

PLANNING APPLICATION NUMBER:P09/0345

Type of approval sought	Tree Preservation Order
Ward	NORTON
Applicant	Mr Roy Swift
Location:	REDMAYS, QUARRY PARK ROAD, STOURBRIDGE, DY8 2RE
Proposal	TO FELL ONE NO.CYPRESS TREE
Recommendation Summary:	APPROVE SUBJECT TO CONDITIONS

TREE PRESERVATION ORDER NO: D652 (2001) – A53

SITE AND SURROUNDINGS

1. The tree subject to this application is a mature cypress tree that is located in the rear garden of Redmays, Quarry Park Road. Due to its location and other surrounding trees it is not prominent from any public vantage and as such provides a 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 Cypress tree.
3. The tree has been marked on the attached plan.

HISTORY

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

PUBLIC CONSULTATION

5. A letter of objection was received from an adjoining neighbour. The grounds of objection were that the felling of the tree would reduce the privacy between the properties, and damage may be caused to her wall and block paving if the roots are

removed or eventually when they rot away. A copy of the letter has been attached to the report

ASSESSMENT

Tree(s) Appraisal

Criteria	Tree 1
TPO No.	A53
Species	Cypress
Height	12m
Spread	3m
Diameter	450mm
Form	Good
Vigour	Good
Approx age	Mature
Pests / Diseases	None evident
Canopy	Good
%Deadwood	1%
Cavities	None evident
Bark	Good
Roots	Moderate – damaging adjacent wall
Overall health	Good
Visibility	Low
Amenity value	Low

Further Assessment

6. The applicant has proposed to fell the tree as it appears to have damaged the adjacent boundary wall that is owned by his neighbour, and as the applicant has general concerns about the safety of a tree of this size.
7. On inspection the tree was found to be in good health with no major defects present. It is located in a raised planter bed surrounded on one side by a dwarf brick wall and on the other by the boundary wall.
8. As the tree is in a healthy condition there is no justification to fell it on the grounds of safety.
9. A crack has appeared in the wall in close proximity of the tree. The shape and form of the crack would suggest that it has been caused by the expansion of a root underneath the foundation of the wall that has pushed the wall up.

10. If the tree had a substantial amount of amenity value, the repair of the wall would be preferable to the felling of the tree. However in this case as the tree has little amenity value it is considered that the removal of the tree to prevent any future damage is sufficient justification to fell the tree.
11. The issue of privacy that has been raised by the neighbour is not considered to be an issue that should impact on the decision of this application. Whilst it is accepted that the removal of the tree will allow more overlooking of the neighbours property, it is not considered that this would be to an unacceptable degree. Also as the privacy between two properties provided by a tree is an issue of private amenity rather than public amenity, government guidance state that this should have little bearing on the outcome of the application.
12. Similarly, the potential for damage to be caused as the result of the felling of the tree, whilst it is something that the applicant should consider prior to carrying out the work, it is not an issue that affects the consideration of the application as it has no bearing on the impact on the public amenity value of the tree.

CONCLUSION

13. The tree subject to this application has caused some damage to the adjacent boundary wall. The cause of this damage is likely to be the expansion of a root that has grown under the footings of the wall and pushed the wall upwards. Due to the nature of the damage and the continued growth of the tree the damage will get progressively worse.
14. The tree is considered to have a low amenity value as it is screened from any significant public view by surrounding buildings and trees. Due to this low amenity value the amount of justification required to fell the tree is reduced accordingly. As such the damage to the wall is considered to be sufficient justification to remove the tree.
15. Whilst the objector has raised valid points, as they bear no relation to the public amenity of the tree, they should not be significant factors in the determination of the application.

RECOMMENDATION

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

Conditions and/or reasons:

1. 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 locations of the replacement trees shall be agreed in writing with the Local Planning authority prior to the felling of the trees to which this application relates.
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.



