

PLANNING APPLICATION NUMBER:P08/0274

Type of approval sought	Tree Preservation Order
Ward	KINGSWINFORD NORTH & WALLHEATH
Applicant	Mavis Greenway
Location:	75, HIGHWOOD CLOSE, KINGSWINFORD, KINGSWINFORD, DY6 9XB
Proposal	FELL ONE WELLINGTONIA SPRUCE TREE
Recommendation Summary:	REFUSE

TREE PRESERVATION ORDER NO: D 063 (1977) – T44

SITE AND SURROUNDINGS

- The tree subject to this application is a large, mature Wellingtonia tree that is situated in the rear garden of 75 Highwood Close, Kingswinford. Due to the size of the tree and its location on a natural ridge line, the tree is both prominent in its locality and is also visible from a number of distant vantages. As such the tree provides high amount of amenity to the area.

PROPOSAL

- Summary of proposals for the works as written on application form is as follows:
 - Fell 1 Wellingtonia tree.
- The tree has been marked on the attached plan.

HISTORY

- There have been two previous Tree Preservation Order applications on this site.

<i>Site History</i>		
Application No	97/51756	02/04/98
Proposal	Reduce height of Wellingtonia	Refused
Application No	98/50335	02/04/98
Proposal	Fell 1 Wellingtonia	Refused

PUBLIC CONSULTATION

5. A letter of support has been received from a nearby resident. The grounds of support are: The tree is inappropriate for its location in close proximity to the property; Planning permission should not have been granted for building the house so close to the tree; If the tree fell it would cause vast amounts of damage to surrounding properties; and the root system of the tree is likely to have caused damage to surrounding sewer and water pipes.

ASSESSMENT

Tree(s) Appraisal

6.

Criteria	Tree 1
TPO No	T44
Species	Wellingtonia
Height	23m
Spread	6m
Diameter	1350mm
Form	Good
Vigour	Good
Approx Age	Mature
Pests / Diseases	None Evident
Canopy	Good
% Deadwood	1%
Cavities	None Evident
Bark	Good
Roots	Moderate – causing disruption to surrounding hard surfaces
Overall Health	Good
Visibility	High
Amenity Value	Very high

Further Assessment

7. The applicant has proposed to fell the tree as it is disrupting the paved area around the base of the tree and is now presenting a number of trip hazards to the applicant, who is 80 Yrs old. Also during the site visit the applicant stated that the size of the tree and its location is a cause for concern during unsettled weather.

8. On inspection the tree was found to be in a good state of health with no major defects present. Slight distortion of the surrounding block paved surfaces was noted with a number of blocks having been lifted. In general the blocks are not providing trip edges of up to 15mm.
9. It is accepted that the lifting of the blocks is likely to be the result of root expansion underneath. However this could be remedied by the lifting of the block, and either the removal of some of the base layer beneath the block, or the trimming of the depth of the block. As such the disruption of the paving is not considered to be sufficient to warrant the felling of the tree and subsequent loss of amenity.
10. With regard to the concerns about the tree's safety, during the inspection no defects were identified within the tree that gave any cause for concern. The excavations for the property would have been carried out in what, by today's standards, would have been the Root Protection Area. However in the near forty years that have elapsed since the works it is considered that the roots will have developed to sufficiently compensate for any damage caused. As such unless any evidence is provided to the contrary it is considered that the tree is not pre-disposed to failure and its felling should not be approved.
11. Again as no evidence has been provided to show that the tree has caused any severe disruption to the water and sewer pipes, the felling of the tree should not be approved for this reason.

