PLANNING APPLICATION NUMBER: P21/2163

Type of approval sought	Tree Preservation Order
Ward	Pedmore and Stourbridge East Pedmore and Stourbridge East Ward
Agent	Mr M. Rogers, Absolute Tree Solutions
Case Officer	John Fraser

Location:	**336, HAGLEY ROAD, STOURBRIDGE, DY9 0RD**
Proposal	**FELL AND REPLACE 1 NO. REDWOOD (SEQUOIA) TREE**
Recommendation Summary:	**REFUSE**

Application No.	P21/2163		
Location:	336 Hagley Road, Stourbridge, DY9 0RD		
Proposal Summary:	Fell and replace Wellingtonia (*Sequoiadendron giganteum*)		
Site Visit Date:	30/11/2021 & 15/12/2021	**Site Notice Expiry Date:**	N/A
Site Notice Displayed?	Not required	**Tree Preservation Order Number / Year:**	TPO/227/T32 (1987)

Key Site and Surroundings:	The Wellingtonia (*Sequoiadendron giganteum*) subject to the application occupies a prominent roadside position and is clearly visible to users of Hagley Road, Ferndale Park and Bromwich Lane. The tree stands at an approx. height of 30 - 35m with a crown spread of 8m and a diameter at breast height (DBH) of 1600mm. Due to its position, maturity of form and stature it has a positive impact on the character and appearance of the area.
Relevant Application History?	P08/1822 Fell Redwood – Refused (TPO committee decision) Appeal Ref: APP/TPO/C4615/537 - Dismissed
Representations Received?	Yes

If Yes, how many? (Support, Objection, Comment)	**Support**	**Objection**	**Comment**
		1	

Comments Received:	Cllr. Ian Kettle opposes the application P21/2163 to fell the giant redwood at 336 Hagley road. 'It's the only redwood I know of in the Borough and is a very good specimen therefore unique'.

Tree(s) Appraisal – Tree 1					
Species:	Wellingtonia (*Sequoiadendron giganteum*)				
Age Class:	Early mature		**Overall Health:**		Good
Light obstruction:	Yes	**Physical damage:**	No	**Surface disruption:**	None-evident
Amenity Assessment					
Visible:	Yes	**Prominence:**	High	**Characteristic of the Area:**	Yes
Overall Amenity Value? (High, Medium, Low, None):	High				

Further assessment if not covered:

<u>Previously brought to Planning Committee March 9th 2022</u>

Additional information was requested by members of the Planning Committee to determine the presence of Red Band Needle Blight. The applicant's Agent was invited to submit further information in support of his assessment of the tree's condition. As this was not forthcoming, a decision was taken by the Head of Planning that the Council should have samples of foliage independently tested. The results received from Forest Research prove that the tree is not diseased and are shown on the page below.

In addition to the scientific analysis of the damaged/dead foliage, a recent drainage report was requested from the Agent to support the statement made to the Planning Committee that there had been further root ingress into the property's pipework. As no report was submitted to the Council, the Tree Officer took the opportunity to speak to the

applicant during the most recent site visit. The applicant stated that she had not experienced any further problems with drainage since the repair work undertaken in 2009. Therefore, no weight can be attached to a claim that the applicant's downstairs toilet takes 15 minutes to flush as a result of root ingress to pipework.

Conclusion

Having received assurance from Forest Research that the tree is not suffering from Red Band Needle Blight or any other fungal pathogen, and confirmation from Mrs Parkes that the property is not being adversely affected by the presence of the tree, it remains the Council's recommendation that the application be refused.

Forest Research

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Our Ref: 2022/393

08 June 2022

TREE HEALTH DIAGNOSTIC & ADVISORY SERVICE

Dear John,

Thank you for sending in the samples from Sequoiadendron giganteum. We have examined the foliage under the microscope and there is no evidence of any Dothistroma fruiting bodies or needle damage consistent with the disease. Although a number of coniferous hosts are affected by the fungus, pine is particularly susceptible with 86 pine species reported to be prone to the disease worldwide. Other conifers reported as susceptible are five spruce species, including Sitka spruce (Picea sitchensis) and Norway spruce (Picea abies), European larch (Larix decidua) and Douglas fir (Pseudotsuga menziesii) (Dothistroma septosporum (SCIRPI)[Host plants]| EPPO Global Database). However, they are all thought to be of low susceptibility, only becoming infected under high inoculum pressure. Sequioadendron is not a recorded host of the fungus.

The browning foliage which was included did not have any lesions that might be caused by a fungal infection. The distribution of the damage as illustrated by the photographs could be the result of a lightning strike.

To help us deal with your enquiry, please always quote our enquiry reference number which is 2022/393 and your client number which is 54843.

Yours sincerely,

Dr Caroline Gorton

Original Report 16/02/2022

A previous application to remove the Wellingtonia P08/1822 was referred to the TPO committee and subsequently refused by Members. The decision was appealed - ref: APP/TPO/C4615/537 – and dismissed by the Planning Inspectorate 12th August 2008.

