

# PLANNING APPLICATION NUMBER: P06/0700

Type of approval sought	Full Planning Permission
Ward	Pedmore & Stourbridge East
Applicant	Mr Rupert Mucklow
Location:	<b>47, WOLLESCOTE ROAD, STOURBRIDGE, DY9 7JS</b>
Proposal	<b>FELL VARIOUS TREES</b>
Recommendation Summary:	<b>APPROVE SUBJECT TO CONDITIONS</b>

## TREE PRESERVATION ORDER NO: D176 (1985) – A1

### SITE AND SURROUNDINGS

1. The trees subject to this application are 2 Lawson Cypress, 1 Douglas Fir, 1 Yew and 1 Holly tree. The trees are located within the garden of 47 Wollescote Road adjacent to the boundary with Old Grove Gardens.
2. The trees are prominent when viewed from Old Grove Gardens that is a recently developed road comprising of a number of bungalows. Within the grounds of 47 Wollescote Road there are a number of other mature trees that add to the backdrop of Old Grove Gardens.

### PROPOSAL

3. Summary of proposals for the works as written on application form is as follows:
  - Fell 2 Lawson Cypress, 1 Douglas Fir, 1 Holly and 1 Yew tree.
4. The trees have been marked on the attached plan.

### HISTORY

5. There has been one previous Tree Preservation Order application on this site.

<i>Site History</i>		
Application No	P06/0530	15/03/06
Proposal	Prune 2 Cedar trees	Approved

### PUBLIC CONSULTATION

6. No representations have been received.

## ASSESSMENT

### Tree(s) Appraisal

Criteria	Tree 1	Tree 2	Tree 3	Tree 4	Tree 5
TPO No	A1	A1	A1	A1	A1
Species	Lawson Cypress	Douglas Fir	Yew	Holly	Lawson Cypress
Height	6m	10m	4m	6m	12m
Spread	2m	4m	1m	4m	5m
Diameter	150mm	175mm	100mm	150mm	450mm
Form	Poor – 1 sided	Poor – 1 sided	Good	Moderate - Leaning	Good
Vigour	Good	Mod / Poor	Good	Good	Good
Approx Age	Early Mature	Early Mature	Young	Early Mature	Mature
Pests / Diseases	None Evident	None Evident	None Evident	None Evident	None Evident
Canopy	Poor – 1 sided	Poor – Sparse	Moderate	Moderate	Good / Moderate – slightly 1 sided
% Deadwood	1%	1%	1%	1%	1%
Cavities	None Evident	None Evident	None Evident	None Evident	None Evident
Bark	Good	Good	Good	Good	Good
Roots	Good	Good	Good	Good	Good
Overall Health	Good	Poor	Good	Good	Good
Visibility	Low	Moderate	Low	Moderate	Moderate / High
Amenity Value	Low	Moderate / Low	Low	Moderate	Moderate / High

### Further Assessment

7. The trees subject to this application are 2 Lawson Cypress, 1 Douglas Fir, 1 Holly and 1 Yew tree. The trees are located close the other rear boundary of 47 Wollescote Road and are visible the public highway of Old Grove Gardens.
8. The reasons cited for the application are to allow the creation of a vegetable garden for a bungalow for which planning permission has been recently granted. This reason does not justify the removal of any trees that provide amenity to the area. However, government guidance states that “if the amenity value of the tree or woodland is low and the impact of the application in amenity terms is likely to be negligible, consent

might be granted even if the LPA believe there is no particular arboricultural need for the work". As such, approval should be considered for any trees that don't provide a significant amount of amenity to the surrounding area.

9. Overall the trees provide a beneficial backdrop to the area and form part of a larger line to trees that are located close to the rear boundary of the property.
10. The merits of each tree are considered below.
11. Tree 1 – Lawson Cypress – This is a relatively small tree that is located on the Wollescote road side of the group. On inspection no obvious defects were identified in the tree, however due to the presence of other trees it has developed a poor, one sided form. Due to its location it has limited visibility and amenity, and its removal would not have a significant impact on the amenity of the local area.
12. Tree 2 – Douglas Fir – This early mature tree is located directly adjacent to the boundary between 47 Wollescote Road and old Grove Gardens. Due to its position it is easily viewed from the road. On inspection, however, the canopy of the tree was very sparse, to the extent where the tree appears to be in decline. In its current sparse condition the tree could be argued to be a detractor from the amenity of the local area, as such its removal will not have a significant affect on the amenity of the area.
13. Tree 3 – Yew – This tree is a small tree of only 4 metres in height that is situated in the middle of the group. Due to the height of the boundary fence and the presence of surrounding trees, in particular the holly tree, only a small amount of the tree is visible from Old Grove Gardens. As such the tree has a low amenity value and approval should be granted.
14. Tree 4 – Holly – The holly tree is situated on the Old Grove Gardens side of the group and form a prominent part of the wider group of trees along the boundary. As this tree provides a good amount of amenity to the surrounding area, and sufficient justification for the removal of trees that provide amenity to the area has not been provided. Permission should not be granted for its removal.
15. Tree 5 – Lawson Cypress – This is a mature Lawson Cypress tree that is one of the larger trees that is located on this boundary, and again this tree is prominent when viewed from the Old Grove Gardens side of the property. As this tree provides a moderate to high amount of amenity to the surrounding area it should be retained if possible. The justification put forward for the felling of this tree is not sufficient to allow its removal and the subsequent impact on the amenity of the area. Permission should not be granted for the removal of this tree.

## CONCLUSION

16. The applicant has applied to fell these five trees to allow for the creation of a vegetable garden in a newly approved bungalow at the site. After consideration this is not considered to be sufficient justification for the removal any trees that provide amenity to the surrounding area.
17. However government guidance states that if a tree provides a small amount of amenity to the surrounding area then the justification required to remove the tree should also be reduced.
18. After considering the trees on an individual basis three of the trees T1, T2 and T3 were all considered to be of low amenity values that don't provide a positive contribution to the amenity of the area. As such their removal would not be unjustified.
19. However, T4 and T5 were considered to provide a positive contribution to the amenity of the area and as such the reasons for their removal do not justify the subsequent loss in amenity. As such permission should not be granted for the loss of T4 and T5.

## RECOMMENDATION

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

Conditions and/or reasons:

1. Notwithstanding any of the details on the submitted application forms, the works hereby approved are as follows: -

Schedule:

T1– Lawson Cypress – Fell

T2 – Douglas Fir – Fell

T3 – Yew – Fell

T4 – Holly – No Works

T5 – Lawson Cypress – No Works

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 tree is to be inspected for bird nests and any crevices for bats. If any nests are present and disturbance to nesting or fledgling birds are present then works shall not be undertaken between 1st March and 30th August in any year. If bats are present then advice should be sought from English Nature or the local Wildlife Trust
4. The works hereby approved shall be carried out within 12 months of the date of this decision
5. Three replacement trees 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 tree to which this application relates.