

PLANNING APPLICATION NUMBER:P08/0993

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|-------------------------|--|
| Type of approval sought | Tree Preservation Order |
| Ward | ST THOMASS |
| Applicant | Mr Phillip Green |
| Location: | 36, TANSLEY HILL ROAD, DUDLEY, DUDLEY, DY2 7EP |
| Proposal | PART A: FELL 1 ASH TREE PART B: FELL 1 SYCAMORE TREE PART C: PRUNE 1 ASH TREE AND 1 NO. BIRCH TREE PART D: 1 HAWTHORNE TREE |
| Recommendation Summary: | PART APPROVE & PART REFUSE (SPLIT DEC'N) |

TREE PRESERVATION ORDER NO: D 590 (2000) – A1

SITE AND SURROUNDINGS

1. The trees subject to this application are two early mature ash trees, 1 early mature sycamore tree, and mature birch tree and a mature hawthorn tree. The trees are situated in the front and rear garden of 36 Tansley Hill Road. In general the trees provide a moderate amount of amenity to the area, however due to its small size the hawthorn is only considered to provide a low amount of amenity.

PROPOSAL

2. Summary of proposals for the works as written on application form is as follows:
 - PART A: Fell 1 Ash Tree
 - PART B: Fell 1 Sycamore Tree
 - PART C: Prune 1 Ash Tree and 1 Birch Tree.
 - PART D: Fell 1 Hawthorn Tree.
3. The trees have been marked on the attached plan.

HISTORY

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

PUBLIC CONSULTATION

5. No public representations have been received.

ASSESSMENT

Tree(s) Appraisal

6.

| Criteria | Tree 1 | Tree 2 | Tree 3 | Tree 4 | Tree 5 |
|------------------|---------------------------------------|---------------------------------------|-----------------|-----------------|-----------------|
| TPO No | A1 | A1 | A1 | A1 | A1 |
| Species | Ash | Sycamore | Ash | Birch | Hawthorn |
| Height | 9m | 11m | 11m | 11m | 6m |
| Spread | 6m | 8m | 6m | 9m | 4m |
| Diameter | 350mm | 4 x 200mm | 350mm | 2 x 250mm | 2 x 150mm |
| Form | Moderate | Poor – Multi-stemmed | Moderate | Good | Moderate |
| Vigour | Moderate / Poor | Good | Moderate / Poor | Moderate | Moderate / Poor |
| Approx Age | Early Mature | Early Mature | Early Mature | Mature | Mature |
| Pests / Diseases | None Evident | None Evident | None Evident | None Evident | None Evident |
| Canopy | Moderate | Moderate | Moderate | Moderate / Good | Moderate |
| % Deadwood | 3% | 1% | 5% | 1% | 10% |
| Cavities | Basal wounds – do decay evident | None evident | None evident | None evident | None Evident |
| Bark | Moderate | Good | Good | Good | Good |
| Roots | Moderate – adjacent to hard surfacing | Moderate – adjacent to hard surfacing | Moderate | Good | Moderate / Poor |
| Overall Health | Moderate | Moderate / Good | Moderate | Good | Moderate / Poor |
| Visibility | Moderate | Moderate | Moderate / Low | Moderate / Low | Moderate |

| | | | | | |
|---------------|----------|----------|----------------|----------|-----|
| Amenity Value | Moderate | Moderate | Moderate / Low | Moderate | Low |
|---------------|----------|----------|----------------|----------|-----|