CONCLUSION

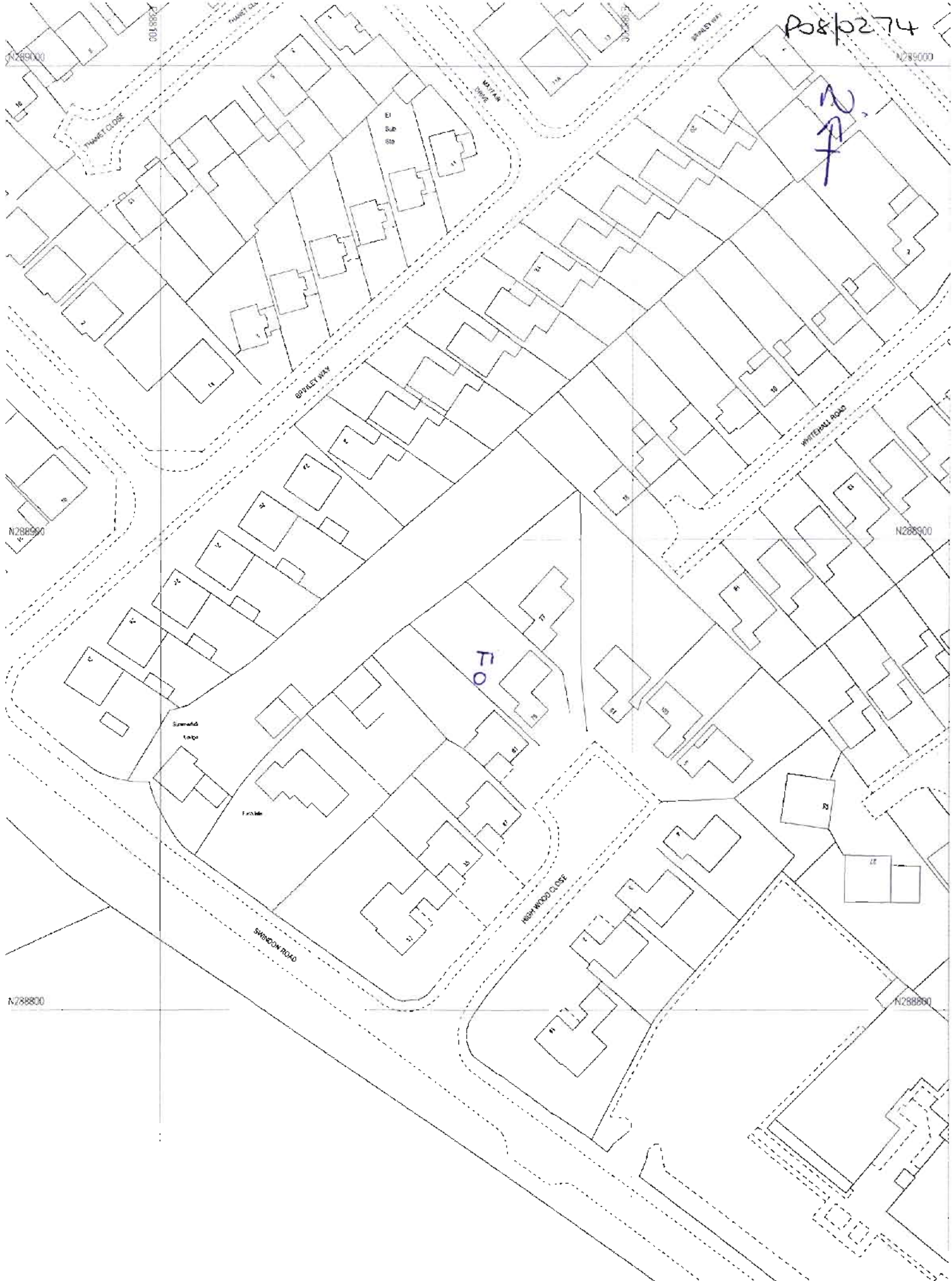
12. The Wellingtonia tree subject to this application is a large, mature specimen that provides a high amount of amenity to the surrounding area.
13. The applicant has proposed to fell the tree as they have concerns about the general safety of the tree and the disruption that the roots are causing to the block paved surfacing.
14. Following inspection of the tree it was considered that the disruption to the block paving was only minor and remediable through measure other than the felling of the tree. Also no signs of poor health, instability, or defects were identified. As such it is considered that the reasons put forward for the felling of the tree are insufficient to justify the loss of amenity. As such it is recommended that the application is refused.

