



Leyland Cypress Hedge at 8 Hill Road, Oakley

Report by Ben Holding.

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Site visit 3rd September 2008

Background

The Arboricultural Advisory and Information Service (AAIS) has been asked by Bell Cornwell to provide advice on the proposed retention of the Leyland cypress hedge growing adjacent to plot 6 in the proposed development (plan ref: GMK 1840/01/A3) at 8 Hill Road Oakley, Basingstoke.

The hedge is proposed to be retained in the scheme. The Local Planning Authority has refused permission for the proposed development in part on the basis of the impact it will have on the hedge.

The Hedge

The trees in the hedge are Leyland cypress (x *Cuprocyparis leylandii*). The hedge runs adjacent to or along the south boundary of the garden at 8 Hill Road Oakley. The ownership of the plants in the hedge is uncertain but it is thought that they may not be within the ownership of the site.

The hedge forms the partial visual boundary and provides some screening between the site and the residential dwelling to the south. At the eastern end, the hedge is approximately 6m tall where it has been clipped back to prevent interference with overhead cables. Most of the other plants are around 8m tall but 2 or 3 stems are approximately 10m tall.

The hedge plants appear to have been originally a single line at approximately 1m spacing. Several of the individual trees have died or have been removed leaving gaps. One stem that has been isolated by the removal of those adjacent to it has partly uprooted and is leaning against the adjacent building in the property to the south.

The approximate position of the different sections of the hedge are shown on the plan attached to this report

The hedge was originally topped at 2.5m, then later at 4m. There is evidence that it was topped at other heights as well. The previous topping heights can be seen in the structure of the stems and the topping has led to poorly forked stems. Several small branches have snapped out from the poor forks of some of the plants and further branches are likely to snap out in the future. This will be more likely if the stems are allowed to grow larger.

Dense bramble and hazel coppice growth on the north side of the hedge has resulted in the loss of most lower branches (to a height of 2- 2.5m above ground). These branches will not grow back. The loss of the lower branches on the site side has significantly reduced the low level screening provided by the hedge.

The hedge has a limited life expectancy of approximately 10 – 20 years but it could possibly be retained for longer with regular clipping at a height of 4-6m. The poor low level screening will never recover and this is likely to worsen in the future with increased views through between ground level and 2m. If the hedge is allowed to grow taller there will be a significant risk of large branches splitting out at the forks where it was previously topped. The partial uprooting of one stem suggests that the others may be liable to collapse unless their height is controlled.

The partly fallen stem should be removed. If it is not in the ownership of the site, agreement should be sought with the adjoining owner to allow it to be removed. It is recommended that the hedge height be reduced to 5m if it is to be retained.

The soils of the site have not been investigated in detail but appear to be loam overlying clay.

Tree Protection and Hedge Legislation

Local Planning Authorities have powers under the Town and Country Planning Acts to protect trees growing on private land in the interests of public amenity. Tree Preservation Orders can be imposed on specific trees, groups of trees, areas of trees or woodlands. Tree Preservation Orders require any works to affected trees to be the subject of consent. **Tree Preservation Orders cannot be made to protect hedges.**

Conservation Areas make it an offence to carry out any works to a tree of over 75mm trunk diameter (measured at 1.5m above ground level) without first giving the Planning Authority 6 weeks written notice. The 6 weeks period is there to enable a Local Planning Authority, if it so wishes, to make a Tree Preservation Order. **The site and the hedge are not within a Conservation Area.**

The Government introduced legislation within the Anti Social Behaviour Act 2003 because of the problems associated with fast growing evergreen hedges, particularly those comprising Leyland cypress. Part 8 of the Act sets out procedures by which Local Authorities have powers to deal with complaints between neighbours in respect of high hedges.

In section 1.2 of its guidance booklet *"High Hedges Complaints: Prevention and Cure"* the government notes that *"Many of the problems associated with hedges occur because fast-growing plants have been used for quick results, producing hedges that are difficult to maintain and have become too large. Choosing more suitable hedging plants or finding another way of achieving the effect that is wanted can, therefore, help avoid outsize hedges and prevent future problems."*

Retention of the Hedge in the Proposed Development

The British Standard BS 5837: 2005 "Trees in Relation to Construction - Recommendations" gives guidance on the inter-relationship of development and trees. The British Standard also gives guidance on the minimum distances that should be kept undisturbed around trees to minimise the risk of significant damage to them – the "root protection area". The Standard does not however give advice on appropriate root protection distances for hedges or plant stems in a hedge.

