

PLANNING APPLICATION NUMBER:P07/2154

Type of approval sought	Tree Preservation Order
Ward	CASTLE & PRIORY
Applicant	Mr & Mrs Gill
Location:	27, KINLOCH DRIVE, DUDLEY, DUDLEY, DY1 3DB
Proposal	FELL 1 NO SYCAMORE TREE
Recommendation Summary:	APPROVE SUBJECT TO CONDITIONS

SITE AND SURROUNDINGS

1. The tree subject to this application is an early mature sycamore tree that is located in the rear garden of 27 Kinloch Drive, Dudley. The tree is not easily visible from the Kinloch Drive; however it is visible from the adjacent public open space. It is considered that the tree currently provides a moderate to low amount of amenity amount of amenity to the area.

PROPOSAL

2. Summary of proposals for the works as written on application form is as follows:
 - Fell 1 sycamore 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. No representations have been received.

ASSESSMENT

Tree(s) Appraisal

6.

Criteria	Tree 1
TPO No	A1
Species	Sycamore
Height	6m
Spread	4m
Diameter	3 x 150mm
Form	Moderate / Good
Vigour	Moderate
Approx Age	Over Mature
Pests / Diseases	None Evident
Canopy	Moderate
% Deadwood	1%
Cavities	Slight inclusions at main fork – not significant at this time.
Bark	Good
Roots	Moderate – levels built up around base of tree
Overall Health	Moderate
Visibility	Moderate / Low
Amenity Value	Moderate / Low

Further Assessment

7. The applicant has proposed to fell the tree as they have concerns over the safety of the tree, the amount of light that it blocks from the property, and the greenfly that live on the tree during the summer
8. The tree in question is a tri stemmed tree that is situated in the rear garden of the property. During construction of the property the levels around the base of the tree have been built up, and the remaining garden is approximately 3 feet above the base of the tree. This has led to a general reduction in vigour of the tree.

9. The applicant's concerns about the safety of the tree follow advice given by a tree surgeon about the strength of the junction of the three main stems. Whilst such junctions can be cause for concern, this is generally only the case where there are substantial inclusions in the junction of the branches. In this case there are no evident inclusions, and it is not considered that there is sufficient weight and leverage in the crown to cause any great concern.
10. With regard to the loss of light; the tree is a large feature in the rear garden and when in leaf will block some direct sunlight from the conservatory and kitchen. Also on dull days the tree will obscure a significant amount of diffused daylight from the property.
11. The problems caused by the greenfly that are present in the tree, is considered to be an unavoidable aspect of living in close proximity to trees. Whilst the greenfly are harmless, they can cause annoyance whilst out in the garden.
12. Due to the location of the tree it is visible from the open space at the rear of the property. However even these views are limited to short range views. This is due to a large area of tree planting that has been carried out and due to the land fall in the area. As such it is considered that this tree has a moderate to low amenity value.
13. This amenity value will only decrease in the near future as the surrounding, more vigorous planting grows up to screen this tree. Ultimately this tree will only be visible across the rear gardens of the properties and may become suppressed by the adjacent planting.
14. Due to the foreseeable loss of amenity it is considered that the justification required to remove this tree will also diminish. As such, whilst the reasons listed in support of the application would not normally be considered sufficient to justify the removal of this tree, it is considered that the amenity value of the tree will diminish sufficiently in the near future for the reasons to become sufficient.

CONCLUSION

15. The sycamore tree subject to this application is an early mature specimen in a reasonable state of health.
16. The applicant has proposed to fell the tree due to concerns over the trees safety, the amount of light that it obstructs from the property and the problems caused by greenfly in the summer.
17. Whilst normally the reasons put forward by the applicant's would not justify the loss of the tree, the anticipated loss of amenity will also reduce the justification required to fell the tree and as such it is considered that the felling of this tree is justified and appropriate.

RECOMMENDATION

18. 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. The works hereby approved shall be carried out within 12 months of the date of this decision.
3. 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 trees shall be agreed in writing with the Local Planning authority prior to the felling of the trees to which this application relates.