

PLANNING APPLICATION NUMBER:P09/0212

Type of approval sought	Tree Preservation Order
Ward	KINGSWINFORD SOUTH
Applicant	Mr G Locke
Location:	10, SANDMEADOW PLACE, KINGSWINFORD, DY6 9RF
Proposal	PART A: FELL 1 SYCAMORE TREE. PART B: PRUNE 1 SYCAMORE TREE.
Recommendation Summary:	PART APPROVE & PART REFUSE (SPLIT DEC'N)

TREE PRESERVATION ORDER NO: D377 (1992) – W1

SITE AND SURROUNDINGS

1. The trees subject to this application are two early mature sycamore trees. The trees are situated in the rear garden of 10 Sandmeadow Place. The trees sit at the top of a terraced slope, where the ground level is approximately 4 metres higher than the ground level at the bungalow.
2. Due to this increase in ground levels the trees are prominently visible from Sandmeadow Place over the bungalows and are visible through gaps in the properties from Kingsley Road to the south of the trees.

PROPOSAL

3. Summary of proposals for the works as written on application form is as follows:
 - PART A: Fell 1 Sycamore
 - PART B: Prune 1 sycamore
4. The trees have been marked on the attached plan.

HISTORY

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

PUBLIC CONSULTATION

6. No public representations have been received.

ASSESSMENT

Tree(s) Appraisal

Criteria	Tree 1	Trees 2 – 11
TPO No	W1	W1
Species	Sycamore	Sycamore
Height	8m	8m
Spread	7m	6m
Diameter	2 x 200mm	250mm
Form	Moderate	Moderate / Good
Vigour	Moderate	Good
Approx Age	Early Mature	Early Mature
Pests / Diseases	Some squirrel damage	None Evident
Canopy	Poor crossing branches	Good
% Deadwood	5%	1%
Cavities	None Evident	None Evident
Bark	Moderate – rubbing patches	Good
Roots	Good	Good
Overall Health	Moderate	Good
Visibility	Moderate	Moderate
Amenity Value	Moderate / High	Moderate / High

Further Assessment

7. The applicant has proposed to fell 1 sycamore (Tree 1) and prune another sycamore (Tree 2). The felling of the sycamore has been proposed due to the applicant's concerns about the tree health, the problems with leaf fall and the sunlight that is obstructed from the garden and property. The pruning of the sycamore tree has been proposed to provide clearance from the roof of an adjoining neighbour's garage.
8. On inspection the tree that is proposed to be felled was found to be in a moderate condition. The tree is formed of two main stems that fork at just above ground level. These stems are wrapped around each other with areas of fused wood between them. On inspection the area where the main stems have fused appeared to be in sound condition.
9. There are a number of squirrel damaged branches in the crown, these will ultimately fail, however the proportion of branches with squirrel damage is not considered sufficient to render the tree unsafe and it is recommended that any badly damaged branches should be pruned out.

10. Overall whilst there are various minor defects in the tree, it is considered that the tree is in an acceptable condition, and whilst it may benefit from pruning it should not be felled on the grounds of health and safety.
11. It is accepted that the tree will deposit a substantial amount of leaves on to the rear garden and guttering of the property. The applicant has stated that leaf guards are present on the guttering to prevent the tree blocking the drains, but that as the leaves break down they still go through the leaf guards. It is considered that it is part of routine property maintenance to clear the leaf guards before the leaves start to breakdown, an operation that is easier in this case as the guttering is only approximately 3 metres above ground level.
12. With regards to the leaves that fall on the garden and on the wooded steps in the garden it is considered that the clearance of these leaves is again carried out as part of reasonable property maintenance. As such the problems with leaf fall is not considered sufficient to warrant the felling of the tree.
13. The applicant has stated that the trees block considerable sunlight from the garden that prevents the area of shrubbery and the lawn from drying out. During the site visit at 2:45pm on the first of April it was noted that when viewed from the patio area adjacent to the bungalow, the sun had already passed behind the tree to be felled and was behind the adjacent tree. Also the sun was just behind the tips of the branches at the highest part of the adjacent tree and therefore as the summer progresses there will be less and less shade provided by the trees.
14. After plotting position of the tree it is considered that the tree to be felled will only obstruct a significant amount of sunlight from the garden between 10 in the morning and two in the afternoon, this amount of shading is not sufficient to warrant the loss of the tree.
15. Overall it is not considered that the reasons put forward in support of the felling sufficiently justify the detrimental impact on the amenity of the area that would result from the felling. As such it is recommended that Part A of the application is refused.
16. The proposed pruning of Tree 2 is considered appropriate as only minor works are required in order to provide the required clearance above the roof of the adjacent garage. These works will have little impact on the health of the amenity of the tree. As such it is recommended that the crown lifting to 3.5 metres by the removal of secondary growth only is approved.

CONCLUSION

17. It is note considered that the reasons put forward in support of the felling of Tree 1 sufficient justify the detrimental impact on the amenity of the area that would result form the felling. In particular it is not considered that the tree obstructs an unreasonable amount of light form the garden; the tree is in a reasonable condition and not considered inappropriately hazardous for its location and the problems cause by falling leaves can be rectified by routine property maintenance.
18. It is considered that the proposed pruning is acceptable as it will have no impact on the health or amenity value of Tree 2 whilst preventing any damage to the adjacent garage structure.