The current application is supported by a tree condition report prepared by the applicant's agent Cllr. Matt Rodgers, owner of Absolute Tree Solutions. The report states that it is in accord with BS5837:2012 Trees in relation to Design, Demolition and Construction, however it should be noted that it would be more usual for a tree condition report to be in accord with BS3998:2010 Tree Work – Recommendations, as this is the more relevant British Standard.

A band of discoloured/dead foliage extending up the tree was observed during the officer site inspection, however, 70% of the tree remains unaffected and displays normal vitality for the species. Subject to the removal of dead wood, an inspection from ground level found no evidence of any structural defects that would present an imminent risk to persons or property.

The arboricultural justification given within the report for the removal of the tree is that it is suffering from a fungal pathogen, commonly referred to as Red Band Needle Blight (*Dothistroma septosporum*). Red Band Needle Blight is a disease affecting Pine species, most commonly found on Corsican pines (*Pinus nigra*). It is not a disease associated with Wellingtonia and there have been no recorded incidents of infection of Wellingtonia. Furthermore, the pattern and appearance of the dead foliage observed is inconsistent with Red Band Needle Blight and therefore, I am unable to agree with the agent's diagnosis.

In my opinion, and having consulted other qualified arboriculturists, the most likely cause of the discoloured foliage is a minor lightning strike. The pattern of the damaged foliage – wider at the bottom than at the top of the tree – would be consistent with this hypothesis. As an alternative to felling the tree, the affected branches could be removed or shortened to reduce the risk of falling deadwood using the technique of natural target pruning, although Wellingtonia will 'hang-on' to deadwood for a considerable amount of time. The health of the tree should be further monitored over the course of a growing season. It is accepted that the removal of the affected branches would have a negative impact upon the visual amenity currently offered by the tree, however Wellingtonia have the ability to sprout new branches from the main stem in response to damage and so

may compensate for the loss of these branches over time. In addition, Wellingtonia are widely regarded as being the most 'wind fast' species of tree in the world and it is unlikely that the removal of the damaged branches would have any adverse effect upon the biomechanics of the canopy or the long-term wellbeing and safety of the tree.

A further submitted reason for the removal of the tree is possible subsidence of the property. For subsidence to occur due to the influence of a tree, the affected property must have been built on a shrinkable clay soil. No evidence has been submitted to suggest that the ground beneath the house is of a shrinkable clay and on the contrary, the submitted report observes that the soil is free draining and that the sub-soil is believed to be sand. If this is the case, it would be proven that the tree could not be a cause of subsidence. None of the required technical evidence has been submitted to support the application which could demonstrate that the tree is likely to cause subsidence to the property at any point in the future. Furthermore, the submitted report shows photographs of 15 Wellingtonia which the agent claims are growing within a one-mile radius of 336 Hagley Road. At the time of writing this report I have no evidence of any recorded cases of subsidence damage being attributed to the presence of these trees adjacent to residential properties.

The report also suggests that the tree should be removed as the roots have historically caused blocked drains and sewer pipes. Research has shown that tree roots are not capable of direct damage to drains and pipes. If a pipe is already damaged then roots can ingress and worsen the problem, however they are not the principal cause of damage. Since the drains were last repaired in 2009 no damage has been reported or further costs incurred. This would suggest that the replacement of the original terracotta pipes with modern plastic pipes has proven effective.

Further reasons given for felling of the tree were 'damage to the owner's driveway and restricting access to the garage'. Inspection confirmed no visible evidence of surface disruption to the owner's driveway nor of any physical obstruction to the access to the garage.

The issue of shading has been considered, however, it is concluded that the current and potential future amenity value provided by the Wellingtonia, currently outweighs any adverse impact upon the applicant's garden and usage.

Trees will shed debris and this factor is a natural characteristic of all trees within a residential environment. Leaf fall and bird droppings are also a natural occurrence and cleaning up after such activity goes hand in hand with living in a property with a tree within its grounds. It is accepted that this can be an inconvenience and the evidence indicates that the tree owner carries out these works currently. It is appreciated that, in years to come, the applicant may require the services of a professional to undertake such maintenance, but there is nothing submitted to suggest that this would be an onerous expense.

It is recognised that the applicant is willing to plant replacement trees, however, the principle of justifying the premature removal of a large mature protected tree on the grounds that planting replacement trees will offset any resulting loss of amenity is inconsistent with prudent arboricultural management. It would take a great many trees to compensate for the loss of ecosystem services currently provided by the tree. Furthermore, the area of land identified for the replacement trees is not in the ownership of the applicant and neither is it within the gift of the applicant's agent to promise such.

The submission claims that the presence of the tree has devalued the applicant's property. Whilst there may be sympathy with this concern, it is not the purpose of the planning system to protect the private interests of individual parties. Accordingly, weight cannot be attached to the concern that the tree will de-value the existing property and this is a matter which is certainly discounted in appeal decisions.

