WOODLAND EVALUATION METHOD FOR PRESERVATION ORDERS

WOODLAND TEMPO

Guidance Note for Users

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March 2007

Introduction

Background

The impetus to take a fresh look at existing TPO suitability evaluation methods originally grew out of the preparation for a local authority of a detailed Method Statement for reviewing Tree Preservation Orders (TPOs) in 2002. The client wanted the Method Statement to include a reliable means of assessing trees for TPO suitability, and asked for a bespoke system.

Having looked closely at what was already available, the author decided that there was considerable room for improvement, as each of the better-known existing methods has disadvantages.

Accordingly, TEMPO was developed as a direct response to the apparent continuing uncertainty about what attributes a tree should have in order to merit statutory protection by TPO.

Since its public release, TEMPO has consistently gained popularity, being in use with over 50 local authorities, several of which have used it for a full scale TPO review, as well as many consultants.

However, TEMPO was deliberately designed to address considerations of TPO suitability in relation to individual trees and groups of trees: it does not consider factors relating to woodland TPO suitability assessment.

'Woodland TEMPO' has been developed specifically to address these factors, following instruction from Loch Lomond and The Trossachs National Park Authority, who wanted to augment their use of TEMPO with a method designed to consider woodlands.

Overview

Woodland TEMPO (W-TEMPO) is designed primarily as a field guide to decision-making, though it is recognized that some desk study work is likely to be required. Like TEMPO, the woodland version is presented on a single side of A4 as an easily completed pro forma. As such, it stands as a record that a systematic assessment has been undertaken.

W-TEMPO considers all of the relevant factors in the TPO decision-making chain, including expediency[1].

Excluding the first section, which is simply the survey record and is thus self-explanatory, W-TEMPO replicates TEMPO's three-part structure:

Part 1 is the Amenity Assessment
Part 2 is the Expediency Assessment
Part 3 is the Decision Guide

These parts are set out and function as follows:

Part 1: Amenity Assessment

This part of W-TEMPO is broken down into four sections, each of which is related to woodland suitability for statutory protection by TPO:

a) Condition
b) Naturalness
c) Size
d) Cultural factors

The first three sections form an initial assessment, with trees that 'pass' this going on to the fourth section. Looking at the sections in more detail:

a) Condition

This is expressed by six terms, which are defined as follows:

Unmanaged – good/fair condition	Woodland with little or no interference but without this having lead to a deteriorating condition
Unmanaged – poor condition	Woodland with little or no interference with this having lead to a deteriorating condition
Excessively managed	Woodland showing unnecessary removal/clearing of trees in poor or dead condition, including 'hygiene' works to remove (non-hazardous) dead wood etc
Under good management	Woodland being managed according to accepted standards of good sylvicultural practice
Derelict	Woodland that has been neglected or which has suffered severe storm damage, such that its cohesion, integrity and value have been eroded beyond reasonable expectation of recovery
Dead/dying/ dangerous	Woodland with key trees in unretainable condition such that it has no obvious future as a viable entity

The scores are weighted towards woodlands in unmanaged condition, as government advice[2] counsels against making a woodland type TPO where good management is in place. However, woodlands that have become derelict, thereby losing their value as cohesive features, score low in that it might not be appropriate to seek to compel their retention. Dead, dying or dangerous trees should not be placed under a TPO, due to exemptions within the primary legislation, hence the zero score for this category. However, it is accepted that the applicability of this to woodlands will only occur in rare cases.

A note on the pro forma emphasizes that 'dangerous' should only be selected in relation to the woodland's existing context: a future danger arising, for example, as a result of development, would not apply. Thus, a woodland can be in a state of general collapse but not be dangerous due to the absence of targets currently at risk. Although the wording in the methods reflects that of the primary legislation in England, it is intended to include hazardous trees that require remediation which is 'urgently necessary in the interests of safety' (as per s106 of the Town and Country Planning (Scotland) Act 1997).

Under this section of W-TEMPO, it is important to consider the condition of those principle trees without which the woodland would lose its aerodynamic, visual or cultural cohesion. If the woodland cannot be 'split' in this way, for example into differing compartments, then its average condition should be considered.

Each of the condition categories is related to TPO suitability.

b) Naturalness

It is an accepted principle of sylvicultural assessment to categorize woodlands according to a scale that encompasses woodlands close to their 'natural' state at one end, and woodlands which are wholly alien at the other.

The six 'naturalness' categories given in this section seek to identify the various possibilities, though it is accepted that woodlands can often comprise a mosaic of types. In such cases, the surveyor should consider scoring the different woodland types present and then either averaging the resulting score, or including only the more natural areas under any resulting TPO.

The class type names are intended either to reflect published classifications, or to be self explanatory. For specific definitions, therefore, it is recommended that further reading is undertaken.

