lived here for 13 years , the trees basically make up a 70ft wall blocking all light from my house and garden I have grass that wont grow and dies every year due to the size of these trees.

My garden is only 4 meters wide the trees are very over powering.

You have stated that they are an important back drop of greys crescent ?

They can hardly be seen from the main street, I'm not understanding the importance of these trees as you call it as you can clearly stand at main street a struggle to see them ?

I have only asked for a reduction of 30% with 70ft trees this is very small.

I would like to invite you to my property to see what I am up against my number is

. They have massively out grown my property , I used to have a lovely sunny garden. A chop of 30% or less will grow back very fast . The trees are huge.

I actually really like the trees hence why a sympathetic topping would very much help me and would protect the trees. Cutting lower branches will not help my problems.

This is really getting my mental health bad I love my house but these are very much a big problem to me.

To top this off number 12 had 4 large Alders and they were allowed to be removed ? I find this confusing that all I want to do is reduce the height and its not allowed but next door was allowed to remove the same trees ???

Also you have recently allowed the chopping down of an important Silver Birch on Grey

Crescent ? There was a report of the importance of greys crescent done by the council stating how important it is to protect the Silver Birch lined street . Again all I am asking for is a

reduction in height to allow light back in my property.

Also the young lime tree was a self planter and had permission to be topped some years back but unfortunately was never carried out.

I would like to know why its very much one law for others and another for me who again is trying to protect the trees and just reduce them in height ? Also I would like you to explain why the 4 behind number 12 were allowed to be take down? Also work has been carried out to large trees all the way down from number 10 to number 2 in the Bradgate arms. I feel like I am very unfairly being stopped by doing something very sympathetic .

This is very upsetting to me and I believe is very unfair I will take this down every route possible to try and solve this I don't see why reducing the height of a tree that has vastly over grown the neighbouring properties is anything but a sensible option.

Regards, David Young number 14 Grey crescent Le60aa

From: Scott McGarry  
Sent: 04 January 2021 09:40  
To: Strong Laura <Laura.Strong@charnwood.gov.uk>  
Cc:  
Subject: RE: P/20/2093/2 your ref : PT/58

Dear Laura,

Subject: P/20/2093/2 your ref : PT/58

Name: Scott McGarry, 16 Grey Crescent, Newtown Linford, Leicester LE6 0AA

Thank you for your letter to David Young, which he kindly shared with me.

I can totally understand the need to protect trees in the local area and in local beauty spots, I also respect the TPO order on the trees in question. However I struggle to understand the reasoning for declining a sensible and valid request to trim the trees to a size more fitting of their location.

These trees are in a Public House Car Park and can hardly be seen by anyone other than the people living next to them.

Our feeling is these trees do the following: -

- \* Significantly Block daylight
- \* Significantly overhang my property
- \* The deciduous nature of the trees causes immense drop of foliage onto several properties, clogging drains and killing grass

We are not requesting them to be removed just reduced and would kindly ask you to reconsider your decision.

A visit to the area would be welcome as we are sure that would convince you.

We think it is also important to point out that other trees in the same location have actually been removed, perhaps setting a precedent here, though this is something we are not proposing.

We look forward to a more positive response in due course

Kind Regards

Scott McGarry

Scott McGarry



**APPEALS AND REVIEWS COMMITTEE, 19 April 2021**

BOROUGH OF CHARNWOOD (The Bradgate, 37 Main Street, Newtown Linford)  
TREE PRESERVATION ORDER 2020 - PROVISIONAL

**1.0 Introduction**

## 1.1 Background

A S211 Notice P/20/2093/2 was received seeking to crown reduce several trees by 30%. This proposed work is considered excessive and would be detrimental to the aesthetic form and health of the trees. A lesser degree of tree works is recommended to ensure clearance from buildings and removal or reduction of selected lower branches could be consented should a TPO Tree Works application be subsequently submitted. It should be borne in mind that necessary works to remove deadwood or dangerous branches is exempt formal application.

They consist of a mature ash tree, two early mature alders and one young lime. No issues were reported regarding their health. They are worthy of retention and preservation.

