

# PLANNING APPLICATION NUMBER:P15/0079

Type of approval sought	Tree Preservation Order
Ward	Brockmoor and Pensnett
Applicant	Mr J.R. Adams
Location:	<b>32, HIGH STREET, PENNETT, BRIERLEY HILL, DY5 4RS</b>
Proposal	<b>FELL 1 SYCAMORE TREE</b>
Recommendation Summary:	<b>REFUSE</b>

## TREE PRESERVATION ORDER NO: TPO/003 (1960) – T6

### SITE AND SURROUNDINGS

1. The tree subject to this application is a mature sycamore tree that is located in the front garden of 32 High Street, Pensnett. The tree is a large, mature specimen that is prominent in the street scene. Overall it is considered that the tree provides a high amount of amenity to the surrounding area.
2. The tree was protected as Tree 6 of TPO/003 which was served in 1960. The order was served prior to the erection of the adjacent houses in High Street and The Plantation.

### PROPOSAL

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

## HISTORY

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

Application No	Proposal	Decision	Date
P03/2113	Fell 1 Sycamore Tree	Refused	10/12/03
P11/0725	Prune 1 Sycamore Tree	Approved	08/08/11

6. The application that was refused in 2003 was subject to an appeal to the Planning Inspectorate. The appeal was dismissed and the submitted grounds were insufficient to justify the impact on the amenity of the area that would have resulted from the felling of the tree

## PUBLIC CONSULTATION

7. A letter of support has been received from the adjacent neighbour. They support the application as they have concerns about the safety of the tree.

## ASSESSMENT

### Tree(s) Appraisal

<i>Tree Structure</i>	<b>Tree 1</b>
TPO No.	T6
Species	Sycamore
Height (m)	18
Spread (m)	11
DBH (mm)	750
Canopy Architecture	Moderate / Good
Overall Form	Good
Age Class <i>Yng / EM / M / OM / V</i>	Mature

### *Structural Assessment*

Trunk / Root Collar	Good
Scaffold Limbs	Good
Secondary Branches	Good
% Deadwood	3%

Root Defects	None Evident	
Root Disturbance	None Evident	
Other		
Failure Foreseeable Imm / Likely / Possible / No	Whole No	Part No

*Vigour Assessment*

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

*Overall*

*Assessment*

Structure	Good	
Vigour	Moderate	
<b>Overall Health</b>	<b>Good / Moderate</b>	

**Other Issues**

Light Obstruction	Yes	
Physical Damage	No	
Surface Disruption	Slight cracking in adjacent driveway	
Debris	Some	

**Amenity**

**Assessment**

Visible	Yes	
Prominence	High	
Part of Wider Feature?	No	
Characteristic of Area	Yes	
<b>Amenity Value</b>	<b>High</b>	

**Further Assessment**

8. The applicant has proposed to fell the tree due to an episode of root ingress in to the foul sewer pipe at the property; due to concerns about potential impact on the property foundations, and due to cracks that have appeared in the driveway.
9. In support of the application, the applicant provided a copy of an invoice for the lining of a drain at the property, a record of the call out to Severn-Trent Water when the backed up drains were reported and a photo of the CCTV survey of the drains showing roots present.

10. On inspection, the tree was found to be in a good condition with no major defects present. There was some deadwood present within the crown, although, given the age of the tree; this is not considered to be symptomatic of poor health. Such deadwood can be removed at any time without prior permission.
11. Given that the tree provides a high amount of amenity to the area, a view that was supported at the appeal against a previous decision to refuse the felling of the tree, then the justification required to fell the tree should be similarly high.
12. Roots ingress into drains of properties is a relatively common problem where drains are located adjacent to mature trees. However growing roots themselves do not have sufficient force to break into drains of their own accord. Almost invariably when roots are present in drains they have entered via a pre-existing defect. These problems are normally limited to drains that have been constructed from terracotta sections and joined with a cement junction.
13. Overtime wither the drains, or the cement junctions are liable to fail and crack. It is through these defects that the roots are able to enter the drains. Once in the drain the roots proliferate due to the favourable rooting conditions. Given that foul drains are required to be a completely sealed drain with no leakage into the surround ground the presence of cracks within the drains should be sufficient cause to repair the drains irrespective of any root ingress.
14. Whilst it is accepted that roots had ingressed into the section drain at the property, the applicant had the roots removed, and the drain lined with a length of drain liner. Drain lining works by feeding a sleeve of resin impregnated, re-enforced plastic along the length of the drain, fitting the sleeve to the diameter of the host pipe and then curing the sleeve so that it sets to the diameter of the original pipe. In essence it allows for the installation of a new pipe within the original host pipe.
15. If a drain has been lined, there are no junctions present to fail and the chances of future root ingress are removed. As such in this case it is considered that the likelihood of any future root ingress has been reduced to a minimum.
16. Root lining is, compared to the cost of felling a mature tree, relatively inexpensive, and prevents future damage whilst retaining the tree and its amenity value.
17. As the affected section of drain has been lined in this case it is not considered that the previous root-ingress is sufficient grounds to fell the tree.

18. With regards to the applicant's concern about potential damage to the foundations of their property, no evidence was submitted to show that the building is currently suffering from tree related subsidence. Tree related subsidence is practically impossible to predict as it is dependent on many factors, such as soil type, root location, soil moisture content and other local vegetation.
19. As such, the removal of a tree due to potential tree related subsidence is considered to be speculative and inappropriate and the tree should not be felled on these grounds.
20. There were some very minor root traces present within the tarmac drive. At present they do not noticeably affect the appearance or use of the driveway, as such they should not be considered sufficient grounds to fell the tree. Given the high amenity value of the tree, even if they were to get works it's not considered that their impact would necessarily provide sufficient impact to fell the tree, although this would need to be considered at the time.
21. Overall it is not considered that the grounds for the application are sufficient to justify the felling of a tree or the impact that it would have on the amenity of the area. As such it is recommended that the application be refused.

## **CONCLUSION**

22. The applicant has proposed to fell the tree due to an episode of root ingress into the foul sewer pipe at the property; due to concerns about potential impact on the property foundations, and due to cracks that have appeared in the driveway.
23. Having considered the reasons for the application it is not considered that they amount to sufficient grounds to fell the tree or the impact that the felling would have on the amenity of the area. Overall it is recommended that the application be refused.

## **RECOMMENDATION**

24. It is recommended that application is REFUSED for the reasons set out below.

Conditions and/or reasons:

1. The tree provides a high amount of amenity to the surrounding area and users of High Street Pensnett. The reasons for the application and the supporting information do not sufficiently justify the detrimental effect on the local amenity that would result from the proposed felling, particularly as the affected section of drains has been repaired to a standard that should limit the chances of future damage. The existing damage to the driveway was considered to be very minor in nature, and no evidence of any tree related structural damage was provided.



113.1m

114.6m

122.5m

T1



FAULKNER DRIVE

THE PLANTATION

El Sub Sta

WOODFIELD