

PLANNING APPLICATION NUMBER:P14/1540

Type of approval sought	Tree Preservation Order
Ward	Castle and Priory
Applicant	Mr A Allison, DMBC-Greencare
Location:	FOXYARDS PRIMARY SCHOOL, FOXYARDS ROAD, TIPTON, WEST MIDLANDS, DY4 8BH
Proposal	FELL 1 MOUNTAIN ASH AND 2 BEECH TREES: CROWN LIFT 1 BEECH TREE TOGETHER WITH FORMATIVE PRUNING: FELL AND POISON SELECTIVE SPECIES 1M OFF FENCE LINE: SELECTIVE REMOVAL AND REDUCTION OF SHRUBS REAR OF PROPERTIES 829-825 BNR.
Recommendation Summary:	APPROVE SUBJECT TO CONDITIONS

TREE PRESERVATION ORDER NO: TPO 420 (1994) – A1

SITE AND SURROUNDINGS

1. The trees subject to this application are 3 beech trees, and a mountain ash tree that are located within the grounds of Foxyards School in Dudley. There are a number of large trees located around the site. The beech trees subject to this application are situated adjacent to the rear boundary of 11, Foxyards Road and the mountain ash is located within the rear playground of the school. The beech trees are considered to provide a moderate amount of amenity to the surrounding area and the mountain ash is considered to provide a low amount of amenity to the surrounding area.
2. The trees are protected as part of “Area 1” of tree preservation order 420 that was served in 1994. This order covers the whole school site and protected all trees that were present in 1994.

PROPOSAL

3. Summary of proposals for the works as written on application form is as follows:
 - Fell 1 mountain ash (T1), fell 2 beech (T2 & T3) and crown lift 1 beech (T4) to provide 3.5 metres clearance from ground level.
4. The trees have been marked on the attached plan.

5. The application form also proposed to clear various vegetation back from the south-eastern boundary of the school site. However on inspection this vegetation to be removed was found to be comprised of either trees that are too young to be protected by this order or shrub species. As such this element of the application does not require permission.

HISTORY

6. There have been nine previous Tree Preservation Order applications submitted in relation to these trees.

Application No	Proposal	Decision	Date
95/50978	Fell 3 sycamore trees	Refused	07/09/95
98/51698	Fell 3 lime trees and prune 2 lime trees	Approved with conditions	07/01/99
99/50699	Prune 3 trees	Approved with conditions	08/07/99
P01/2015	Fell 3 sycamore trees	Approved with conditions	17/01/02
P02/0173	Prune 1 ash and 1 lime tree	Approved with conditions	17/05/02
P04/1373	Fell 2 poplar trees	Approved with conditions	27/09/04
P09/0169	Crown reduce 7 elm trees	Approved with conditions	13/02/09
P11/0752	Crown reduce 7 elm trees	Approved with conditions	10/08/2011
P14/0562	Various tree works	Approved with conditions	09/06/2014

PUBLIC CONSULTATION

7. No public representations have been received.

ASSESSMENT

Tree(s) Appraisal

<i>Tree Structure</i>	Tree 1	Tree 2
TPO No	A1	A1
Species	Mountain Ash	Beech
Height (m)	6	9
Spread (m)	5	5

DBH (mm)	180	200
Canopy Architecture	Good	Moderate – Slender
Overall Form	Good	Poor – slender
Age Class <i>Yng / EM / M / OM / V</i>	Early Mature	Young

*Structural
Assessment*

Trunk / Root Collar	Good	Good
Scaffold Limbs	Good	Good
Secondary Branches	Good	Moderate
% Deadwood	3%	7%
Root Defects	None Evident	None Evident
Root Disturbance	None Evident	None Evident
Other		
Failure Foreseeable <i>Imm / Likely / Possible / No</i>	Whole No	Whole No

Vigour Assessment

Vascular Defects	None Evident	None Evident
Foliage Defects	None Evident	None Evident
Leaf Size	Good	Good
Foliage Density	Good	Good
Other		

*Overall
Assessment*

Structure	Good	Good
Vigour	Good	Good
Overall Health	Good	Good

Other Issues

Light Obstruction	No	No
Physical Damage	None evident	None evident
Surface Disruption	None Evident	None Evident
Debris	Some	Some

