

PLANNING APPLICATION NUMBER:P11/0800

Type of approval sought	Tree Preservation Order
Ward	CASTLE & PRIORY
Applicant	Mr. S. Veerabudren
Location:	20, PRIORY ROAD, DUDLEY, DY1 4AD
Proposal	FELL 2 ASH TREES AND 1 SYCAMORE TREE
Recommendation Summary:	PART APPROVE & PART REFUSE (SPLIT DEC'N)

TREE PRESERVATION ORDER NO: D531 (1997) – T1, T3 & T4

SITE AND SURROUNDINGS

1. The trees subject to this application are 2 mature ash trees and a mature sycamore tree that are situated in the rear garden of 20 Priory Road, Dudley. It is considered that one of the ash trees and the sycamore tree provide a moderate to low amount of amenity to the surrounding area, whilst the other ash tree provides a moderate amount of amenity to the surrounding area.

PROPOSAL

2. Summary of proposals for the works as written on application form is as follows:
 - PART A: Fell 1 Ash Tree (T1)
 - PART B: Fell 1 Ash Tree and 1 Sycamore tree (T2) & T3).
3. The tree has been marked on the attached plan.

HISTORY

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

Application No.	Proposal	Decision	Date
P05/0019	Fell 1 Eucalyptus Tree	Approved with conditions	16/05/2005

PUBLIC CONSULTATION

5. No public representations have been received.

ASSESSMENT

Tree(s) Appraisal

<i>Tree Structure</i>	Tree 1	Tree 2
TPO No	T1	T4
Species	Ash	Sycamore
Height (m)	17m	14
Spread (m)	12m	7m
DBH (mm)	2 x 200mm	400mm
Canopy Architecture	Moderate	Moderate / Poor
Overall Form	Moderate	Good
Age Class <i>Yng / EM / M / OM / V</i>	Mature	Mature

Structural Assessment

Trunk / Root Collar	Good		Good	
Scaffold Limbs	Good / Moderate		Very acute angled limbs and inclusion	
Secondary Branches	Good		Good	
% Deadwood	5%		1%	
Root Defects	None Evident		None evident	
Root Disturbance	None Evident		None Evident	
Other				
Failure Foreseeable Imm / Likely / Possible / No	Whole No	Part No	Whole No	Part Possible / Likely

Vigour Assessment

Vascular Defects	None Evident	None evident
Foliage Defects	None Evident	None evident
Leaf Size	Good	Good
Foliage Density	Moderate - slightly sparse	Good
Other		

Overall Assessment

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Structure	Good	Moderate / Poor
Vigour	Good	Good / Moderate
Overall Health	Moderate / Poor	Good / Moderate

Other Issues

Light Obstruction	Some	Some
Physical Damage	None Evident	None Evident
Surface Disruption	None Evident	None Evident
Debris	Some	Some

Amenity

Assessment

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

<i>Tree Structure</i>	Tree 3
TPO No.	T3
Species	Ash
Height (m)	12
Spread (m)	7
DBH (mm)	400
Canopy Architecture	Moderate / Good
Overall Form	Good
Age Class <i>Yng / EM / M / OM / V</i>	Mature

Structural Assessment

Trunk / Root Collar	Good	
Scaffold Limbs	Good	
Secondary Branches	Good	
% Deadwood	20%	
Root Defects	None Evident	
Root Disturbance	None Evident	
Other		
Failure Foreseeable <i>Imm / Likely / Possible / No</i>	Whole No	Part Likely

Vigour Assessment

Vascular Defects	General Dieback
Foliage Defects	None Evident
Leaf Size	Good
Foliage Density	Sparse
Other	

Overall Assessment

Structure	Good
Vigour	Poor
Overall Health	Moderate / Poor

Other Issues

Light Obstruction	Slight
Physical Damage	None Evident
Surface Disruption	None Evident
Debris	Some

Amenity Assessment

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

Further Assessment

6. The applicant has proposed to fell the trees on the grounds that they will not be able to afford the cost of future maintenance now that they are retired.
7. The maintenance of trees is considered to be a reasonable part of the cost of owning a property, and as such it is not considered that felling healthy trees that provide an amenity to an area is justified on the grounds of the cost of future maintenance.
8. On inspection Tree 1 was found to be in a good condition with no major defects present but trees 2 & 3 both had identifiable defects within them that are likely to limit their future life span.
9. The Sycamore, tree 2, has a low acutely angled main fork with some included bark. Such a formation becomes increasingly unstable as the two composite

stems increase in girth and gradually wedge each other apart. It is considered that this tree should be removed due to its condition, before it suffers from catastrophic failure.

10. The smaller ash, Tree 3, has a significant proportion of deadwood in the crown and has sparse foliage. It is considered that the tree is in natural decline, and that the tree will be dead within the next 5 years. As such it is recommended that the tree is removed.
11. Tree 1 appears to be relatively healthy with no major defects. Whilst the tree is not prominent, and is only ever partially visible, it is considered that the tree does provide a useful amount of amenity to the surrounding area. As such it is not considered the reasons for the application sufficiently justify the loss that would result from the felling of the trees.
12. Overall it is considered that the application to fell Tree 1 should be refused and that the applications to fell trees 2 & 3 should be approved subject to conditions requiring replacement trees.

