

PLANNING APPLICATION NUMBER:P10/0155

Type of approval sought	Tree Preservation Order
Ward	Belle Vale
Applicant	Mr Martyn Wilkins
Location:	ADJACENT TO, 16, LINNET CLOSE, HALESOWEN, WEST MIDLANDS, B62 8TW
Proposal	TO FELL AND REPLACE 9 NO.SYCAMORE TREES
Recommendation Summary:	REFUSE

TREE PRESERVATION ORDER NO: D139 (1983) – W1

SITE AND SURROUNDINGS

1. The trees subject to this application are a group of nine sycamore trees that are located on the embankment of a disused railway the borders the property of 16 Linnet Close.
2. The property forms part of a small residential estate that was built on the site of a previous iron foundry. The trees are growing on the north-eastern side of the railway, and are elevated from the ground level of the house.
3. The embankment has a number of other trees along its length that range from small scrubby growth of elderberry, goat willow and hawthorn; to larger ash and sycamore trees. The number of trees on the embankment gives it a wooded appearance that acts as a backdrop to the residential estate.
4. The trees are situated towards the southern end of the embankment and are visible from both the adjacent arm of Linnet Close and the adjacent section of Coombs Road. Overall it is considered that the trees provide a moderate to high amount of amenity to the surrounding area.

PROPOSAL

5. Summary of proposals for the works as written on application form is as follows:
 - Fell and replace 9 Sycamore trees.

6. The trees have been marked on the attached plan.

HISTORY

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

Application No	Proposal	Decision	Date
94/50227	Fell and replacement of 6 sycamore trees	Withdrawn	16/02/94
P07/0401	Fell 9 Sycamore Trees	Refused	18/04/07

PUBLIC CONSULTATION

8. No public representations have been received.

ASSESSMENT

Tree(s) Appraisal

<i>Tree Structure</i>	Tree1 – 9
TPO No	WI
Species	9 x Sycamore
Height (m)	15
Spread (m)	8
DBH (mm)	400
Canopy Architecture	Good / Moderate – Drawn up due to proximity to other trees
Overall Form	Good – Trees form a single aerodynamic unit
Age Class <i>Yng / EM / M / OM / V</i>	Mature

Structural Assessment

Trunk / Root Collar	Good	
Scaffold Limbs	Good	
Secondary Branches	Moderate / Good - Some dead branches. Not excessive in number	
% Deadwood	5%	
Root Defects	None Evident	
Root Disturbance	None Evident	
Other		
Failure Foreseeable <i>Imm / Likely / Possible / No</i>	Whole No	Part No

Vigour Assessment

Vascular Defects	None Evident
Foliage Defects	None Evident
Leaf Size	Not In Leaf
Foliage Density	Not in Leaf
Other	

Overall Assessment

Structure	Good
Vigour	Good

Overall Health	Good
<u>Other Issues</u>	
Light Obstruction	Some
Physical Damage	None Evident
Surface Disruption	None Evident
Debris	Some
<u>Amenity Assessment</u>	
Visible	Yes
Prominence	Moderate
Part of Wider Feature?	Yes
Characteristic of Area	Yes
Amenity Value	Moderate / High

Further Assessment

9. The trees subject to this application are a group of 9 mature sycamore trees that are situated on a railway embankment adjacent to 16 Linnet Close, Halesowen. The trees are prominent in the background at the head of the Linnet Close cul-de-sac, and are visible from the adjacent Coombs Road.
10. The trees form part of a wooded area that covers the embankments of the abandoned railway. The trees in this area range from smaller elderberry, goat willow and hawthorn to larger sycamore and ash trees.
11. The applicant has proposed to fell the trees as they have concerns about the impact of the tree roots on the rate of erosion on the embankment; and because they consider the trees to be unsafe.
12. On inspection the trees were found to be in a reasonable condition with no major defects present. It was noted that there was a number of dead branches in the crowns of the trees, and that there was evidence of previous branch failure. From previous site visits branch failure as the result of squirrel damage has been observed.
13. Whilst there was deadwood present within the crowns it was considered that this was a consequence of the trees growing in close proximity and the re-organization of crowns that occurs in closely grown trees as branches become shaded and stop producing a net gain in resources for the tree. It is not considered that the dead branches are symptomatic of general poor health in the trees.
14. Any dead branches within the crowns of the trees can be removed without permission, and if such works are undertaken on an 18 – 24 month programme there should be a drastic reduction in the amount of dead branches that eventually fall from the trees.