E390200

E390300

SCHEDULE 1
SPECIFICATION OF TREES

Reference on Map	Description	Situation
Trees specified individually		
None		
Groups of trees		
None		
Trees specified by reference to an area (Within the dotted line on the plan)		
A1	All trees of whatever species Within Area 1	Loughrigg, Racecourse Lane, Pedmore
A2	All trees of whatever species Within Area 2	Yarnborough, Racecourse Lane, Pedmore
A3	All trees of whatever species Within Area 3	June Cottage, Racecourse Lane, Pedmore
A4	All trees of whatever species Within Area 4	Wedgwood, Racecourse Lane, Pedmore
A5	All trees of whatever species Within Area 5	North Steppes, Racecourse Lane, Pedmore
A6	All trees of whatever species Within Area 6	St. Margarets, Quarry Park Road, Pedmore
A7	All trees of whatever species Within Area 7	Orana, Quarry Park Road, Pedmore
A8	All trees of whatever species Within Area 8	Grange House, Quarry Park Road, Pedmore
A9	All trees of whatever species Within Area 9	Links Cottage, Racecourse Lane, Pedmore
A10	All trees of whatever species Within Area 10	The Slips, Worcester Lane, Pedmore

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Reference on Map	Description	Situation
A11	All trees of whatever species Within Area 11	Grazebrook House, Racecourse Lane, Pedmore
A12	All trees of whatever species Within 12	1, Landsgate, Pedmore
A13	All trees of whatever species Within Area 13	3, Landsgate, Pedmore
A14	All trees of whatever species Within Area 14	5, Landsgate, Pedmore
A15	All trees of whatever species Within Area 15	7, Landsgate, Pedmore
A16	All trees of whatever species Within Area 16	Dene Cottage, Racecourse Lane, Pedmore
A17	All trees of whatever species Within Area 17	Pasture Cottage, Racecourse Lane, Pedmore
A18	All trees of whatever species Within Area 18	Springfield, Quarry Park Road, Pedmore
A19	All trees of whatever species Within Area 19	No. 5, Quarry Park Road, Pedmore
A20	All trees of whatever species Within Area 20	Blakely, Quarry Park Road, Pedmore
A21	All trees of whatever species Within Area 21	Carlton House, Quarry Park Road, Pedmore
A22	All trees of whatever species Within Area 22	Silverdale Cottage/ Silverdale, Quarry Park Road, Pedmore
A23	All trees of whatever species Within Area 23	The Lodge, Quarry Park Road, Pedmore
A24	All trees of whatever species Within Area 24	Dene Bank, Racecourse Lane, Pedmore
A25	All trees of whatever species Within Area 25	Holly House, Racecourse Lane, Pedmore
A26	All trees of whatever species Within Area 26	The Orchard, Quarry Park Road, Pedmore

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Reference on Map	Description	Situation
A27	All trees of whatever species Within Area 27	Ashton Lodge, Quarry Park Road, Pedmore
A28	All trees of whatever species Within Area 28	Field House, Quarry Park Road, Pedmore
A29	All trees of whatever species Within Area 29	Summerlea, Quarry Park Road, Pedmore
A30	All trees of whatever species Within Area 30	Redlands, Quarry Park Road, Pedmore
A31	All trees of whatever species Within Area 31	Featherknowle, Quarry Park Road, Pedmore
A32	All trees of whatever species Within Area 32	Fair Acre, Quarry Park Road, Pedmore
A33	All trees of whatever species Within Area 33	Beechwood, Ounty John Lane, Pedmore
A34	All trees of whatever species Within Area 34	Greenridges, Ounty John Lane, Pedmore
A35	All trees of whatever species Within Area 35	Fairfield House, Quarry Park Road, Pedmore
A36	All trees of whatever species Within Area 36	Heath House, Ounty John Lane, Pedmore
A37	All trees of whatever species Within Area 37	Skansen, Ounty John Lane, Pedmore
A38	All trees of whatever species Within Area 38	The Ridgeback, Ounty John Lane, Pedmore
A39	All trees of whatever species Within Area 39	Wilmin, Ounty John Lane, Pedmore
A40	All trees of whatever species Within Area 40	Middlefield, Ounty John Lane, Pedmore
A41	All trees of whatever species Within Area 41	The Field House, Ounty John Lane, Pedmore
A42	All trees of whatever species Within Area 42	Amberley Court, Ounty John Lane, Pedmore