## 1.2 The Site

The site is rear carpark of the public house and restaurant called the Bradgate. It backs on to domestic properties along Greys Crescent. The land rises up toward the rear boundary. The trees are in the verge between the tarmac hardstanding of the car park and the boundary fence. The trees are visible from the Main Street and within the publically accessible car park and form part of the locality's green infrastructure which provide backdrop to housing on Grey Crescent and Main Street.

## 1.3 Condition of the trees

The trees are in good condition and were correctly evaluated for amenity merit. See Appendix for evaluation proforma:

**2.0 The Objections to the Order**

The objections to the Order were received by email.

Objection - Mr David Young of 14 Grey Crescent Newtown Linford received by email dated 22 December 2020

The objection asserts that:

1. The tree blocks all light from Mr Young's house and garden.
2. His grass won't grow.

3. Garden is 4 m wide.
4. The trees are not visible from the Main street or Grey Crescent
5. The trees are "huge"
6. He likes trees and this is why he proposes 'topping'
7. He loves his house and tree are a big problem
8. References work done within a nearby private garden and along Grey Crescent and questions how that could be allow and why the proposed works here led to TPO.
9. The lime is a 'self planter'.
10. The TPO prohibiting topping is unfair.

Objection - Mr Scott McGarry of 16 Grey Crescent Newtown Linford received by email dated 4 January 2021

The objection asserts that the trees:

1. Significantly block daylight
2. Significantly overhang his property
3. The deciduous nature of the trees causes immense drop of foliage onto several properties, clogging drains and killing grass

No other written representations have been made in relation to the Order.

### **3.0 Response to the Objections- Mr Young 14 Grey Crescent Newtown Linford**

1. An examination of aerial photography for 14 Grey Crescent and how the solar path may impact highlights that the property is one of two properties with shallow depth north to south.  
Impact of built form of solar gain: It further highlights that the rear extension to the SE of the plot extends nearly to the boundary edge. Arguably this extension was designed and built fully in the knowledge there were trees to the south. This extension has created early to midmorning shade of the garden. The property which is adjacent to the western boundary, No 16, casts significant shadow on the small garden from mid-afternoon to evening. The southern boundary would cast shade for much of the day varying in extent from approximately 30% to 65% depending on the season. So even before one considered the effect of trees on the garden, it would be in some degree of shade for a proportion of daylight.  
Impact of trees on solar gain: The southern extension elevation is close to the crown extent of the tree, T2. The tree would cast direct shade to the window for midmorning to mid-afternoon but this is best alleviated by crown lifting. Substantial crown reduction would exacerbate shading of that elevation. The garden to the west of the extension is small. There is no overhang by any tree. The largest tree in the vicinity is the ash tree, T1 situated to the southern edge of the Bradgate perimeter verge. The

shadow pattern for this tree would first cast shade the garden terrace of the property to the west. There would be shade cast to the garden of 14 Grey Crescent from mid-morning to mid to late afternoon. The alder would cast shade from mid-morning to mid-afternoon when the adjacent property would then extend its shadow. The trees do not '*block all light*'. They contribute to a combined cumulative shading effect along with nearby built structures.

2. The aerial photography evidence a collection of trees and shrubs within the garden. These along with potential excessive wear which is highly likely to yield direct impact on the grass.
3. The property layout is the cause of the shallow depth of the garden. Extensions into the garden have further depleted its spatial qualities.
4. There is visibility from both Grey Crescent and Main Street as a treed backdrop which is an important characteristic of the conservation area but the main public benefit is to public accessing the rear of the Bradgate. It is important to realise public benefit is not limited to public owned space or highway. The area is fully publicly accessible.
5. The largest tree is the ash tree would be a significant prominent feature. This is a fully mature high canopy tree the presence of which likely predated the dwellings to the north. The limes and alders of much smaller size and younger.
6. Mr Young states he likes trees but advocates 'topping', a type of tree work which is bad practise.
7. The setting for the property is backing on to land which has tree cover.
8. The reference to works elsewhere permitted or otherwise is not relevant. Each tree and situation is assessed on their own merits.
9. The lime is a planted specimen but even if it were not the notion that self-seeded tree are of less merit is not valid.
10. The purpose of the TPO is precisely to prevent bad practise and excessive damaging works. I have already stated that a lesser degree of tree works is recommended to ensure clearance from buildings and removal or reduction of selected lower branches and would be considered favourably were a TPO tree works application submitted. It should be borne in mind that necessary works to remove deadwood or dangerous branches is exempt formal application.