**Amenity
Assessment**

Visible	Yes	Yes
Prominence	Low	Moderate
Part of Wider Feature?	Yes	Yes
Characteristic of	Yes	Yes

Area		
Amenity Value	Moderate	Moderate

<i>Tree Structure</i>	Tree 3	Tree 4
TPO No	A1	A1
Species	Beech	Beech
Height (m)	9	9
Spread (m)	5	7
DBH (mm)	200	350
Canopy Architecture	Moderate – Slender	Good
Overall Form	Poor	Moderate
Age Class <i>Yng / EM / M / OM / V</i>	Young	Early Mature

*Structural
Assessment*

Trunk / Root Collar	Good	Good
Scaffold Limbs	Good	Good
Secondary Branches	Good	Moderate
% Deadwood	3%	3%
Root Defects	None Evident	None Evident
Root Disturbance	None Evident	None Evident
Other		
Failure Foreseeable Imm / Likely / Possible / No	Whole No	Whole No

Vigour Assessment

Vascular Defects	None Evident	None Evident
Foliage Defects	None Evident	None Evident
Leaf Size	Good	Good
Foliage Density	Good	Good
Other		

*Overall
Assessment*

Structure	Good	Good
Vigour	Good	Good
Overall Health	Good	Good

Other Issues

Light Obstruction	No	No
Physical Damage	None evident	None evident

Surface Disruption	None Evident	None Evident
Debris	Some	Some

**Amenity
Assessment**

Visible	Yes	Yes
Prominence	Moderate	Moderate
Part of Wider Feature?	Yes	Yes
Characteristic of Area	Yes	Yes
Amenity Value	Moderate	Moderate

Further Assessment

8. The application has been submitted by the Council's Greencare Department in order to undertake works to the trees that have been identified as part of the ongoing maintenance requirements of the site.
9. The removal of the mountain ash tree has been proposed as the tree is situated in the middle of the playground, and the school wishes to re-claim and re use the relatively small section of play ground that it occupies.
10. Had the tree provided much in the way of amenity to the surrounding area, then the ground for the application would have been unlikely to be considered sufficient justification.
11. However as this tree is relatively small, and not publicly visible outside to the playground in which it stands, it is not considered that the tree provides sufficient amenity to the local area to allow any reasonable objection to its removal.
12. As there will be no impact on the amenity of the area due to the removal of the tree, it is not considered that any mitigation planting is required.
13. The two beech trees to be removed are one of a number of similar beech trees that form a very tight group of trees adjacent to the rear boundary of 11, Foxyards Road. The removal of these trees has been proposed in order to thin out the group to reduce the competition between the trees, improve the development of the adjacent trees and to reduce the impact on the neighbouring property.

14. The removal of these trees will not have any significant impact on the amenity value of the group of beech trees as the group will still remain a prominent feature adjacent to the main drive of the school.
15. As the works have been proposed to thin the group out for the benefit of the surrounding trees it is considered that the requirement of replacements in this instance would be counter-productive in the long run.
16. The beech to be crown lifted is the largest of the beech tree in this group of trees. It is proposed to lift the tree to 3.5 metres in order to improve the form of the tree and reduce competition with the adjacent trees. Again the proposed works will have little impact on the amenity value of the group.
17. Overall it is considered that the proposed works are acceptable and as such it is recommended that the application be approved.

CONCLUSION

18. This application proposes the felling of a mountain ash, 2 beech trees and crown lifting of a beech tree to provide 3.5 metres clearance from ground level.
19. The proposed works will have little impact on the amenity of the area. The mountain ash is a relatively small tree that is not visible beyond its immediate location and the works to the beech trees will not have any noticeable impact on the appearance of the group of beech trees in which they stand.
20. Given the limited impact of the works it is recommended that the application be approved.