CONCLUSION

13. The applicant has proposed to fell the trees on the grounds that they will not be able to afford the cost of future maintenance now that they are retired.
14. Whilst it is accepted that the cost of tree maintenance can be significant, it is considered that undertaking appropriate maintenance of trees is part of the reasonable costs of maintaining a property. As such it is not considered that healthy trees that provide an amenity to the area should be felled for this reason.
15. With regard to the trees in question it is considered that Trees 2 and 3 have sufficient defects within them to warrant their removal regardless of any other reasons. As such it is recommended that approval is given for the felling of the trees, subject to appropriate replacements.
16. However it is not considered that sufficient justification has been provided to warrant the felling of tree 1 and as such it is recommended that this application is refused.

RECOMMENDATION

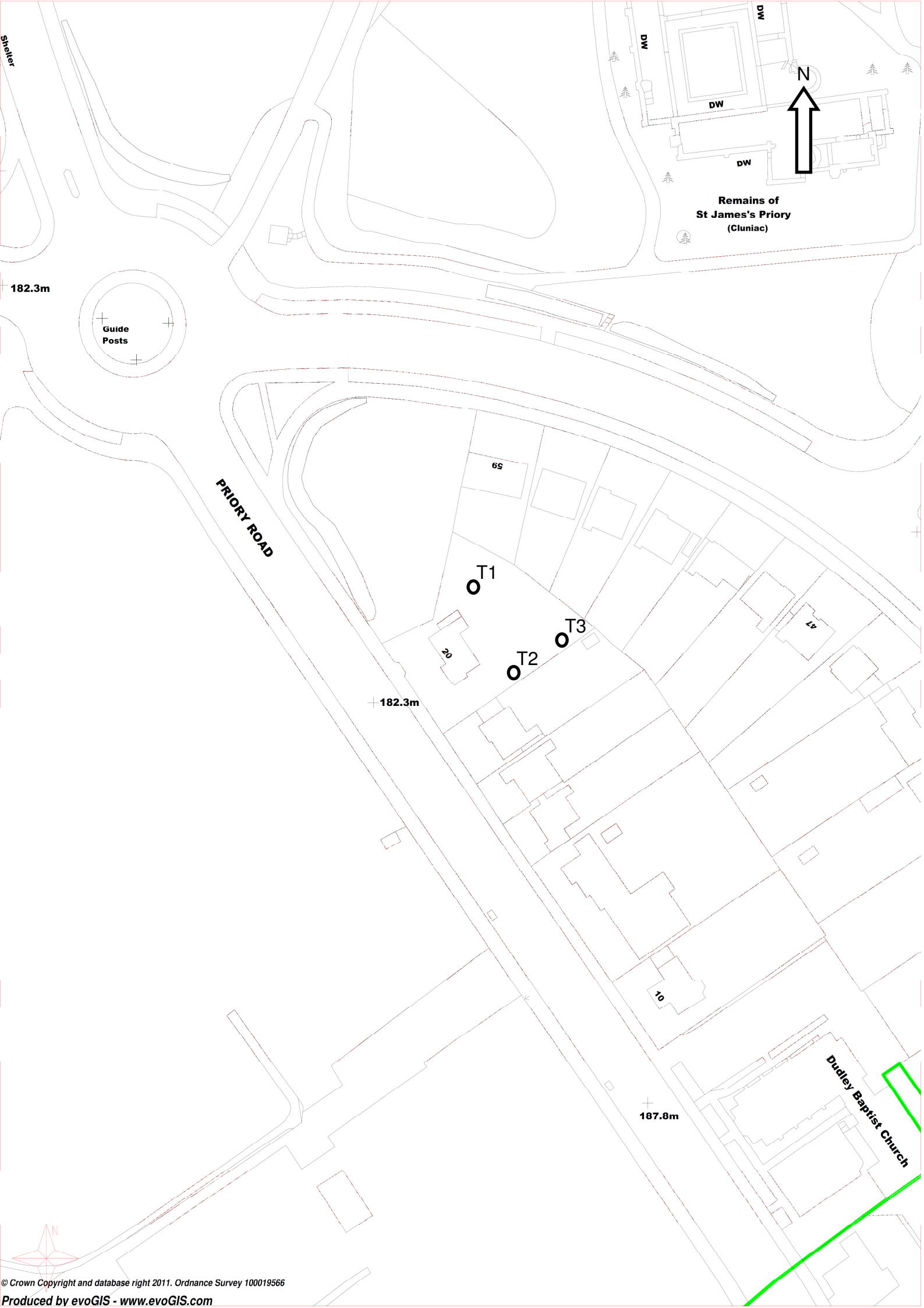
It is recommended that PART A of the application is refused and that PART B is approved subject to conditions.