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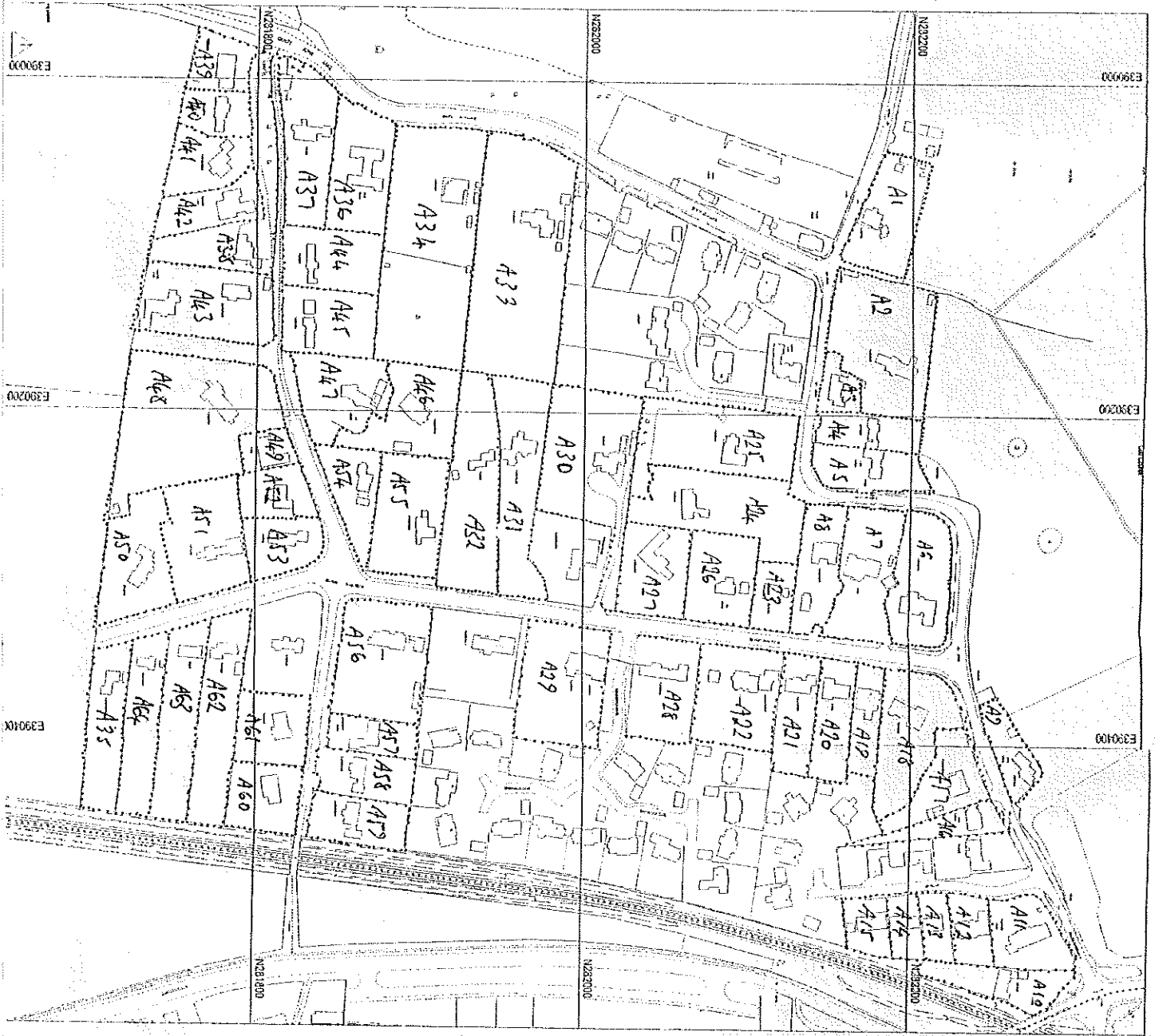
Reference on Map	Description	Situation
A43	All trees of whatever species Within Area 43	The Highlands/Greyfields Court, Ounty John Lane, Pedmore
A44	All trees of whatever species Within Area 44	Woodcroft, Ounty John Lane, Pedmore
A45	All trees of whatever species Within Area 45	Still Meadow, Ounty John Lane, Pedmore
A46	All trees of whatever species Within Area 46	Orchard House, Quarry Park Road, Pedmore
A47	All trees of whatever species Within Area 47	The Cottage, Quarry Park Road, Pedmore
A48	All trees of whatever species Within Area 48	Grantchester, Quarry Park Road, Pedmore
A49	All trees of whatever species Within Area 49	Petros, Quarry Park Road, Pedmore
A50	All trees of whatever species Within Area 50	Broadfield, Quarry Park Road, Pedmore
A51	All trees of whatever species Within Area 51	Gable End, Quarry Park Road, Pedmore
A52	All trees of whatever species Within Area 52	The Purlins, Quarry Park Road, Pedmore
A53	All trees of whatever species Within Area 53	Redmays, Quarry Park Road, Pedmore
A54	All trees of whatever species Within Area 54	Fairlands, Quarry Park Road, Pedmore
A55	All trees of whatever species Within Area 55	Heatherstones, Quarry Park Road, Pedmore
A56	All trees of whatever species Within Area 56	Lainchbury, Quarry Park Road, Pedmore
A57	All trees of whatever species Within Area 57	Weatherfield House, Quarry Park Road, Pedmore
A58	All trees of whatever species Within Area 58	Bromton Lodge, Quarry Park Road, Pedmore