#### **4.0 Response to the Objections- Mr McGarry of 16 Grey Crescent Newtown Linford**

1. In so far as whether or not the trees cast significant shade blocking daylight relates to 16 Grey Crescent, the effect of shade and the solar path shadow pattern is found to be very different. The property which lies wholly to the west of the trees and boasts a moderately large garden. The shadow pattern is attributable to the ash and alder trees only. The shadow is cast to the northern portion of the garden from early morning to mid-morning. Thereafter there is substantial solar gain in the garden.



2. Only the alders overhang the boundary. As already mentioned suitable lateral crown reduction can be sought via a TPO tree works application.
3. Leaf drop is not a valid objection to the protection of trees or for the revoking of protection Orders. The Councils tree policy is to not yield to calls for tree works or felling to remove the occurrence of leaf litter, twigs/branches flower and seeds drop which are natural.

## **5.0 Conclusion**

Removing the Order by failing to confirm it at this appeal and review committee would mean the trees would be subject to either unsuitable works or felling with the loss of their amenity to the area. I note that the objection does not request the revoking of the Order. An examination of historic aerial photography and mapping has revealed that the area has been impacted by depletion of its characteristic tree cover over the decades. The only way to secure the trees presence and appropriate management is via confirming the Order.

The committee is therefore recommended to confirm the Order without modification.

Contact Officer:

Nola O'Donnell MAgrSc Dip (hons) LA CMLI

Senior Landscape Officer

Tel: 01509 634766

[trees@charnwood.gov.uk](mailto:trees@charnwood.gov.uk)

## APPENDIX A - Photography and aerial imagery



Vantage from frontage of 14 Grey Crescent – tree contribute to treed backdrop characteristic of Newtown Linford Conservation Area

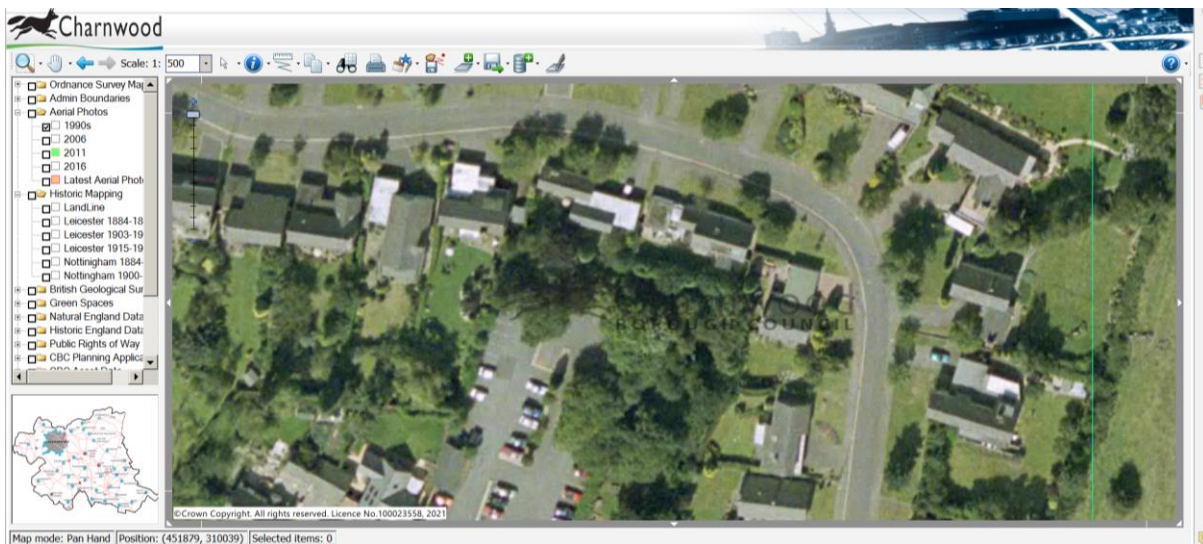


Vantage from Main Street showing relationship of treed backdrop to street scene- the tree contribute to the character and appearance of the conservation Area.





