

## PLANNING APPLICATION NUMBER: P13/1273

Type of approval sought	Tree Preservation Order
Ward	Brockmoor and Pensnett
Applicant	Mr John Franks
Location:	<b>4, STONEFIELD DRIVE, PENSNETT, BRIERLEY HILL, DY5 4PT</b>
Proposal	<b>FELL 2 SYCAMORE TREES</b>
Recommendation Summary:	<b>APPROVE SUBJECT TO CONDITIONS</b>

### SITE AND SURROUNDINGS

1. The trees subject to this application are 2 sycamore trees that are located in the rear garden of 4 Stonefield Drive.
2. The trees are located immediately adjacent to the rear boundary of the property. Beyond this boundary is a public right of way that links Gibbons Road and Severn Drive. The trees are visible from this walkway but only for a relatively short span due to other trees and the bend of the path.
3. The trees are also publicly visible from in front of 58, Fernhurst Drive, however the visibility does not continue significantly down the road due to the tree becoming screened by adjacent properties.
4. Overall it is considered that the trees provide a moderate to low amount of amenity to the surrounding area.
5. The sycamore tree is protected Under A1 of TPO/333 that was served in 1992.

### PROPOSAL

6. Summary of proposals for the works as written on application form is as follows:
  - Fell 2 Sycamore trees.
7. The trees have been marked on the attached plan.

## HISTORY

8. There have been no previous Tree Preservation Order applications on this site.

## PUBLIC CONSULTATION

9. A letter of objection has been received from a local resident. Comments are provided as follows:

- The trees provide habitat to wildlife;
- The help with noise reduction from the A4101 Dudley Road;
- The trees purify the air;
- The trees absorb carbon dioxide and expel oxygen;
- Their removal would be disruptive to the local ecosystem and cause global warming;
- Any replacement tree would take decades to reduce the carbon footprint to the same degree;
- The trees are unlikely to be causing any significant damage to property.

## ASSESSMENT

### Tree(s) Appraisal

<i>Tree Structure</i>	<b>Tree 1</b>	<b>Tree 2</b>
Species	Sycamore	Sycamore
Height (m)	11	11
Spread (m)	6	6
DBH (mm)	350	300
Canopy Architecture	Moderate	Moderate
Overall Form	Moderate	Moderate
Age Class <i>Yng / EM / M / OM / V</i>	Mature	Mature

### *Structural Assessment*

Trunk / Root Collar	Good	Good
Scaffold Limbs	Many acute angled forks, and significant inclusion in main fork at approx two – thirds height	Moderate – acute angled forks
Secondary	Good	Good

Branches		
% Deadwood	5%	5%
Root Defects	None Evident	None Evident
Root Disturbance	None Evident	None Evident
Other		
Failure Foreseeable Imm / Likely / Possible / No	Whole No	Part Possible
	Whole No	Whole Possible

#### *Vigour Assessment*

Vascular Defects	None Evident	None Evident
Foliage Defects	None Evident	None Evident
Leaf Size	Good	Moderate
Foliage Density	Good (adjusting for lateness of season and leaf fall)	Good (adjusting for lateness of season and leaf fall)
Other		

#### *Overall*

#### *Assessment*

Structure	Moderate / Poor	Moderate
Vigour	Good	Good
<b>Overall Health</b>	<b>Moderate</b>	<b>Moderate</b>

#### Other Issues

Light Obstruction	Some to adjacent patio area	Some to adjacent patio area
Physical Damage	None Evident	None Evident
Surface Disruption	None Evident	None Evident
Debris	Yes	Yes

#### Amenity

#### Assessment

Visible	Yes	Yes
Prominence	Moderate	Moderate
Part of Wider Feature?	No	No
Characteristic of Area	Yes	Yes
<b>Amenity Value</b>	<b>Moderate / Low</b>	<b>Moderate / Low</b>

#### Further Assessment

10. The applicant has proposed to fell the trees as they are likely to damage the boundary fence in future, there are concerns about the safety of the trees and branches falling onto the pathway at the rear; the
- The trees are likely to damage the boundary fence in the near future;