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Reference on Map	Description	Situation
A59	All trees of whatever species Within Area 59	Sommerford House, Quarry Park Road, Pedmore
A60	All trees of whatever species Within Area 60	Ribbesford, Quarry Park Road, Pedmore
A61	All trees of whatever species Within Area 61	Wychbury, Quarry Park Road, Pedmore
A62	All trees of whatever species Within Area 62	Honeygate, Quarry Park Road, Pedmore
A63	All trees of whatever species Within Area 63	Mayhill, Quarry Park Road, Pedmore
A64	All trees of whatever species Within Area 64	Cedar Cottage, Quarry Park Road, Pedmore

Woodlands

None



Map referred to in the Borough Council of Dudley
 Tree Preservation Order 2001 No D652
 Qunty John Lane / Quarry Park Road

ORDNANCE SURVEY MAPPING IS BASED UPON THE ORDNANCE SURVEY MAP WITH THE
 SANCTION OF THE CONTROLLER OF H M STATIONERY OFFICE.
 LICENCE NUMBER LA 076171

DRAWING A2362

GRID REF

SCALE 1/1250

'The Purkins',
Quarry Park Road,
Redmore.
West Midlands.

DY8 2RE.

Dear Sir,

Reference your correspondence Application P09/0345
to fell 1 Cypress Tree at Redmays, Quarry Park Road,
Stourbridge DY8 2RE..

After reviewing and giving due consideration
to the application, I feel I must write and object
to the proposed application due to the following reasons.

1. The Cypress tree in question if removed would very significantly reduce my privacy with the property next door.
2. The tree in question stands very closely to my boundary wall and I feel by felling the tree this may cause damage to my wall and subsidence, also to the block paving when the roots are removed or die.

I would recommend as an alternative
that the tree is trimmed/topped to reduce the
height and to make it safer.

I would also suggest it is in everyones
interest, if you would send a surveyor to view the
problem.

Yours Sincerely,

Mrs. M. Wellings.