However, it is considered helpful to outline the author's general intention as follows:

Ancient/ASN	Wooded area continuously occupied by trees since 1600 or earlier (England & Wales; 1750 for Scotland) possibly including later native introductions and management; includes wood pasture; generally NVC compliant
Recent semi-natural	Woodland arising either naturally or by planting after 1600 (or 1750 in the case of Scotland), the character of which is similar to ancient woodland in terms of tree/shrub species present, generally NVC compliant and has the potential to be ancient woodland given time and preservation
Replanted ancient	Area known to have been wooded prior to 1600 (or 1750 for Scotland) but which may have been almost cleared in the interim, to be overplanted with timber trees intended for commercial use; some old growth trees and/or ancient areas (inc. soils/seedbanks) surviving; capable of at least partial restoration over time
Recent native plantation	Commercially planted native woodland that either has yet to mature or has matured but has yet to develop an uneven age structure; trees regularly spaced, few habitat features, shrub and herb layers poor
Pioneer dominant	Area recently captured by pioneer species, typically in pole stage and with very little diversity; little if any indication of succession species arising; poor potential for development into recent semi-natural except over significant lapse of time and/or with intensive management
Recent exotic plantation	Commercially planted non-native woodland

As with condition, the chosen category is related to a summary of TPO suitability.

c) Size

The size bands given in the method broadly correspond to those used by the Forestry Commission (FC) in the publication 'National Inventory of Woodland and Trees, Great Britain' (FC 2003), at Tables 1 and 7a. However, the total number of size categories used by the FC of ten was considered to be unwieldy, and so the categories in the medium to upper size ranges have been streamlined.

Where a mosaic woodland is being assessed, the size categories can be used to run multiple assessments to derive an aggregate score (allowing computation of a mean), or to test the TPO suitability of certain compartments (e.g. replanted ancient woodland where old growth trees survive in only part of the total treed area).

Once again, the categories relate to a summary of TPO suitability.

Sub-total 1

At this point, there is a pause within the decision-making process: as the prompt under 'other factors' states, woodlands only qualify for consideration within that section providing they have accrued at least thirteen points. Additionally, they must not have collected any zero scores.

The total of thirteen has been arrived at by combining various possible outcomes from sections a-c.

The scores from the first three sections should be added together, before proceeding to section d, or to part 3 as appropriate (i.e. depending on the accrued score). Under the latter scenario, there are two possible outcomes:

- 'Any 0' equating to 'do not apply TPO'
- '1-12' equating to 'TPO indefensible'

d) Cultural factors

Assuming that the woodland qualifies for consideration under this section, further points are available for five sets of criteria, however only one score should be applied per tree (or group):

Historical record / vital landscape feature / ≥10% veteran tree population present
The first of these criteria is intended to identify woodlands which are known to have existed well prior to the 1600 date that defines ancient woodland (or well prior to 1750 in the case of Scotland). An example of such a record would be a Domesday Book entry. It is accepted that 'vital landscape feature' is susceptible to subjective interpretation, though it ought to be possible to benchmark this at a sensible level based on high public visibility. In relation to veteran trees, the percentage given is arbitrary, being designed to reflect the presence of a significant population of such specimens: it maybe that a near miss percentage of, say, 9% is as good, and so this criterion should not be applied too strictly. Clearly, however, very low percentages of veteran trees present would not qualify.

SSSI or other national designation, or significant landscape / habitat importance
The first of these criteria is assumed to be self-explanatory. The second and third criteria are intended to be interpreted in similar fashion as above, though obviously at lesser values. It is recognized that an assessment of habitat importance is likely to require ecological input, unless the benefit is self-evident (e.g. Red Data Book species already known to be present).

Woodland with local designation / high public use / identifiable habitat value
'Local designations' include Sites of Interest for Nature Conservation, which tends to overlap with 'identifiable habitat value', and may even reflect/be considered under 'significant habitat importance' in the class above. 'Local designations' could also include historical records of less antiquity than the 1600 (or 1750) cut-off for ancient woodland. An example of this would be a so-called Roy Wood. High public use is intended to reflect woodlands comprising a locally known recreational resource, whereby public access is commonplace at, say, weekends. 'Identifiable habitat value' could relate to woodlands with a good age structure, retained deadfalls/deadwood, rich shrub and/or herb layers, fungi, etc, where there is factual knowledge that such features are being utilised.

<u>Woodland with internal public access (use light or unknown) / some habitat value</u>
'Internal public access' is intended to reflect either rights of way (England and Wales) or known actual useage (Scotland). 'Moderate habitat value' is intended to identify woodlands offering biodiversity benefits at an intermediate, non-specific level. Features will be similar to those listed in the class above, but will be fewer, and evidence of actual useage will be lower or absent.