Conclusion:

Red Band Needle Bight is not known to affect Wellingtonia.

The soil beneath the house has been described as free draining sand.

It is accepted as proven by Insurance companies and the wider arboricultural community that for a tree to be the cause of subsidence damage to a built structure, the underlying soil must be of a shrinkable clay.

It is considered the proposed removal of the tree and the subsequent decay of any roots underneath the property would be far more likely to result in ground settlement and a downward rotational movement of the foundations.

The tree is a highly visible natural feature in a suburban setting offering a high amenity value due to its contribution to the character and appearance of the area.

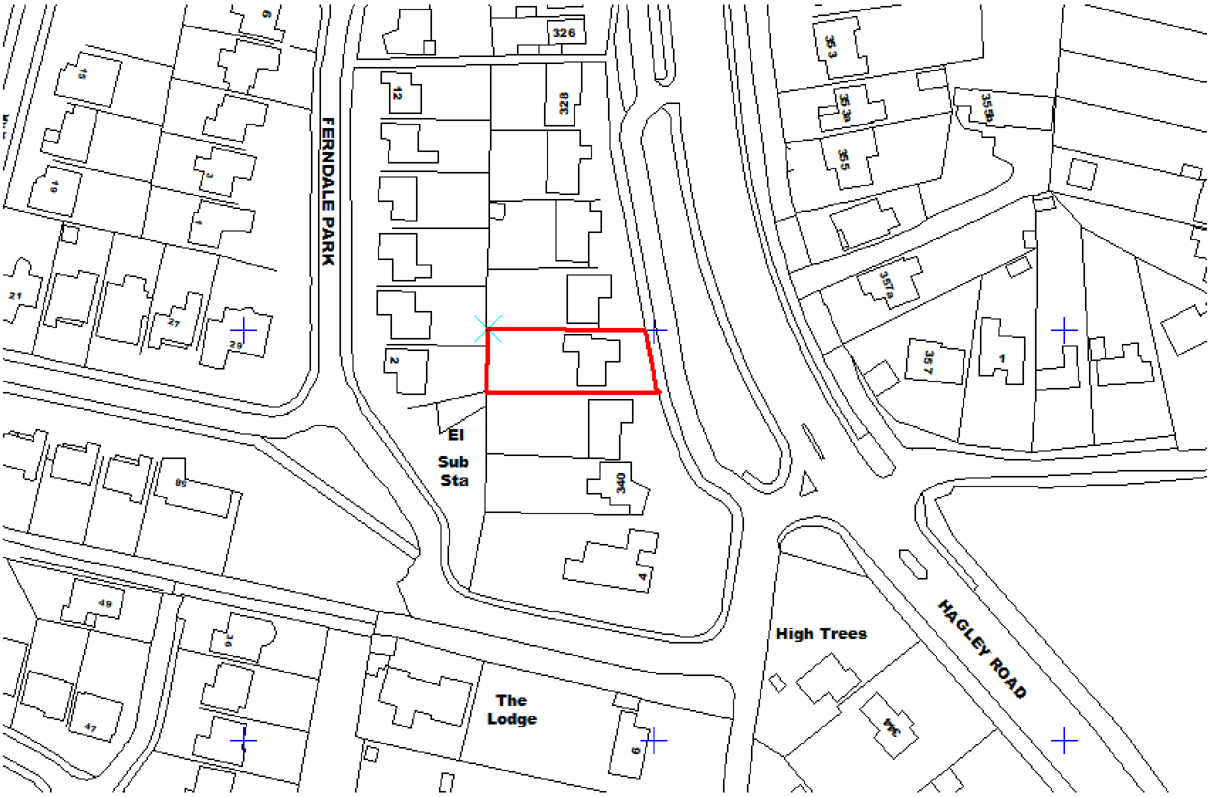
The removal of the tree would diminish and harm the visual amenity of the area and based on the available evidence as presented, there are insufficient grounds to justify felling this protected tree at the present time.

Recommendation:	Recommend refusal of the application.							
Condition(s) or Reason for Refusal:	**Amended Works**	N/a	**Replacement Planting**	N/a	**5 Days Notice**	N/a	**Pre-commencement Meeting**	N/a
	The adverse impact of proposed works on the amenity of the area is considered high in that the tree does present high public amenity value and is considered to be an important feature in the landscape character of both the immediate and wider landscape.							
Amended Works:	N/A							
Informative:	N/A							

Case Officer:		**Date of Final Report:**	16/02/2022

Conditions and/or reasons:

1. The removal of the tree would diminish and harm the visual amenity of the area and, based on the available evidence, there are insufficient grounds to justify felling this protected tree at the present time. The adverse impact of proposed works on the amenity of the area is considered high in that the tree does present high public amenity value and is considered to be an important feature in the landscape character of both the immediate and wider landscape contrary to Borough Development Strategy 2017 Policy S22 Mature Trees, Woodland and Ancient Woodland



FERNDALE PARK
HAGLEY ROAD
High Trees
The Lodge
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Sub
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