

PLANNING APPLICATION NUMBER:P07/0170

Type of approval sought	Tree Preservation Order
Ward	Sedgley
Applicant	Mr & Mrs Harris
Location:	9, PENNS WOOD CLOSE, DUDLEY, DY3 3QT
Proposal	FELL 1 OAK TREE.
Recommendation Summary:	APPROVE SUBJECT TO CONDITIONS

TREE PRESERVATION ORDER NO: D704 (2002) W1

SITE AND SURROUNDINGS

1. The tree subject to this application is a mature oak tree that is located in the rear garden of 9 Pennswood Close. The house is situated in a small residential cul-de-sac. The rear of the property backs onto the woodland of Alder Coppice.
2. Due to the trees location and its small stature, the tree is only partially visible above the ridge line of the property, and only provides a moderate to low amount of amenity.

PROPOSAL

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

HISTORY

5. There have been one previous Tree Preservation Order applications on this site.

<i>Site History</i>		
Application No	P01/0290	20/02/01
Proposal	Thinning and reduction of oak tree	Refused

PUBLIC CONSULTATION

6. No representations have been received.

ASSESSMENT

Tree(s) Appraisal

Criteria	Tree 1
TPO No	W1
Species	Oak
Height	10m
Spread	8m
Diameter	500mm
Form	Moderate – twin stemmed from 4m
Vigour	Poor – excessive epicormic growth and only small annual extension growth for the last several years
Approx Age	Mature / Over Mature
Pests / Diseases	None evident.
Canopy	Poor – bristly growth due to poor vigour
% Deadwood	7%
Cavities	None Evident
Bark	Moderate
Roots	Moderate
Overall Health	Poor
Visibility	Low
Amenity Value	Moderate / Low

Further Assessment

7. The tree subject to this application is a mature oak tree that is located in the rear garden of 9 Pennswood Close. The tree is partially visible from the cul-de-sac of Pennswood Close over the ridge line of the property. The public view of the tree from the well used paths in the woodland at the rear is obscured by the surrounding trees.

8. The applicant would like to fell the tree as he is concerned about the health and safety of the tree, and that the tree blocks light from the rear windows of the property.
9. On inspection the tree was found to be suffering from poor vigour as was evidenced by the presence of a massive amount of epicormic growth on the main stem and scaffold limbs; and also by the short annual shoot extension.
10. The annual shoot extension is a measure of the tree's vitality as it demonstrates the amount by which the tree has grown year on year. When measuring the annual shoot extension a measurement of the growth between buds is taken and then compared to the preceding years' measurements. On this tree it appears that the annual shoot extension of the tree has reduced from 5-6cm 5 years ago to approximately 0.5cm for the last year. This poor shoot extension has also lead to the tree taking on a bristly form throughout its crown.
11. There was also a higher than normal amount of small diameter deadwood throughout the crown, and there was evidence of numerous small branches that have already fallen off.
12. The reason for this drop in vitality appears to be as the result of impaired root function. Whilst no obvious causal agents could be identified on site, the applicant did say that a number of years ago there had been a small watercourse in the woodland that ran in close proximity to the rear boundary of the property and that this had dried up. Such a drop in the water table would cause a loss of vitality.
13. As the problem appears to be related to the wider loss of soil moisture there is very little that could be carried out by way of remedy. As such the chance of the tree's recovery, especially with a view to the current warming of the climate, is unlikely.
14. With regard to the applicant's claim that the tree obstructs light from his property, whilst there was a slight amount of shading observed during the site visit, the tree is on the northern side of the property and will only block daylight from the property and not direct sunlight. As such this is not considered sufficient grounds for the removal of the tree.
15. Should permission be granted for the removal of this tree, there would only be a limited impact on the amenity of the area as the tree is only partially visible form the public highway in front of the house, and the view of the tree from the woodland at the back is obscured by other surrounding trees.

CONCLUSION

16. the applicant would like to remove the oak tree subject to this application as they consider the small branches that are constantly falling from the tree to be potentially hazardous to users of the garden, and also because the tree blocks light from the rear windows of the property.
17. On inspection it was noted that the tree blocked daylight from the property, but as the tree is situated to the north of the property it will only ever block daylight and not direct sunlight.
18. With regard to the tree's poor state of health, it was noted on inspection that the tree has poor vigour, as was evidenced by the presence of massive amounts of epicormic growth on the tree, and by the small shoot extension growth on the rest of the foliage bearing branches of the tree. From speaking to the applicant it is likely that the probable cause of this is the natural lowering of the water table in the area.
19. Due to the tree's poor condition in future it is likely that the tree will ultimately die from the lack of available moisture, but prior to this the tree will struggle on, whilst dropping progressively more and more deadwood.
20. Due to the tree's poor condition and its low visibility and amenity it is recommended that, on balance, that approval for the felling of the tree is granted subject to the conditioned replacement of a new tree.

RECOMMENDATION

21. 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 Tree Work'.
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. 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.

4. 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.