15. There is also no obvious evidence of tree instability, and as no supporting information to the contrary has been submitted with the application it is not considered that the felling works should be approved on the grounds of tree safety.
16. The applicant has raised concerns about the impact of the roots on the stability of the bank, as some of the roots have become exposed. Trees generally have a significantly beneficial impact on the stability of embankments as their roots bind the soil together and prevent erosion. As such whilst some roots do become exposed; if the trees were removed the rate of erosion would be increased.
17. The trees provide a moderate to high amount of amenity to the area, as they are prominently visible from both Linnet Close and Coombs Road and as they form a significant part of the wider wooded embankment. As such the impact of the proposed works on the amenity of the area needs to be a prime consideration.
18. The applicant has proposed to plant 20 hawthorn trees in place of the 9 sycamore trees. Whilst such a number of trees would eventually provide significant mitigation for the loss of amenity, it is considered that the reduction of amenity in the time between the planting of the trees and the time they reach sufficient height to provide a similar amount of amenity has not been justified by the reasons for the application.
19. Overall it is not considered that the condition of the trees, or the impact that the trees are having on the stability of the bank is sufficient to outweigh the loss of amenity that would result from the felling of the tree, even once the proposal to replant with 20 Hawthorn trees is taken into consideration. As such it is considered that the application should be refused.

CONCLUSION

20. The trees subject to this application are 9 mature sycamore trees that are situated on the embankment of a disused railway adjacent to 16 Linnet Close. On inspection the trees were all found to be in reasonable state of health and provide a moderate to high amount of amenity to the surrounding area.
21. The applicant has requested that the trees are felled as they are concerned about the safety of the trees and the threat of branches falling into their garden and because of the impact of the trees on the stability of the embankment.
22. On inspection the trees were considered to be in a reasonable condition, and whilst they would benefit from a routine removal of deadwood, it is not considered that their condition is such to warrant their removal.

23. Also it is not considered that sufficient evidence has been provided to suggest that the trees are having a detrimental impact on the stability of the bank.
24. Overall it is not considered that the reasons put forward in support of the application sufficiently outweigh the amenity that the trees provide to the area and therefore it is recommended that the application is refused.

RECOMMENDATION

25. It is recommended that this application is refused for the reasons set out below.

Conditions and/or reasons:

1. The sycamore trees subject to the application provide a moderate to high amount of amenity to the resident of Linnet Close and the users of Coombs Road. It is considered that 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.



