

PLANNING APPLICATION NUMBER:P07/0195

Type of approval sought	Tree Preservation Order
Ward	Sedgley
Applicant	Mr J Smith
Location:	32, ALDERDALE AVENUE, DUDLEY, DY3 3TX
Proposal	FELL 1 SCOTS PINE TREE
Recommendation Summary:	APPROVE SUBJECT TO CONDITIONS

TREE PRESERVATION ORDER NO: D683 (2002) – A1

SITE AND SURROUNDINGS

1. The tree subject to this application is an early mature Scots pine that is located in the rear garden of 32 Alderdale Avenue, Sedgley. The tree is almost totally obscured from public view and provides only a low amount of amenity to the surrounding area.

PROPOSAL

2. Summary of proposals for the works as written on application form is as follows:
 - Fell 1 Pine tree.
3. The tree has been marked on the attached plan.

HISTORY

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

<i>Site History</i>		
Application No	P04/1858	06/09/04
Proposal	Lifting the crown of 1 Scots pine tree	Approved

PUBLIC CONSULTATION

5. No public representations have been received.

ASSESSMENT

Tree(s) Appraisal

Criteria	Tree 1
TPO No	A1
Species	Scots Pine
Height	8m
Spread	5m
Diameter	150mm
Form	Moderate
Vigour	Good
Approx Age	Early
Pests / Diseases	None evident.
Canopy	Moderate
% Deadwood	1%
Cavities	None evident
Bark	Good
Roots	Good
Overall Health	Good
Visibility	Low
Amenity Value	Low

Further Assessment

6. The pine tree subject to this application is an early mature tree that is located in the rear garden of 32 Alderdale Avenue. Due to the tree's location in the rear garden of the property the tree is of little public amenity value, and the tree is only visible from the surrounding private properties.

7. The applicant would like to fell the tree following the failure of a limb during bad weather, and to remove the problems with removing the needles and pine cones from the lawn.
8. The loss of the branch whilst it has slightly spoilt the shape of the tree has not compromise its safety, and as such this would normally not be sufficient reason for felling a pine tree. However due to the poor amenity of this tree, government guidance states that less justification is required to warrant the approval of applications.
9. Also the inconvenience of clearing debris that has fallen from the tree is not normally considered to be sufficient justification to warrant the felling of the tree. However again as the tree is insignificant in terms of public amenity it may be unreasonable to refuse the felling of this tree.
10. As the tree is almost totally screened from public view, and therefore has little public amenity, the tree's removal will not have any impact on the amenity of the surrounding area, and as such the application should be approved

CONCLUSION

11. The Scots pine tree subject to this application is an early mature tree that is located in the rear garden of 32 Alderdale Avenue. The tree is almost totally screened from public view and provides little amenity to the area.
12. Government guidance dictates that if a protected tree provides little amenity to the area, the less justification is required to fell or prune the tree. As this tree provided little or no public amenity, little justification is required to fell the tree.
13. As such even though the reasons provided to justify the felling of the tree would not normally be considered sufficient to warrant the approval on the application, in this case they are considered sufficient.
14. Due to the tree's poor amenity value its removal will have no impact on the wider amenity of the area.

RECOMMENDATION

15. 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. 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.
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.