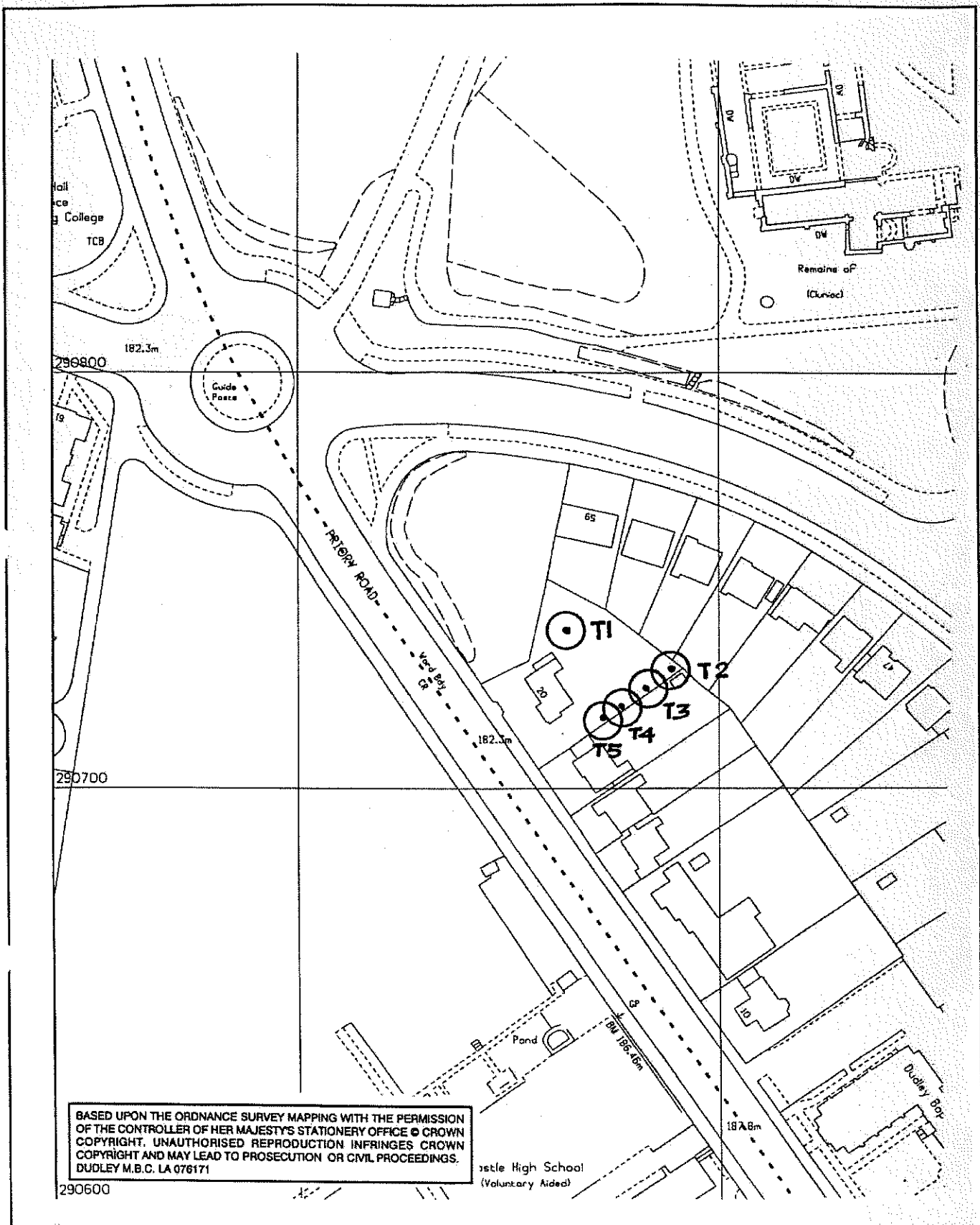
Conditions and/or reasons:

1. The tree works subject of this consent shall be carried out in accordance with British Standard BS 3998:2010 'Recommendations for Treework'.
2. The works hereby approved shall be carried out within 12 months of the date of this decision.
3. Two 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 ash and sycamore trees to which this application relates.

Reason for refusal:

1. The Ash tree (T1) subject to the proposal for felling provides a moderate amount of amenity to the surrounding area and users of Priory Road and The Broadway. The reasons for the application and the supporting information do not sufficiently justify the detrimental affect on the local amenity that would result from the proposed felling.





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DUDLEY
Metropolitan Borough
ORDNANCE SURVEY
MAPPING IS BASED UPON
THE ORDNANCE SURVEY
MAP WITH THE SANCTION
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H.M. STATIONERY OFFICE.
LICENCE NUMBER LA
076171

*Map referred to in
the Borough Council of Dudley*
**20 Priors Road,
Dudley (D.531)**

Tree Preservation Order 1997

grid ref:
942 907
scale:
1:1250
drg no.:
A:2284

F I R S T S C H E D U L E

Trees Specified Individually

No. on Map.	Description.	Location
T1	Ash	20 Priory Road, Dudley.
T2	"	"
T3	"	"
T4	Sycamore	"
T5	Eucalyptus	"

Areas of Trees

None

Groups of Trees

None

Woodlands

None

Ref. No. D.531