Further Assessment

7. The applicant has proposed to fell and prune the trees subject to this application as part of general maintenance of the garden, and to improve the suitability of the trees to the property.
8. The Ash tree to be felled is situated adjacent to the front drive of the property. The stem of the tree is located within 100mm of the driveway, and it is likely that the construction of the driveway will have removed a number of roots. As a result the tree is currently lacking in vigour. Also due to the proximity of the driveway, it is likely that damage to the driveway in future.
9. Due to the future growth of the tree, it is considered that the tree is inappropriate to be retained in its location. As such it is recommended that the tree is removed with a more appropriate species.
10. The sycamore tree to be felled is situated adjacent to the front drive of the property, on the opposite side to the above ash tree. The tree is multi-stemmed, and has a dense crown. Whilst the tree does not have the best form it is probably the tree that provides most amenity to the area due to its prominence at the head of the cul-de-sac.
11. Whilst the tree is likely to grow to become a large tree that will overshadow the property, due to its amenity value it is recommended that the, removal of the tree is refused, until the replacement for the ash (if approval is granted) tree has established and starts to provide an amenity of its own. Once the replacement for the ahs tree has been established, then the suitability for the retention of the sycamore should be re-considered.
12. The Ash tree to be pruned is situated behind the sycamore tree subject to this application. On inspection the tree was found to have a moderate to poor amount of vigour. As such it is considered that a 20% crown reduction would improve the tree's "root to shoot" ratio, and should lead to a long term increase in vigour. It is not considered that the recommended pruning works will have any detrimental impact on the amenity of the area.
13. The birch tree to be pruned is situated in the rear garden of the property adjacent to the gable wall of the house. Due to the tree's proximity the branches overhang the roof and in windy conditions will come into contact with the roof tiles and guttering. In order to prevent any damage it is recommended that the tree is crown lifted to six

metres, by the removal of secondary growth only, on the house side of the tree only, in order to provide an appropriate amount of clearance. As the works will be concentrated close to the house there will be little impact on the amenity that the tree provides to the surrounding area.

14. The hawthorn tree to be felled subject to this application is a relatively small tree that is located at the bottom of the rear garden. The tree is located under and adjacent to a more dominant sycamore. As such the tree is currently being suppressed by the sycamore, but it is also having a detrimental impact on the shape and form of the sycamore.
15. The hawthorn has a significant amount of deadwood within the crown, and due to its suppression by the sycamore is never likely to improve to form a decent tree. As such it is recommended that the tree is removed subject to its replacement in a more appropriate location. Due to the small stature of the tree it is not considered that its removal will have any impact on the amenity of the area.

CONCLUSION

16. The applicant has proposed to fell an ash tree, a sycamore tree and a hawthorn tree; and prune an ash tree and a birch tree.
17. It is considered that the removal of the ash tree is appropriate, due to its future growth potential, and the likelihood of damage to the driveway. It is recommended that it is replaced in a similar location with a more appropriate species.
18. The sycamore that was proposed to be felled, whilst not having particularly good form is considered to provide a useful amount of amenity to the surrounding area. It is considered that the removal of this trees along with the ash tree will be detrimental to the amenity of the area. As such it is recommended that the removal of this tree is refused, and the suitability for retention of the sycamore tree is re-considered when the replacement for the ash tree has established.
19. The felling of the hawthorn is considered to be acceptable, as the hawthorn tree is being suppressed by an adjacent sycamore. As such it is considered that its removal and replacement in a more appropriate location will better serve the amenity of the area in the long term.
20. It is considered that if the Ash and Birch trees to be pruned are done so in accordance with the recommended works, then there will be no loss of amenity in the area.

RECOMMENDATION

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

It is recommended that PART A, PART C and PART D of the application are **approved** subject to the conditions set out below.

It is recommended that PART B of the application is **refused** for the reasons 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 – Ash – Fell
T3 – Ash – Crown reduce by no more than 20%. All work to leave a well balanced crown.
T4 – Birch – Crown lift, on the side of the tree closest to the house to no more than 6 metres clearance from ground level by the removal of secondary branches only.
T5 – Hawthorn - Fell
2. Two 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.
3. The tree works subject of this consent shall be carried out in accordance with British Standard BS 3998:1989 'Recommendations for Treework'.

Reason for refusal

1. The Sycamore tree (Tree 3) subject to this application provides a moderate amount of amenity to the upper half of Tansley Hill Road. It is considered that insufficient justification has been provided to justify the removal of this tree and the subsequent detrimental impact on the amenity of the area.

