

# PLANNING APPLICATION NUMBER:P09/0245

Type of approval sought	Tree Preservation Order
Ward	LYE & WOLLESCOTE
Applicant	Mr Paul Depper
Location:	<b>42, SANDYACRE WAY, STOURBRIDGE, STOURBRIDGE, DY8 1JD</b>
Proposal	<b>FELLING AND REPLACEMENT OF ONE TREE</b>
Recommendation Summary:	<b>APPROVE SUBJECT TO CONDITIONS</b>

## TREE PRESERVATION ORDER NO: D329 (1992) – A1

### SITE AND SURROUNDINGS

1. The tree subject to this application is a mature Norway Maple tree situated in the rear garden of 42 Sandyacre Way. The tree is slightly visible over the top of the surrounding properties and is visible from the end of the row of houses over a number of rear gardens. Due the limited visibility it is considered that the tree provides a moderate to low amount of amenity to the surrounding area.

### PROPOSAL

2. Summary of proposals for the works as written on application form is as follows:
  - Fell 1 Maple tree.
3. The tree has been marked on the attached plan.

### HISTORY

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

<i>Site History</i>		
Application No	99/50207	15/03/99
Proposal	Crown lift to 4.5m and crown thin by 20% of one sycamore	Refused
Application No	P08/0112	10/03/08
Proposal	Crown Lift and crown reduce 1 sycamore tree	Approved

## **PUBLIC CONSULTATION**

5. No public representations have been received.

## **ASSESSMENT**

### Tree(s) Appraisal

<b>Criteria</b>	<b>Tree 1</b>
TPO No.	A1
Species	Norway Maple
Height	10m
Spread	6m
Diameter	700mm
Form	Moderate
Vigour	Good
Approx Age	Mature
Pests / Diseases	None evident.
Canopy	Moderate
% Deadwood	1%
Cavities	Slight inclusion at main fork – not significant
Bark	Good
Roots	Good
Overall Health	Good / Moderate
Visibility	Moderate / Low
Amenity Value	Moderate / Low

### Further Assessment

6. The applicant has proposed to fell the tree as they consider it to be too large for the garden in which it stands, as it overbears the property and blocks light from the garden and the house. The applicant has stated that they intend to replace the tree, if allowed, with one of a smaller size more in keeping with the garden.

7. The tree was pruned in 2008 in an attempt to reduce the amount of light obstructed from the property; however the applicant feels that this has been unsuccessful and now wishes to fell the tree.
8. On inspection the tree was found to be in a good condition with no major defects present. The tree is situated approximately halfway along the garden and at its current extents the canopy covers the whole of the garden.
9. At present the visibility of the tree is limited, it can be seen from the turning head adjacent to 46 Sandyacre Way, and can just be seen over the surrounding properties. Views of the trees are currently limited from further a field due to its reduced size. As such it currently provides a low amount of amenity to the area.
10. However as the tree re-grows its canopy it will become more visible from surrounding view points and will ultimately provide a moderate amount of amenity.
11. It is accepted that the tree will block sunlight and daylight from the garden and the rear elevation of the house. Although direct sunlight obstruction will only affect the top of the garden and rear elevation in the summer when the sun is high in the sky.
12. In assessing the application the negative impact of the tree on the property has to be weighed against the amenity value of the tree. Overall it is considered that the impact the tree will have on the residents of the property, just outweighs the positive impact of the trees current and future potential amenity value. As such it is recommended that approval be granted for the felling of the tree and its replacement with a more appropriate tree such as a birch tree.

## **CONCLUSION**

13. The applicant has proposed to fell this tree as they consider the tree to overbear the property and obstruct too much light from the property. On inspection it is accepted that the tree has a detrimental impact on the residents of the property due to its size, location and canopy spread.
14. Currently the tree has a low amenity value, as it has been pruned recently. However this amenity value will increase as the tree re-grows its canopy.
15. It is considered that whilst the felling of the tree will have a detrimental impact on the amenity of the area, this is justified in view of the problems the tree is currently causing. If permission is granted to fell the tree it is recommended that a replacement tree of a suitable species is planted.