Google Bluesky Aerial imagery 2021



Historic aerial imagery from 1990s clearly showing that the tree cover to the rear of Bradgate Pub was previously much more extensive and has since been depleted.



Tree Officers Report

**CHARNWOOD BOROUGH COUNCIL  
DIRECTORATE OF PLANNING, REGENERATION &  
REGULATORY SERVICES**

**Officer Recommendation Report**

CAN Works EXPIRY:

2021

NOTE \* CANs are S211 Notices *not* applications\*

**CASE/ APPLICATION NUMBER:**

**PROPOSAL:**

**LOCATION:**

**RECOMMENDATION:**

**COMMENTS:**

***SPECIES:***

***AGE CLASS:***

***CONDITION:***

***AESTHETICS/FORM:***

*Issue cited:*

***PUBLIC AMENITY:***

***PUBLIC VISIBILITY:***

***Amenity test:***

***Expediency test :***

*Works recommendation, if any*

Nola O'Donnell

Senior Landscape Officer DATE :

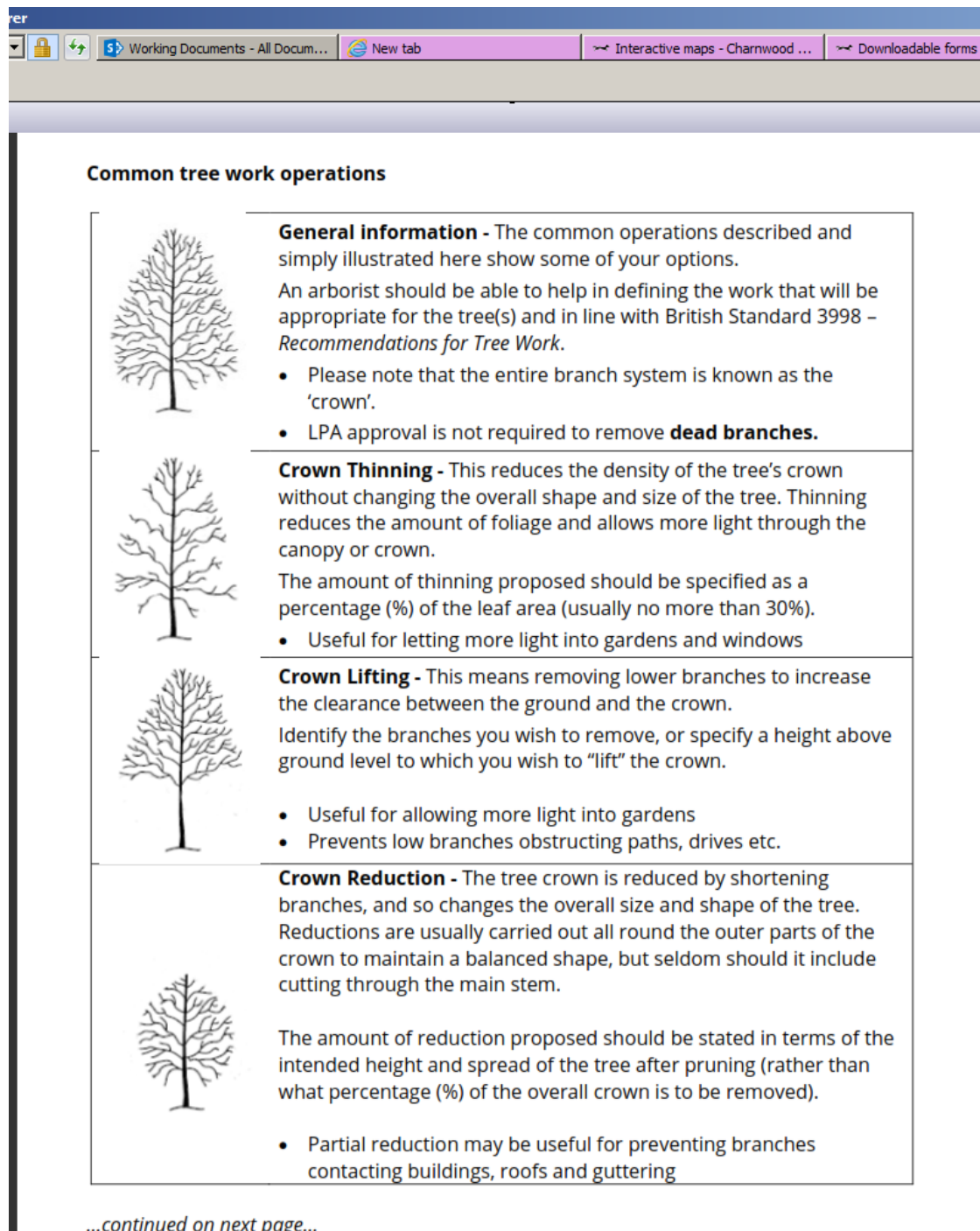
2021

## APPENDIX C – Guidance on tree works and suitable professionals

The Council provides guidance notes available from the Councils webpage for downloadable forms

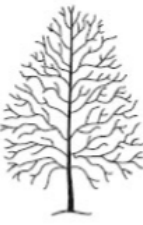



<https://www.charnwood.gov.uk/pages/downloadableforms>

[https://ecab.planningportal.co.uk/uploads/appPDF/Help031\\_england\\_en.pdf](https://ecab.planningportal.co.uk/uploads/appPDF/Help031_england_en.pdf)



The screenshot shows a web browser window with the following tabs: 'Working Documents - All Docum...', 'New tab', 'Interactive maps - Charnwood ...', and 'Downloadable forms ...'. The main content area displays a document titled 'Common tree work operations' with four sections, each featuring a tree diagram and descriptive text:

### Common tree work operations

	<p><b>General information</b> - The common operations described and simply illustrated here show some of your options.</p> <p>An arborist should be able to help in defining the work that will be appropriate for the tree(s) and in line with British Standard 3998 – <i>Recommendations for Tree Work</i>.</p> <ul style="list-style-type: none"><li>• Please note that the entire branch system is known as the 'crown'.</li><li>• LPA approval is not required to remove <b>dead branches</b>.</li></ul>
	<p><b>Crown Thinning</b> - This reduces the density of the tree's crown without changing the overall shape and size of the tree. Thinning reduces the amount of foliage and allows more light through the canopy or crown.</p> <p>The amount of thinning proposed should be specified as a percentage (%) of the leaf area (usually no more than 30%).</p> <ul style="list-style-type: none"><li>• Useful for letting more light into gardens and windows</li></ul>