The largest of the stems in the hedge have trunk diameters of around 200mm. As individual trees this would indicate a typical root protection distance of 2.4m from the centre of the stem would be appropriate. However, hedge plants that have been regularly topped have smaller crowns than would be expected and usually have much fibrous root close to the root ball. In practice, significantly smaller root protection distances are adequate to retain regularly pruned hedges in good health.

The proposed development involves excavations to 2.5m deep and a new retaining wall within approximately 1.5m of the base of the hedge. Assuming this does not require excavations closer to the hedge than the position of the retaining wall the hedge can be expected to survive the likely root loss with no visible harm to its condition and no long-term impact on health.

Cutting roots close to the base of tall trees can lead to instability. One tree in the line has already partly fallen. Excavations within 1.5m of the centre of the hedge may lead to instability of the taller stems and they could collapse in strong winds. However, if the hedge height is reduced to 5m, as recommended for cultural reasons, there is no significant risk of any of the individual plants collapsing.

The final appearance and screening value of the hedge are important considerations when deciding if it would be appropriate for retention in the proposed development.

The hedge provides some screening between the site and the residential property to the south. The land in the adjoining property close to the boundary with plot 6 of the development proposal is a gravel driveway that is used as parking and access. The hedge may also screen the front of the building in the adjoining property (Note – the position of the building as shown on the plan attached to this report is indicative only - it has not been accurately surveyed for this report).

The lowest 2m of the hedge has lost most of its branches and foliage on the site side as a result of competition for light with other trees and shrubs. It has an unsightly appearance and reduced low level screening value. The appearance will not improve and the low level screening can be expected to deteriorate unless the branches in the adjacent property are left unpruned to grow out and thicken over the parking area.

If the hedge is to be retained, consideration should be given to installing a 2m high close-boarded fence close to the stems on the north side to mask the unsightly lower section and provide a screen where the low branches are absent. This could be done with minimal risk of harm to the plants.

An alternative that would be more appropriate in the long-term for both visual amenity and for reducing maintenance costs and preventing disputes would be to remove the hedge completely and replant with a new more appropriate hedge type or a combination of a fence and hedge that would be more suitable and appropriate for the site in the long term.

As the hedge is in poor condition and cannot be protected by a TPO, the Council's refusal of planning consent is, in this respect, not justified.

Note - In section 1.10 of its guidance booklet "*High Hedges Complaints: Prevention and Cure*" the government advises, "*there are many good reasons for planting hedges. Where they are incorporated in new developments:*

- *use plants that will not grow too large. Slower growing varieties include yew, holly, berberis, hornbeam;*
- *think about the maintenance burden. All hedge plants need to be trimmed at least once a year. Vigorous species that require more frequent pruning include hawthorn, Lawson's and Leyland cypress, privet. In addition, some species take more kindly to pruning than others. For instance, hornbeam can withstand hard pruning. On the*

other hand, the structure and re-growth of conifer hedges will be severely affected the harder they are cut back;

- *lessen the temptation to interweave fast-growing species into a newly planted hedge by adding a temporary screen alongside the hedge, to improve security, privacy and shelter while it grows to a useful size. This may take three to seven years.*

Conclusions and Recommendations

The Leyland cypress hedge does not form an attractive, healthy, uniform screen. It has been topped on several occasions in the past at different heights leaving the plants with poorly formed structures prone to branch breakage. There are large gaps where trees have been removed, a partly uprooted stem, and sections with different heights. The low branches on the north side have been lost as a result of competition for light with other vegetation and the hedge has an unsightly appearance and reduced low level screening.

The partly collapsed stem should be removed and the hedge should be reduced to approximately 5m and maintained at this height or lower into the future if retained.

The excavations and new retaining wall for plot 6 are unlikely to cause any visible or long term harm to the health of the hedge but the taller stems could be left unstable if not reduced in height as recommended for cultural reasons.

The hedge will look unsightly if retained and will have poor low level screening value. It should be supplemented with a fence on the north side or removed completely and replaced with a new more appropriate hedge or a combination of a fence and hedge.

The Council's refusal reason in relation to the hedge is not justified by its condition, appearance or screening value.

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