## RECOMMENDATION

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

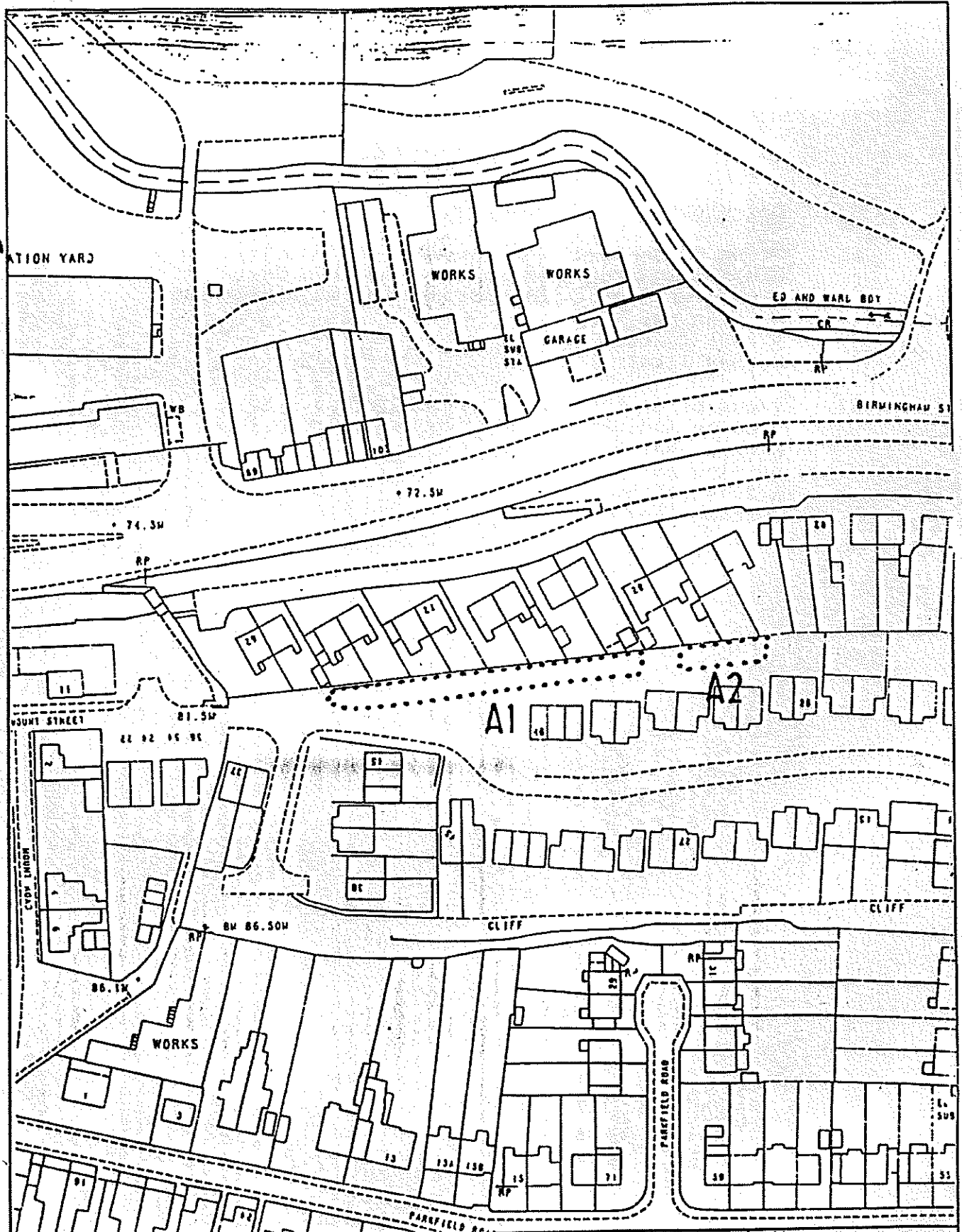
Conditions and/or reasons:

1. The tree works subject of this consent shall be carried out in accordance with British Standard BS 3998:1989 'Recommendations for Treework'.
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, species and 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.
3. The works hereby approved shall be carried out within 12 months of the date of this decision.



FIRST SCHEDULE

<u>No</u>	<u>Description</u>	<u>Location</u>
A1	Trees of whatever species indicated within area A1 of plan no. A/2086 (within dotted line)	Rear gardens of 38 - 46 inclusive Sandyacre Way, Stourbridge and adjoining land.
A2	Trees of whatever species indicated within area A2 on plan no. A.2086 (within dotted line)	Rear gardens of 30 - 34 Sandyacre Way, Stourbridge



**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*  
**Sandyacre Way,  
Stourbridge.**

**Tree Preservation Order 1991**

grid  
ref **906 844**

scale  
**1:1250**

dwg. no  
**A:2086**