

# PLANNING APPLICATION NUMBER:P14/1095

Type of approval sought	Tree Preservation Order
Ward	Norton
Applicant	The Principal The Trustees, King Edwards College VI
Location:	<b>KING EDWARD VI SPORTS GROUND, SWINFORD ROAD, OLDSWINFORD, DY8</b>
Proposal	<b>FELL 1 OAK TREE</b>
Recommendation Summary:	<b>REFUSE</b>

## TREE PRESERVATION ORDER NO: TPO/0055/NOR/T4 (2013) – T4

### SITE AND SURROUNDINGS

1. The tree subject to this application is a mature oak tree that is located on the eastern boundary of the King Edward VI Sports Ground, adjacent to the boundary with 34 Oakleigh Road.
2. The tree is one of a number of mature oak trees along this boundary, and appears to be the remnant of an old tree boundary dating back to the 19<sup>th</sup> Century, although it is debateable if the tree is quite that old.
3. The tree is prominently visible within the sports field, which is used by students of King Edward VI College during the week and members of the public as part of organised football matches at the weekend. The tree is also visible from the junction of Love Lane, Cobham Road and Oakleigh Road. It is also visible from further along Oakleigh Road above the adjacent properties.
4. Overall it considered as both an individual and as part of the linear group of trees to provide a high amount of amenity to the surrounding area.
5. The tree is protected as T4 of TPO/0055/NOR which was served in 2013. The TPO protects a number of mature trees along the eastern boundary of the sports field.

## PROPOSAL

6. Summary of proposals for the works as written on application form is as follows:
  - Fell 1 Oak tree.
7. The tree has 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 support has been received from the adjacent neighbour. They support the application on the grounds that the tree is not a particularly good specimen due to its lean; they have concerns for users and visitors of the sports pitches should the tree suffer partial failure; and that should the whole tree fail the root system could cause considerable damage to their garden.

## ASSESSMENT

### Tree(s) Appraisal

<i>Tree Structure</i>	<b>Tree 1</b>
Species	Oak
Height (m)	14
Spread (m)	17
DBH (mm)	1000 (on longest axis)
Canopy Architecture	Moderate / Good
Overall Form	Moderate – tree growing at a lean
Age Class <i>Yng / EM / M / OM / V</i>	Mature

### *Structural Assessment*

Trunk / Root Collar	Good
Scaffold Limbs	Good / Moderate – cavity on one of main scaffold limbs at point of old limb removal. Extent of decay not apparent from ground level, but no external signs of impaired structure on main limb
Secondary Branches	Good
% Deadwood	7%
Root Defects	None Evident
Root Disturbance	None Evident
Other	

Failure Foreseeable Imm / Likely / Possible / No	Whole No	Part No
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*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 / Moderate
Vigour	Good
<b>Overall Health</b>	<b>Good</b>

**Other Issues**

Light Obstruction	Yes - to adjacent property
Physical Damage	None Evident
Surface Disruption	None evident
Debris	Yes

**Amenity Assessment**

Visible	Yes
Prominence	High
Part of Wider Feature?	Yes
Characteristic of Area	Yes
<b>Amenity Value</b>	<b>High</b>

**Further Assessment**

10. The applicant has proposed to fell the trees as they have concerns about its safety and the risk to the adjacent property and users of the playing fields.
11. The application is supported by a tree report that concludes that the tree is in a dangerous condition and needs to be removed. This conclusion is based on the lean of the tree and the weight and forces that will be exerted by the eccentric canopy on the root plate of the tree during windy conditions.
12. This assessment of the tree is not agreed with. It is accepted that the tree does have a heavy lean, estimated at approximately 35 degrees, and that it has an eccentric crown, which results in a centre of gravity that is significantly to the west of the main stem. However it is not considered that this lean in itself has reduced the safety.

13. Trees grow according to their environment. The lean on this tree appears to be a historical lean that would have developed due to the tree trying to grow out from under the canopy of a, now removed, adjacent tree.
14. Trees are known as “self-optimising organisms”, in that they have the ability to identify where extra structural timber is required in order to maintain acceptable structural safety margins, and provide for the required extra growth.
15. In this case this is demonstrated by the diameter of the stem being significantly great in the plane of the lean compared to the diameter perpendicular to the lean. Furthermore the cross section of the stem shows that the greatest deviation from the circular ‘norm’ is on the side of the stem opposite to the lean, as timber in deciduous trees is able to provide greater reinforcement on the tension side of a lean.
16. The tree will be constantly developing adaptive growth in order to maintain the required structural equilibrium, and as such leaning trees, without any other observable defects or impaired growth formations, should be considered as safe as their upright counterparts.
17. As stated above it is considered that the lean of the tree has developed from when the tree was young, it is not considered that there has been any historic root plate movement within the tree, and that on inspection there are no signs of any current root plate lifting.
18. Overall it is not considered that this tree is currently at any heightened risk of failure.
19. Whilst at present it is not considered that the tree is at any increased risk of failure due to the lean, it could be argued that should the tree start to develop structural defects, such as stem cavities, then these could be more significant to a leaning tree than to an upright tree. Whilst in principal this may be the case, not all defects will be more significant, and it is considered that it would be inappropriate to fell this tree on such speculative grounds.
20. It is considered that some crown management works may be appropriate, should the cavity on the southern scaffold limb be found to extend to a significant cross section of that limb, but this would be limited to that specific limb and would not involve the reduction of the crown as a whole. Such works would need to be the subject of a fresh application

21. It was noted that there was some deadwood within the crown of the tree; this was not considered to be symptomatic of poor health, but an expected characteristic of a tree of this age. This can be removed without the need for a formal application.
22. Overall it is not considered that the proposed felling has been justified, and that the conclusions of the submitted tree report are not justified by the current condition or structural form of the tree. It is not considered that the impact on the amenity of the area that would result from the proposed felling is justified by the grounds of the application. As such it is recommended that the application be refused.

