

TREE PRESERVATION ORDERS COMMITTEE

Monday 5th September, 2011, at 2.00 pm in
Committee Room 2, The Council House, Dudley

PRESENT: -

Councillor Knowles (Chairman)
Councillor Mrs Rogers (Vice-Chairman)
Councillors Mrs Aston, Cotterill, Miss Cowell, J D Davies, K Finch, Ms
Nicholls and C Wilson

Officers

Mr J Dunn and Mr C Mellor (Directorate of the Urban Environment), Ms S
Ahmed and Miss H Shepherd (Directorate of Corporate Resources)

9 **DECLARATIONS OF INTEREST**

Councillor Mrs Rogers declared a Personal interest, in accordance with the
Members Code of Conduct, in relation to agenda item no. 6 – Confirmation
of Tree Preservation Order - as she indirectly knew the applicants through
her husband.

Councillor C Wilson declared a Personal and Prejudicial interest, in
accordance with the Members Code of Conduct, in relation to agenda item
no. 6 – Confirmation of Tree Preservation Order - as on a personal visit to
No. 9 Chaddesley Drive, Pedmore, he had declared his approval to the
application.

10 **MINUTES**

RESOLVED

That the minutes of the meeting of the Committee held on 4th July,
2011, be approved as a correct record and signed.

11 **CHAIRMAN'S COMMENTS**

It was proposed by the Chairman and agreed by the Committee, that the
procedure of the Committee be amended so that the Tree Protection Officer
and all members of the public would remain in the room during all
application debates and decision making. Members of the public would be
welcome to leave once the outcome of their particular application had been
determined.

12 CHANGE IN ORDER OF BUSINESS

Pursuant to Council Procedure Rule 13(c), it was

RESOLVED

That the remaining items of business be considered in the following order: -

Agenda item numbers 6, 5 and 7

13 CONFIRMATION OF TREE PRESERVATION ORDER

(Having previously declared a personal and prejudicial interest, Councillor C Wilson left the meeting for the consideration of this item.)

A report of the Director of the Urban Environment was submitted requesting the Committee, to consider whether The Borough of Dudley (9 Chaddesley Drive, Pedmore, Stourbridge (TPO/0040/PED)), Tree Preservation Order 2011, should be confirmed with or without modification in light of the objections that had been received.

A site visit had been made by Members of the Committee in respect of this Order prior to the meeting.

Mr B Anslow, objecting to confirmation of the Tree Preservation Order, was in attendance at the meeting and made representations. He made particular reference to the drainage problem that had occurred previously, which he believed to be caused by the tree roots and debris, and the health and safety of the trees being so close to residential properties. He stated that he and other residents did not consider the trees to provide amenity to the public.

The Chairman stated that if the Tree Preservation Order was confirmed, this would not prevent any maintenance or pruning works being carried out on the trees, as long as prior permission from the Authority had been granted.

RESOLVED

That, the Borough of Dudley (9 Chaddesley Drive, Pedmore, Stourbridge,(TPO/0040/PED)) Tree Preservation Order 2011 be confirmed without modification.

(Councillor Cotteril abstained from voting on the above resolution as he had been unable to attend the site visit prior to the meeting).

PLANNING APPLICATIONS

A report of the Director of the Urban Environment was submitted on the following planning applications. Pre-Committee notes updating information given in the reports were circulated at the meeting.

RESOLVED

That the applications be dealt with as follows:-

- (i) Plan no. P11/0688 – 3 Kingsoak Gardens, Dudley – Reduce crown of 1 Sycamore Tree

The Committee was informed that the owner of the tree, objecting to the application, was unable to attend, due to unfortunate family circumstances.

Following a question raised, the Tree Protection Officer stated that only part of the tree was to be crowned, restricting the reduction works to no more than 20% and this would limit a lopsided appearance.

Decision: Approved, subject to the following conditions:-

- (1) T1 – Sycamore – Crown reduce by no more than 20%. All works are to leave a healthy and well balance crown.
 - (2) The tree works subject of this consent shall be carried out in accordance with British Standard BS 3998:2010 'Recommendations for Treework'.
 - (3) The works hereby approved shall be carried out within 12 months of the date of this decision.
- (ii) Plan no. P11/0773 – The Cedar House, 3 Glenelg Drive, Pedmore, Stourbridge – Fell 1 Cedar Tree

During consideration of this application, Members considered the tree to be healthy and a magnificent specimen. It was noted that some lower level branches looked to have been removed, however, this was thought to have been through works carried out in 2002.

Decision: Refused, for the following reason:-

The cedar tree provides a high amount of amenity to residents and users of Glenelg Drive, Worcester Lane, Whitehall Road and Wimbledon Drive, Stourbridge by virtue of its visual appearance. It is not considered that the application has provided sufficient justification to warrant the felling of the tree on the grounds of safety.

(iii) Plan no. P11/0800 – 20 Priory Road, Dudley – Fell 2 Ash Trees and 1 Sycamore Tree

Decision: Part A to fell 1 Ash Tree (T1) is refused for the following reason:-

The Ash Tree (T1) 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 effect on the local amenity that would result from the proposed felling.

Decision: Part B to fell 1 Ash Tree and 1 Sycamore Tree (T2) and (T3) is approved, subject to the following conditions:-

- (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.

(iv) Plan no. P11/0847 – 10 Meon Rise, Oldswinford, Stourbridge – Fell 1 Sycamore Tree and Prune 1 Oak Tree

Decision: Approved, subject to the following conditions:-

- (1) T1 – Sycamore – Fell
T2 – Oak – Crown reduce by no more than 20%. All works are to leave a healthy and well balance crown.

- (2) The tree works subject of this consent shall be carried out in accordance with British Standard BS 3998:2010 'Recommendations for Treework'.
 - (3) The works hereby approved shall be carried out within 12 months of the date of this decision.
- (v) Plan no. P11/0867 – Corbett Hospital Site, Vicarage Road, Stourbridge – Fell 2 Ash Trees. Fell 1 Australian Pine Tree. Crown lift 1 Horse Chestnut Tree to 4.5 metres. Reduce 1 Ash Tree by 20%, crown reduce 1 Horse Chestnut tree by 40%
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During the discussion, the Tree Protection Officer clarified to the Committee that the Australian Pine referred to in the application was in fact a Corsican pine and not a rare species.

Decision: Approved, subject to the following conditions:-

- (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) 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 ash tree to which this application relates.
- (vi) Plan no. P11/0896 – Land situated between Oakham Road, Elizabeth Road and Miles Grove, Dudley – Fell 2 Sycamore Trees and 1 Beech Tree.
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Decision: Part A to fell 1 sycamore tree (T1) is refused for the following reasons:-

The Sycamore tree (T1) subject to the proposal for felling provides a moderate amount of amenity to the surrounding area and users of Elizabeth Grove. The reasons for the application and the supporting information do not sufficiently justify the detrimental effect on the local amenity that would result from the proposed felling.

Decision: Part B to fell 1 Ash Tree and 1 Sycamore Tree (T2 and T3) is approved subject to the following conditions:-

- (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.

The meeting ended at 3.40 pm

CHAIRMAN