E396700
N284900

E396700

E396800
N284900

N284800

N284800

N284700

N284700

E396600

E396700

E396800

T1 - T9

Tennis Court

Industrial Units

Works

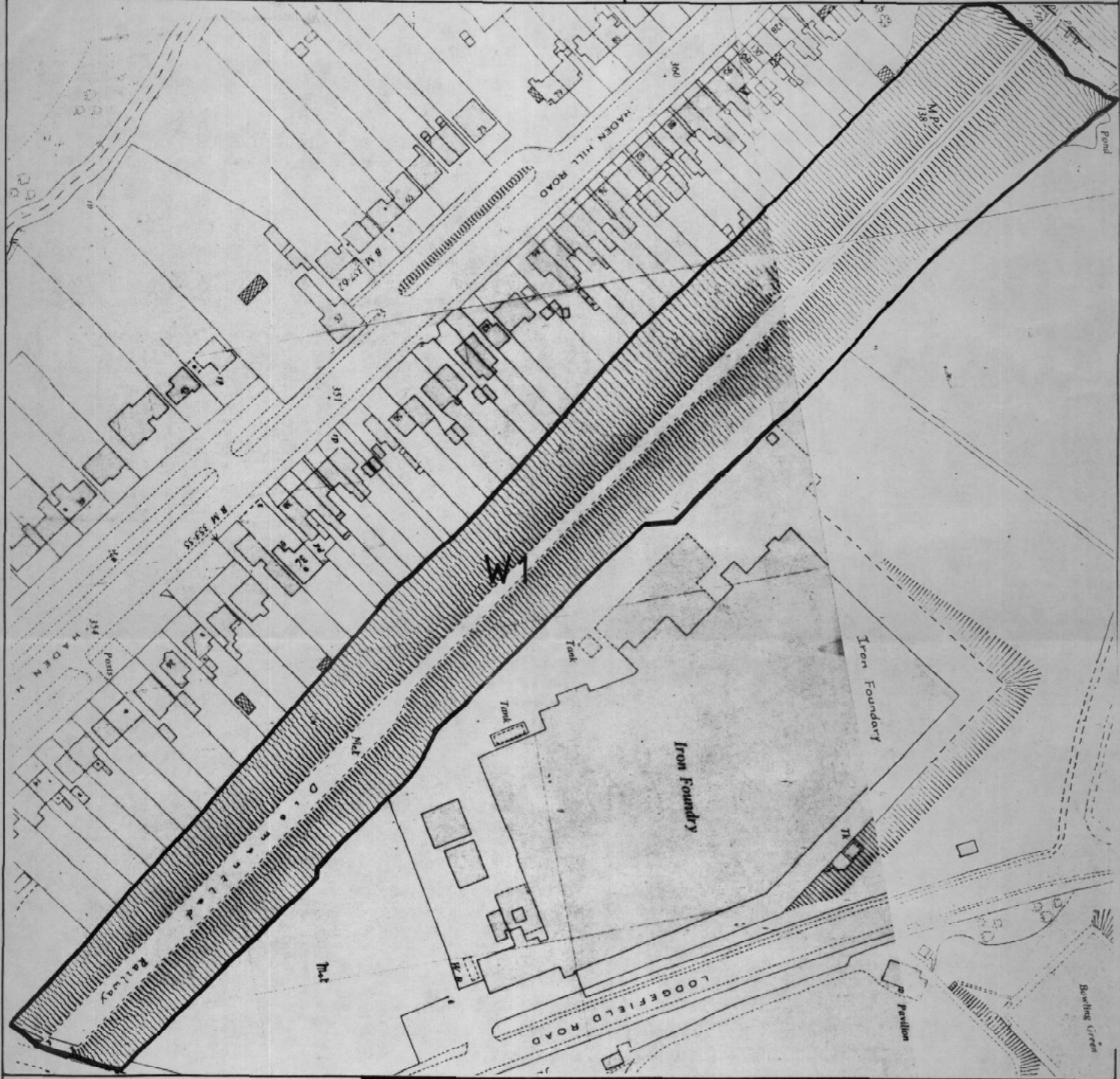
Hotel

Grid Ref.
965 848

O.S. Sheets S.O.
Edition.

Scale
1:1250

Drg. No.
B/1411



**Map referred to in THE BOROUGH of DUDLEY
LOGGFIELD ROAD, HALESOWEN
TREE PRESERVATION ORDER 1983**

The common seal of the Borough Council of Dudley was hereunto affixed this day
of 19..... in the presence of;

DIRECTOR of LEGAL & ADMINISTRATIVE SERVICES.

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SCHEDULE OF TREES

WOODLAND

<u>No.</u>	<u>Description</u>	<u>Location</u>
W1	Mature and Young Mixed deciduous trees	Bounded by Lodgefield Road, to the East and properties on Haden Hill Road, to the West.