

# PLANNING APPLICATION NUMBER:P12/1587

Type of approval sought	Tree Preservation Order
Ward	Gornal
Applicant	Mr R. Rowland
Location:	<b>RESIDENTIAL BUILDING PLOT ADJACENT 49, RUITON STREET, LOWER GORNAL, DY3 2EH</b>
Proposal	<b>FELL 1 MAPLE TREE. PRUNE HAZEL TREES</b>
Recommendation Summary:	<b>APPROVE SUBJECT TO CONDITIONS</b>

## SITE AND SURROUNDINGS

1. The trees subject to this application are a group of hazel trees and Norway maple tree that are located adjacent to the residential building that is being built at the rear of 49 Ruiton Street. The trees are prominently visible from the adjacent driveway from Ruiton Street to Furlong Walk, with the Norway Maple standing slight proud of the surrounding hazel trees. Overall it is considered that the trees provide a moderate amount of amenity to the surrounding area, but a valuable to the immediate local residents due to the screening they provide.
2. The trees subject to this application are protected under G1 of TPO 660 which was served in 2001.

## PROPOSAL

3. Summary of proposals for the works as written on application form is as follows:
  - Fell 1 maple tree and prune various hazel trees.
4. The trees have been marked on the attached plan.

## HISTORY

5. There have been no previous tree preservation order applications on the site.

## PUBLIC CONSULTATION

6. Two objections have been received from local residents. The objections are based on the loss of privacy that could result from the proposed works; that the tree should not be felled due to its proximity to the building as the tree was in place prior to the building and that the tree preservation order means that they shouldn't be able to undertake works to the tree.

## ASSESSMENT

### Tree(s) Appraisal

<i>Tree Structure</i>	<b>Tree 1</b>	<b>Group 1</b>
Species	Norway Maple	Hazel
Height (m)	7.5	5
Spread (m)	6	2
DBH (mm)	2 x 150	Multiple @ 50 – 100
Canopy Architecture	Poor – emanates from included twin stem	Good
Overall Form	Poor	Good
Age Class <i>Yng / EM / M / OM / V</i>	Mature	Mature

### *Structural Assessment*

Trunk / Root Collar	Poor – – included bark present at main fork at the base of the tree	Good		
Scaffold Limbs	Good	Good		
Secondary Branches	Good	Good		
% Deadwood	5%	5%		
Root Defects	None Evident	None Evident		
Root Disturbance	None Evident	None Evident		
Other				
Failure Foreseeable Imm / Likely / Possible / No	Whole No	Whole Possible	Whole No	Whole No

		/ Likely		
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*Vigour Assessment*

Vascular Defects	None Evident	None Evident
Foliage Defects	None Evident	None Evident
Leaf Size	Not In Leaf	Not In Leaf
Foliage Density	Not In Leaf	Not In Leaf
Other		

*Overall*

*Assessment*

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

**Other Issues**

Light Obstruction	No	Will to adjacent building
Physical Damage	None Evident	None Evident
Surface Disruption	None Evident	None Evident
Debris	Yes	Yes

**Amenity**

**Assessment**

Visible	Yes	Yes
Prominence	Moderate / High	Moderate / High
Part of Wider Feature?	No	No
Characteristic of Area	Yes	Yes
Amenity Value	Moderate	Moderate

**Further Assessment**

7. The applicant has proposed to fell the maple tree and to undertake works to tidy up the group of hazel trees.
  
8. On inspection the maple tree was found to be in a poor condition due to an included main fork at the base of the tree. It is considered that this included fork has occurred due to the self set nature of the tree. If left in situ it is likely that one of the main stems will fail in due course. Pruning is not considered to be an appropriate remedy, as in order to make the tree safe in the long term it would need to be pruned down to a height that would make retaining the tree pointless.

9. Whilst it is accepted that the adjacent new building is located inappropriately close to the tree and that the tree would probably require removing in due course due to this proximity; the nature of the defects, and the proximity to the adjacent public high mean that the tree would need removing regardless of the proximity of the building in order to remove the hazard to the public highway.
10. It is also accepted that the removal of the tree will render the gable end of the new building more visible to the local neighbours. However, as above, it is considered that the condition of the tree still warrant its removal for safety reasons.
11. If the tree is removed it is considered that it would be appropriate to plant a replacement tree in the rear garden of the new property.
12. With regards to the hazel trees, it is considered that some pruning to ensure an adequate clearance from the new building and sufficient clearance to allow pedestrian access in the front drive / garden of the new property would be acceptable. The works would have no impact on the public appearance of the trees and as such would have limited impact on the amenity of the trees.
13. It is accepted that due to the orientation of the adjacent properties and the local land levels; these trees are an important feature for providing appropriate screening between the properties. As such it is considered that any reduction in the height of the trees needs to be considered against the potential overlooking that it would create.
14. It is considered that some reduction of the trees adjacent to the front driveway/garden would provide the residents of the new property with more light. However it is considered that in order to prevent any overlooking the reduction in height is limited so that the trees are pruned no lower than the level of the top of the upper storey windows. It is not considered that there would be any benefit gained from pruning the tree adjacent to the gable end or the rear garden and as such no works are recommended for these trees.

15. Overall it is considered that the felling of the maple tree and some pruning to the hazel trees is acceptable and it is recommended that the application is approved subject to conditions

## CONCLUSION

16. The applicant has proposed to fell the maple tree and to prune the hazel trees.
17. The maple is a relatively poor specimen that has a defect in the main fork at ground level. It is considered that this defect if left will present a safety hazard to the users of the adjacent public highway and the future resident of the new building. Overall it is considered that, given the condition of the tree, approval should be granted to its removal subject to the planting of a replacement tree.
18. It is considered that some pruning of the hazel trees would be acceptable; however this would need to be carefully controlled to ensure that any pruning does not lead to any increased overlooking from the adjacent property. As such it is considered that the proposal to prune the trees should be approved subject to a conditions limiting the works to an acceptable level and ensuring adequate monitoring of the works.
19. Overall it is considered that both the felling of the maple tree and the pruning of the hazel trees is appropriate and justified and as such should be approved.

## RECOMMENDATION

20. It is recommended that application is approved subject to the stated conditions.

### Reason for Approval

The maple tree, whilst providing a moderate amount of amenity to the area, is in a relatively poor condition due to a defect at the base of the tree. Given the location of the tree, and the tree's hazard potential, it is considered that the removal of the tree

is appropriate. It is also considered that pruning of the hazel trees is acceptable as long as it is suitable controlled through conditions.

Conditions and/or reasons:

1. Notwithstanding any of the details on the submitted application forms, the works hereby approved are as follows: -  
Schedule:  
T1 - Maple - fell.  
G1 - Hazel - Prune to ensure 700mm clearance from the elevations of the new building. crown lift the inside face of the group adjacent to the front garden of the new property, by the removal of secondary branches only to provide no more than 2.5 metres clearance above ground level. Reduce the height of the trees situated between the front elevation of the new building and 49 Ruiton Street to a level no lower than the top of the upper storey windows. No reduction of height is to be undertaken to the trees adjacent to the gable wall of the property or adjacent to the rear garden.
2. The tree works subject of this consent shall be carried out in accordance with British Standard BS 3998:2010 'Recommendations for Tree Work'.