RECOMMENDATION

19. It is recommended that **PART A** of the application is refused for the reasons set out below:
20. It is recommended that **PART B** of the application is approved subject to the conditions set out below:

Conditions and/or reasons:

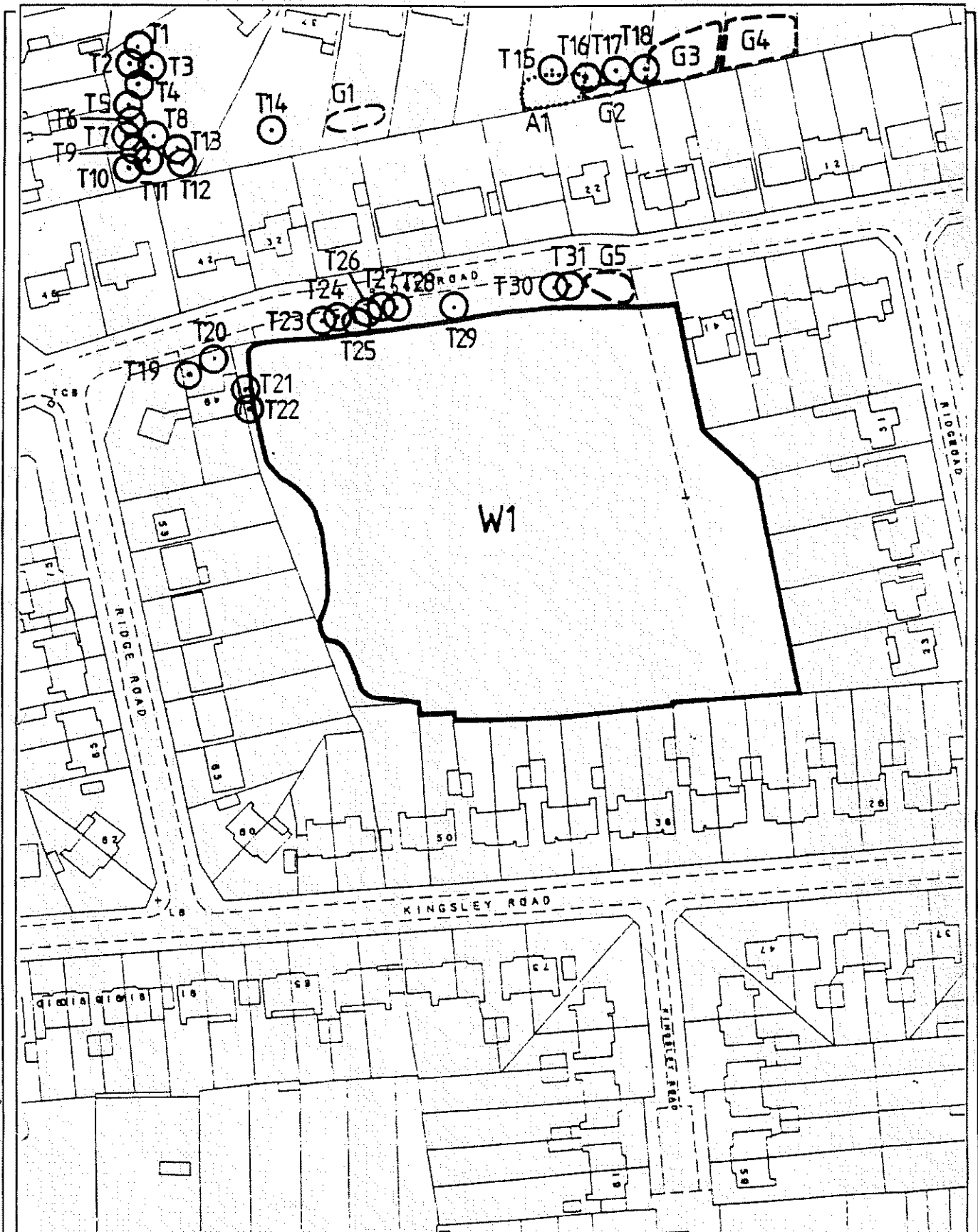
1. It is recommended that PART B of the application is approved subject to the conditions set out below:
 - Notwithstanding any of the details on the submitted application forms, the works hereby approved are as follows: -
Schedule:
Tree 2 –Sycamore – Crown lift to provide no more than 3.5 metres clearance form ground level by the removal of secondary branches only.
2. – The tree works subject of this consent shall be carried out in accordance with British Standard BS 3998:1989 'Recommendations for Treework'.
3. The works hereby approved shall be carried out within 12 months of the date of this decision.

Reason for refusal

The tree subject to the proposal for felling provide a moderate to high amount of amenity to the surrounding area and users of Sandmeadow Place, ridge road and

Kinglsey Road. 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.





DUDLEY
Metropolitan Borough
ORDNANCE SURVEY
MAPPING IS BASED UPON
THE ORDNANCE SURVEY
MAP WITH THE SANCTION
OF THE CONTROLLER OF
H.M. STATIONERY OFFICE.
LICENCE NUMBER LA
078171

*Map referred to in
the Borough Council of Dudley*
**Ridge Road,
Kingswinford. No 2 (D377)**

Tree Preservation Order 1992

grid ref:	881 881
scale:	1:1250
drwg no.:	A:2113(A)

Groups

G1	3 Pines	35 Summercourt Square, Kingswinford
G2	2 Sycamores	27 Summercourt Square, Kingswinford
G3	3 Pines, 2 Sycamore, 1 Lime	25 Summercourt Square, Kingswinford
G4	1 Beech, 1 Oak, 1 Lime, 2 Sycamores	23 Summercourt Square, Kingswinford
G5	7 Sycamores	Woodland between 41, 49, Ridge Road, Kingswinford

Woodland

W1	Mixed Hardwood and Conifers	Woodland between 41, 49, Ridge Road, Kingswinford
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Area

A1	Several trees of whatever species within the area marked A1 on the map	29 Summercourt Square
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