<u>Woodland adjacent to highway or with external public access / low habitat value</u>
In relation to access, this class covers woodlands in England and Wales where formal access is external, allowing views of and into the woodland only (rather than the enjoyment of its interior), and where there is no known useage in the case of woodlands in Scotland. 'Low habitat value' is intended to reflect a generally absence of habitat features and only slight indications that the woodland is beneficial to biodiversity, beyond that accruing from cohesively treed space per se.

<u>Woodland with none of the above additional features inc. minimal habitat value</u>
Unlike TEMPO, W-TEMPO provides for a zero score in section 1d: it is intended that this class should apply where the presence of cohesively treed space confers no obvious benefits other than through the trees themselves. Examples would include an area of land captured by a monoculture of self-set sycamore, or a Sitka spruce plantation. This class, then, is intended to weed out any woodland that has unfairly scored highly in other categories by virtue, say, of good condition and/or large size.

Sub-total 2

This completes the amenity assessment and, once again, there is a pause in the method: the scores should be added up to determine whether or not the woodland has sufficient value to merit an expediency assessment.

The threshold for this is fifteen points, arrived at via a minimum qualification calculated from the thirteen point threshold under sections a-c, plus at least two extra points under section d. Thus woodlands that only just scrape through to qualify for the 'other factor' score, need to genuinely improve in this section in order to rate an expediency assessment.

Part 2: Expediency assessment

This section is designed to award points based on four levels of identified threat to the trees concerned, which are intended to form a cascade of reducing impact and/or lower immediacy, as follows:

Immediate threat to overall woodland
For example, planning application for development at the expense of its integrity/cohesion and/or requiring a change of use of significant quantum of treed space.

Immediate risk of significant loss / severe fragmentation
It is intended that this class be applied similarly to that above, but in cases where the anticipated adverse effect and/or where the threat are less imminent.

Foreseeable risk of significant loss / severe fragmentation
It is intended that this class be applied similarly to that above, but in cases where the threat is perceived rather than known.

Foreseeable risk of partial loss / fragmentation
It is intended that this class be applied similarly to that above, but in cases where the anticipated effect is of lower significance to the retention of the overall woodland.

Precautionary only
This class reflects the potential suitability of making precautionary TPOs, in line with published government guidance[3]. Accordingly, and in order to avoid a disqualifying zero score, 'precautionary only' still scores one point.

Clearly, other reasons apply that might prevent/usually obviate the need for making a woodland TPO. However, it is not felt necessary to incorporate such considerations into the method, as the author wishes to maximize its usability in the field: these other considerations are most suitably addressed as part of wider a desk study.

As a final note on this point, it should be stressed that the method is not prescriptive except in relation to zero scores: W-TEMPO merely suggests a course of action. Thus a woodland scoring, say, 21, and so 'definitely meriting' a TPO, might not be included for protection for reasons unconnected with its attributes.

Part 3: Decision Guide

This section is based on the accumulated scores derived in Parts 1 & 2, and identifies five outcomes, as follows:

Any 0   Do not apply TPO
Where a woodland has attracted a zero score, there is a clearly identifiable reason not to protect it, and indeed to seek to do so is simply bad practice.

1-12   TPO indefensible
This covers woodlands that have failed to score enough points in sections 1a-c to qualify for an 'cultural factors' score under 1d. Such woodlands have little to offer their locality and should not be protected.

13-15   Does not merit TPO
This covers woodlands which *have* qualified for a 1d score, though they may not have qualified for Part 2. However, even if they have made it to Part 2, they have failed to pick up significant additional points. This would apply, for example, to a borderline woodland in amenity terms that also lacked the protection imperative of a clear threat to its retention.

16-20   Possibly merits TPO
This applies to woodlands that have qualified under all sections, but have failed to do so convincingly. For these trees, the issue of applying a TPO is likely to devolve to other considerations, such as public pressure, resources and 'gut feeling'.

21+   Definitely merits TPO
Woodlands scoring 21 or more are those that have passed both the amenity and expediency assessments, where the application of a TPO is fully justified based on the field assessment exercise.

Notation boxes

Throughout the method, notation space is provided to record relevant observations under each section. For local authorities using W-TEMPO, it may even be helpful to include a copy of the W-TEMPO assessment in with the TPO decision letter to relevant parties, as this will serve to underline the transparency of the decision-making process.

Conclusion

Like its cousin, W-TEMPO is a quick and easy means of systematically assessing woodland suitability for statutory protection. It may be used either for new TPOs or for TPO re-survey.

From the consultants' perspective, it is also an effective way of testing the suitability of newly applied TPOs, to see whether they have been misapplied, or it can be used to support a request to make a TPO in respect of woodlands perceived to be at risk, for example from adjacent development.

W-TEMPO does not seek to attach any monetary significance to the derived score: the author recommends the use of the Helliwell System where this is the objective.

Any feedback on the method is gratefully received by the author.

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References

1   'Tree Preservation Orders: A Guide to the Law and Good Practice', DETR 2000

2   Ibid.

3   DETR 2000 op. cit. at para. 3.5