- There are concerns about the safety of the trees and branches falling onto the pathway at the rear;
  - The proximity of the trees to each other are affecting their growth;
  - The trees will create proximity issues if a previously approved development on the land on the other side of the path is built;
  - Removal of the trees would prevent the need for future repeated applications to prune the tree that the applicant's would not be able to afford;
  - The trees provide little in the way of public amenity to the surrounding area;
  - A number of trees in the neighbouring properties have succumbed to honey fungus infection. The applicant is concerned that these trees may become infected and become dangerous.
11. On inspection both of the trees were found to have a number of acutely angled forks, and there was an included main fork observed in the crown of Tree 1. Both trees show good vigour.
12. It is considered that both of the trees are likely to be self seeded trees, and have developed an upright form as they have had to compete with each other and the surrounding trees in order to gain access to the available light. The trees are considered to be relatively poor examples of their type.
13. Whilst it is not considered that the trees are imminently dangerous, given the growth patterns of the trees, and their vigour nature, it is considered that in the future the trees will become increasingly susceptible to limb loss, especially Tree 1. Given the proximity of the public right of way it is considered that it is more than reasonable to allow works to prevent this.
14. One remedy to the problem would be to instigate a programme of routine pruning every 5 years or so to initially reduce the size of the trees and then limit their future growth. This will obviously lead to an ongoing cost issue, and given the limited quality and amenity of the trees it is questionable whether this approach is appropriate.
15. It was noted that the trees were close to the boundary fence, and when viewed from the public right of way at the rear, it is possible that the fence has already suffered from minor displacement due to the trees.
16. Whilst the felling of trees that provide a good amount of amenity to the surrounding area would not normally be approved on the grounds of minor boundary fence damage, it may be appropriate to fell less valuable trees for this reason.

17. Having checked the planning records, the outline permission for development on the adjacent site has expired. As such, the future design and layout of that site cannot be predicted. The felling of trees on the grounds of potential impact on a future, as yet undetermined, development seems a little premature.
18. It is accepted that a number of trees in the adjacent property have died as the result of a honey fungus infection, and given the ability of honey fungus to spread from tree to tree relatively easily, it is accepted that there is a chance that the sycamore trees may become infected in the future. However the significance of any honey fungus infection will depend on the vigour of the trees and their ability to defend themselves against the infection. As such, the felling of trees should not be approved for this reason until symptoms of honey fungus related decline in the trees can be verified.
19. With regards to the objections that have been received, it is accepted that trees provide many environmental benefits, and that their removal will obviously remove these benefits. However, it is not considered that the removal of these trees will have a significant impact on the environmental quality of the area, due to the number of other trees present in the area.
20. It is also not considered that the removal of these trees will lead to any significant increase in traffic noise from the A4101 Dudley Road. Whilst trees can aid in noise reduction, noticeable reduction in road noise can only be achieved by relatively wide and dense tree belts, rather than by a single line of trees. Also as the road is some 175 metres away from the trees beyond other trees and houses, it is unlikely that these trees are currently provide much noise abatement value at present.
21. Overall it is considered that the felling of the trees is appropriate, as they are of relatively low quality and amenity value, and that their condition is such that they are likely to require frequent and ongoing maintenance in the future.
22. As such it is recommended that the application is approved, subject to a condition requiring a single replacement tree.

## CONCLUSION

23. It is considered that the condition of the trees is such that future work are likely to be required in order to keep the trees in a suitable conditions, and that due to the limited amenity value of the trees, their removal is considered appropriate in order to reduce the maintenance burden and cost to the applicant.

## RECOMMENDATION

24. It is recommended that the application is APPROVED subject to the stated conditions.

### Reason for Approval

Overall, it is considered that the proposed felling of the sycamore trees is acceptable as they are considered to provide a limited amount of amenity to the surrounding area due to their impaired form and condition.

### Conditions and/or reasons:

1. The tree works subject of this consent shall be carried out in accordance with British Standard BS 3998:2010 'Recommendations for Tree work'.
2. A replacement tree shall be planted between the beginning of November and the end of March, within 1 year of felling (and replanted if necessary) and maintained until satisfactorily established. The size at planting shall be no less than 1.8 to 2.5 metres tall. The species and the location of the replacement tree shall be agreed in writing with the Local Planning authority prior to the felling of the trees to which this application relates.



T1 T2