## **CONCLUSION**

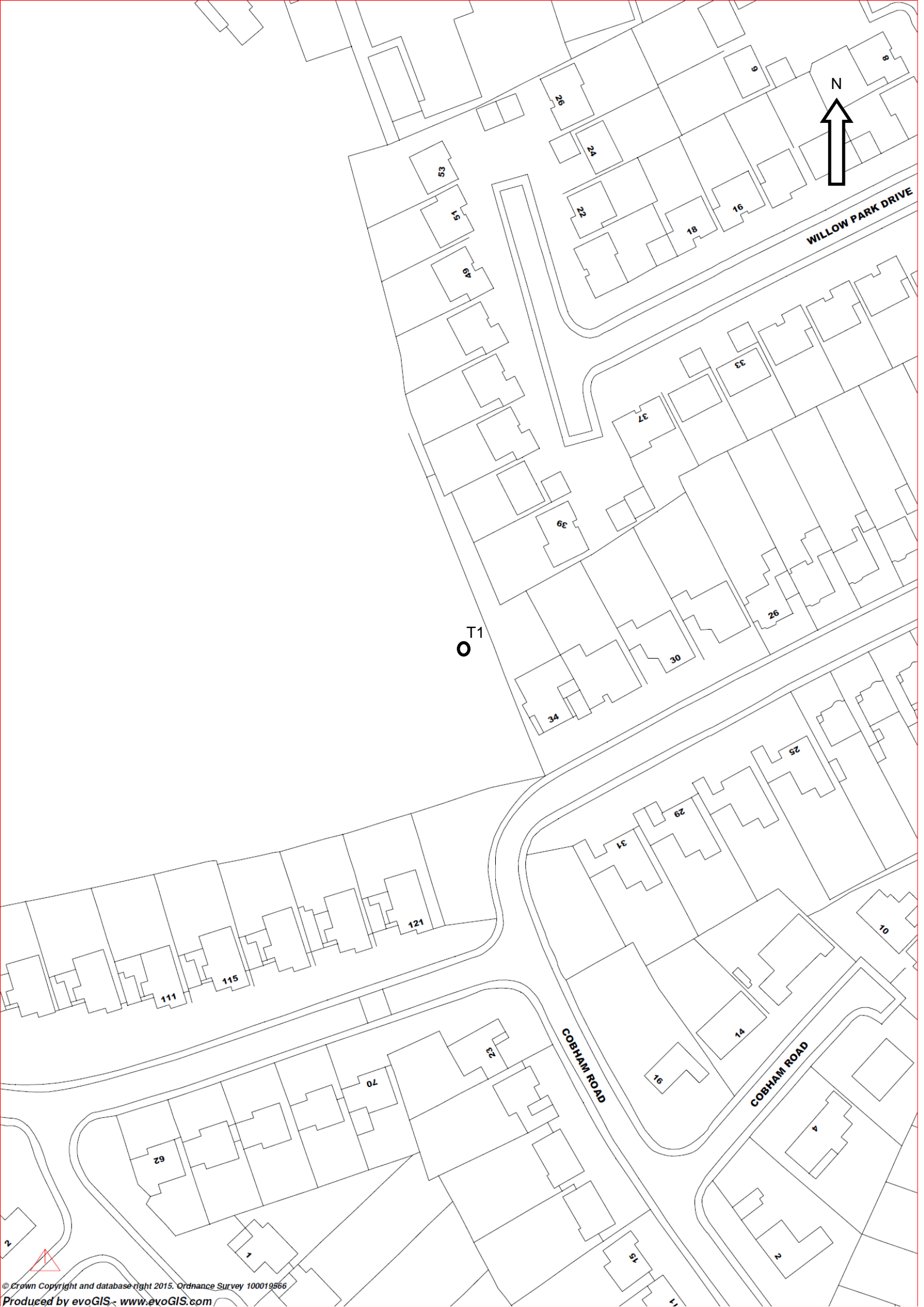
23. The applicant has proposed to fell the trees as they have concerns about its safety and the risk to the adjacent property and users of the playing fields.
24. Having inspected the tree it is not considered that the tree is showing any signs of being a heightened risk of failure, or that failure is likely in the future. As such, it is not considered that the detrimental impact on the amenity of the area has been sufficiently justified and it is recommended that the application be refused.

## **RECOMMENDATION**

25. It is recommended that application is refused for the stated reason.

Conditions and/or reasons:

1. The tree subject to this application provides a high amount of amenity to the local area by virtue of its visual appearance from within the King Edward VI sports field, Oakliegh Road and Cobham Road. It is not considered that the proposed felling and its likely impact on the amenity of the area have been sufficiently justified by the applicant. In particular it is not considered that the conclusions of the submitted tree report are supported by currently accepted arboricultural principals.



WILLOW PARK DRIVE

T1

COBHAM ROAD

COBHAM ROAD