RECOMMENDATION

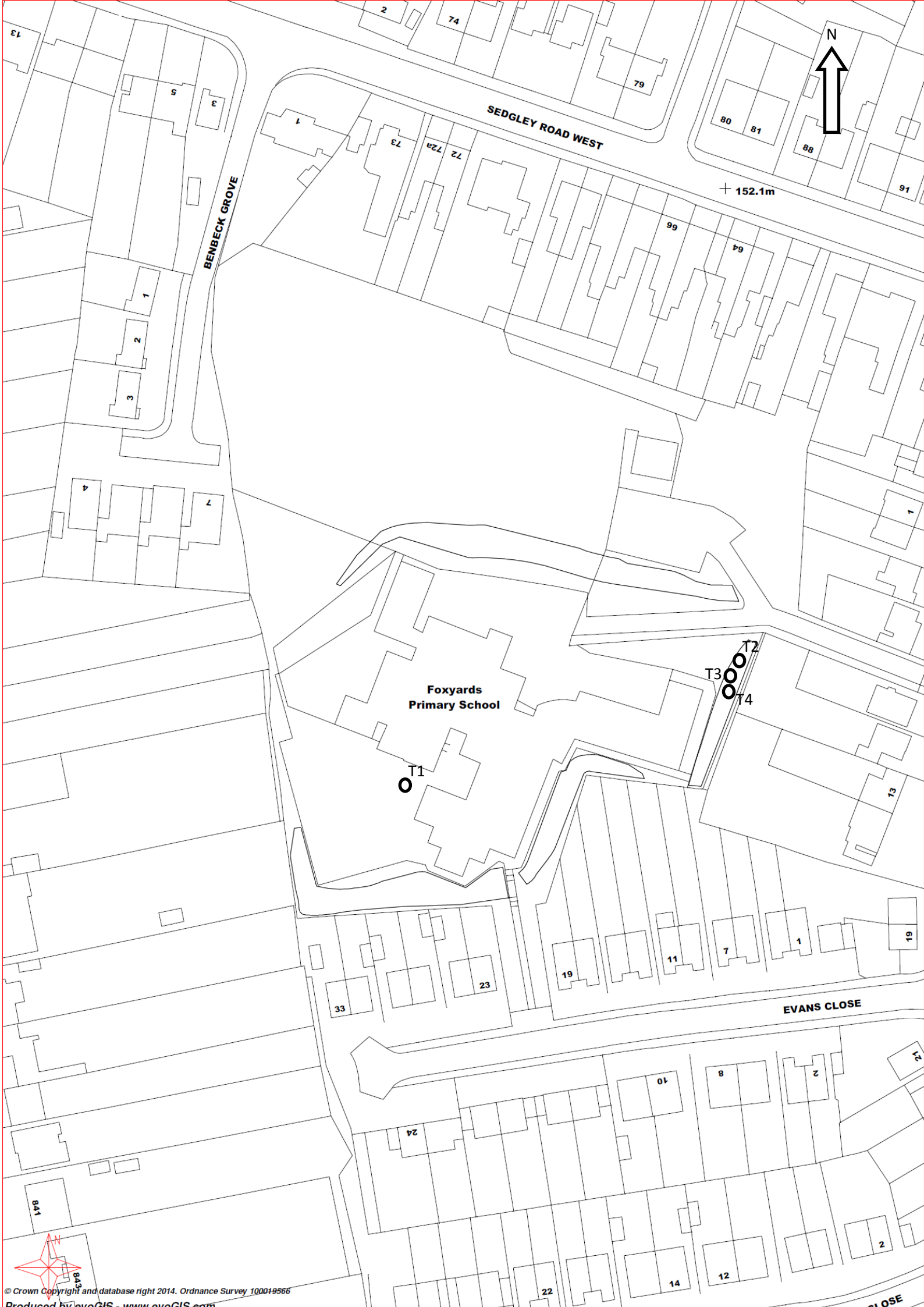
21. It is recommended that application is approved subject to the stated conditions set out below.

Reason For Approval

The proposed works are considered to be justified by virtue of the trees conditions, and their location. The works will have little impact on the amenity of the area and are considered to be in accordance with the good management of the trees.

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 Treework'.



+ 152.1m

SEDGLEY ROAD WEST

BENBECK GROVE

Foxyards
Primary School

T1

T2
T3
T4

EVANS CLOSE