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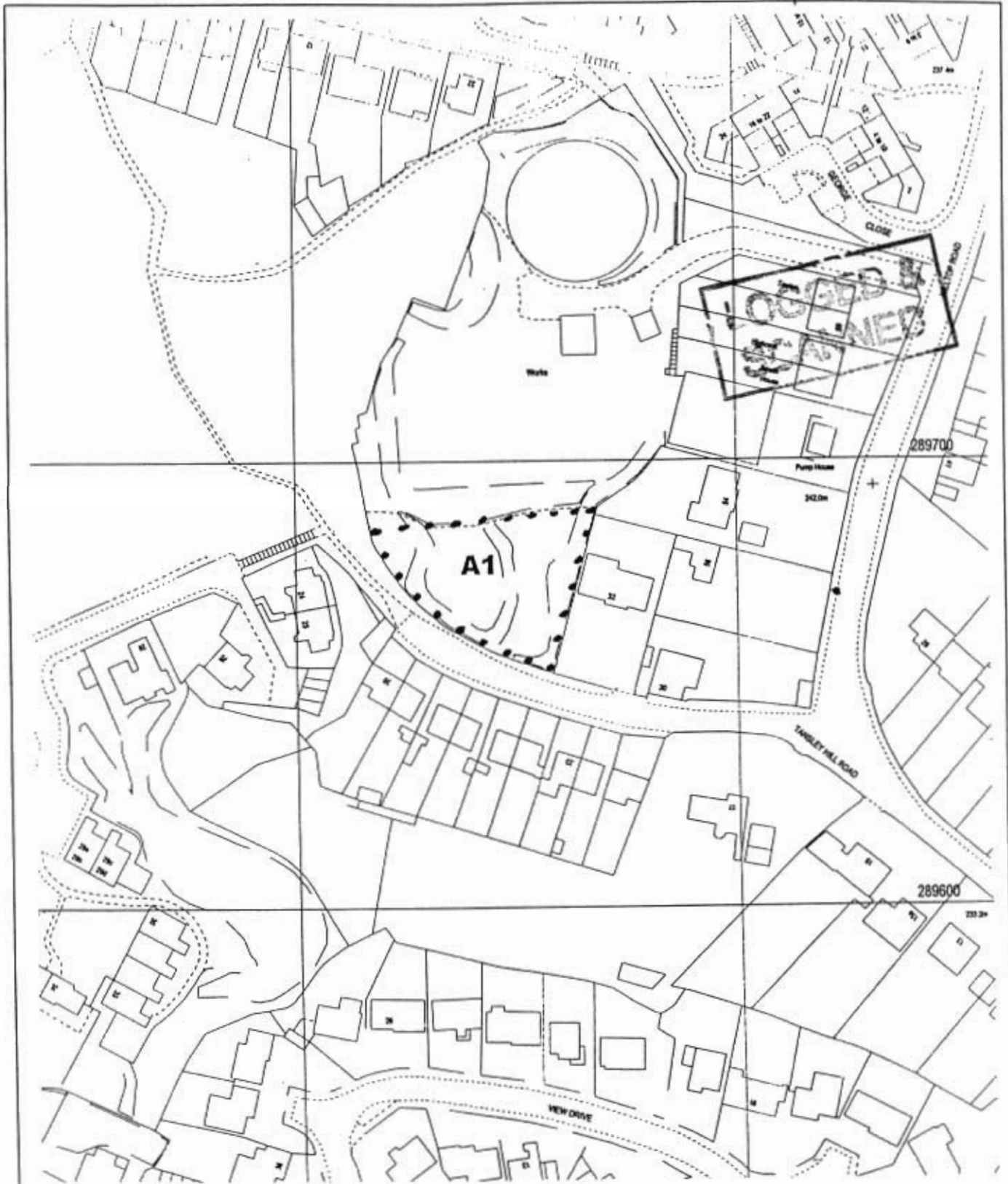


LOGGED & SCANNED

T3
T4
T1
T2



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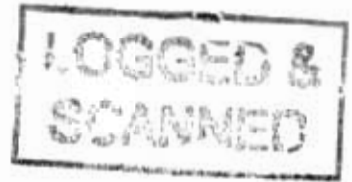
**Map referred to in the Borough Council of Dudley
Tansley Hill Road Dudley
Tree Preservation Order 2000 No D590**

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 NO2340

GRI D REF 896953

SCALE 1/ 1250



SCHEDULE 1
SPECIFICATION OF TREES

| Reference on Map | Description | Situation |
|------------------|-------------|-----------|
|------------------|-------------|-----------|

Trees specified individually

None

Trees specified by reference to an area

| | | |
|----|---|---------------------------|
| A1 | The several trees of whatever species within Area A1 on the map | Tansley Hill Road, Dudley |
|----|---|---------------------------|

Groups of trees

None

Woodlands

None