RECOMMENDATION

15. It is recommended that application is refused for the reason stated below.

Conditions and/or reasons:

1. The tree provides a high amount of amenity to the surrounding area and users of Highwood Close. The reasons for the application and the supporting information do not sufficiently justify the detrimental affect on the local amenity that would result from the proposed felling.



Bowley & Co.

Proposed (Kingswinford, Dudley No. 6) T.P.O. 1977

Schedule

Trees specified individually

<u>No.</u>	<u>Description</u>	<u>Location</u>
T1	Sycamore	2 Clear View, Lodge Lane, Kingswinford.
T2	Sycamore	" " "
T3	Lime	" " "
T4	Oak	" " "
T5	Horse-Chestnut	13 Clear View, Lodge Lane, Kingswinford.
T6	Lime	" " "
T7	Pine	Bordering Lodge Lane, Kingswinford.
T8	Pine	" "
T9	Pine	" "
T10	Pine	" "
T11	Pine	" "
T12	Maple	17 Summercourt Drive, Kingswinford.
T13	Chestnut	19 Summercourt Drive, Kingswinford.
T14	Oak	34 Summercourt Drive, Kingswinford.
T15	Chestnut	Summercourt Drive, Kingswinford.
T16	Chestnut	" "
T17	Conifer	30 Summercourt Drive, Kingswinford.
T18	Fir	Summercourt Drive, Kingswinford.
T19	Fir	Summercourt Drive, Kingswinford.
T20	Fir	Summercourt Drive, Kingswinford.
T21	Cypress	43 Summercourt Drive, Kingswinford.
T22	Cypress	45 Summercourt Drive, Kingswinford.
T23	Cedar	43 Summercourt Drive, Kingswinford.
T24	Cedar	" "
T25	Pine	214 Cot Lane, Kingswinford.
T26	Horse-Chestnut	Summerhill Farm, Cot Lane, Kingswinford.
T27	Horse-Chestnut	" " "
T28	Yew	3 Buckingham Grove, Kingswinford.
T29	Maple	" "
T30	Maple	" "
T31	Beech	5 Buckingham Grove, Kingswinford,
T32	Yew	Summerhill Hotel, Swindon Road, Kingswinford.
T33	Yew	" " "
T34	Yew	" " "
T35	Pine	11 Buckingham Grove, Kingswinford.