	<p><b>Crown Lifting</b> - This means removing lower branches to increase the clearance between the ground and the crown.</p> <p>Identify the branches you wish to remove, or specify a height above ground level to which you wish to "lift" the crown.</p> <ul style="list-style-type: none"><li>• Useful for allowing more light into gardens</li><li>• Prevents low branches obstructing paths, drives etc.</li></ul>
	<p><b>Crown Reduction</b> - The tree crown is reduced by shortening branches, and so changes the overall size and shape of the tree. Reductions are usually carried out all round the outer parts of the crown to maintain a balanced shape, but seldom should it include cutting through the main stem.</p> <p>The amount of reduction proposed should be stated in terms of the intended height and spread of the tree after pruning (rather than what percentage (%) of the overall crown is to be removed).</p> <ul style="list-style-type: none"><li>• Partial reduction may be useful for preventing branches contacting buildings, roofs and guttering</li></ul>

...continued on next page...

The Council officers advise that all tree works be in accordance the British Standard for Tree Works BS 3998:2010

This cannot be made available for general copying/ distribution as The Councils Licence for its use does not allow for this, but a paper copy will be brought to the meeting and passed around. I am happy to explain the main types of tree works operations that are generally consented and indeed what works will be refused.

Competent reports related to tree safety should be carried out by tree consultants such as are registered or chartered by the main UK registration bodies or by an international registration body such as the following:

The Arboricultural Association

<https://www.trees.org.uk/Find-a-professional>

The Institute of Chartered Foresters

<http://www.charteredforesters.org/about-us/hire-a-consultant/>

The International Society of Arboriculture

<https://www.isa-arbor.com/>

The Legislation and guidance

<http://www.legislation.gov.uk/uksi/2012/605/contents/made>

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