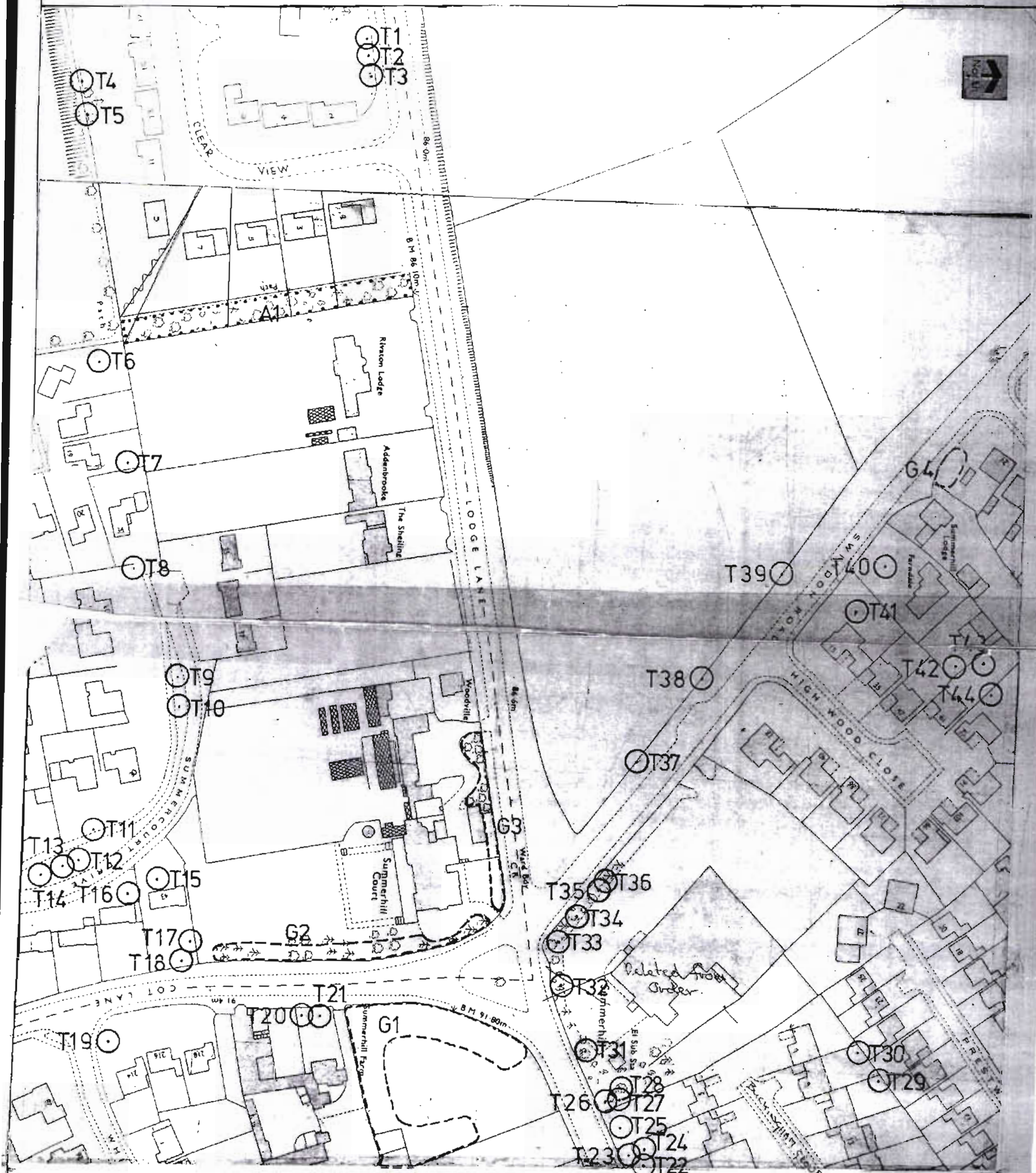
<u>No.</u>	<u>Description</u>	<u>Location</u>
T36	Pine	9 Buckingham Grove, Kingswinford.
T37	Yew	Summerhill Hotel Swindon Road, Kingswinford.
T38	Deciduous Tree	" " "
T39	Horst-Chestnut	" " "
T40	Copper-Beech	" " "
T41	False-Acacia	" " "
T42	False-Acacia	" " "
T43	Lime	Swindon Road, Kingswinford.
T44	Lime	" "
T45	Redwood	61 Highwood Close, Kingswinford.
T46	False-Acacia	" "
T47	Horse-Chestnut	" "
T48	Cedar	15 Highwood Close, Kingswinford.
T49	Lime	Swindon Road, Kingswinford.
T50		Ferndale, Swindon Road, Kingswinford.

<u>Groups</u>	<u>Description</u>	<u>Location</u>
G1	Mixed deciduous and conifers	Adjacent to Lodge Lane, Kingswinford.
G2	Mixed deciduous (22 trees)	Summerhill/Cot Lane, Kingswinford.
G3	16 Poplars, 6 Mixed deciduous, conifers	Summerhill Court, Lodge Lane, Kingswinford.
G4	Mixed deciduous/conifers (10 trees)	" " "
G5	3 Sycamores	21 Brimley Way, Kingswinford.

Map referred to in DUDLEY METROPOLITAN BOROUGH

KINGSWINFORD, DUDLEY. No. 6.

TREE PRESERVATION ORDER — 1977



The common seal of the Metropolitan
Borough of Dudley was affixed hereto
in the presence of:

SCALE. 1" = 1250.

O.S. GRID REFERENCE. 865885.

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DIRECTOR OF LEG. & ADMINISTRATIVE SERVICES