

PLANNING APPLICATION NUMBER:P06/1239

Type of approval sought	Tree Preservation Order
Ward	Halesowen North
Applicant	Matthew Pearsall
Location:	52, WOODLAND ROAD, HALESOWEN, B62 8JT
Proposal	FELL 1 TREE
Recommendation Summary:	REFUSE

TREE PRESERVATION ORDER NO: D428 (1994) – G1

SITE AND SURROUNDINGS

1. The tree subject to this application is an early mature lime tree that is situated in the front garden of 52 Woodland Road, Halesowen. The tree is located adjacent to the highway and is prominent within the street scene of the road. As such the tree provides a moderate to high 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 Lime 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	94/51355	14/09/94
Proposal	Complete Removal of 5 Lime trees	Approved with conditions

PUBLIC CONSULTATION

- At the time of writing no public representations have been received

ASSESSMENT

Tree(s) Appraisal

Criteria	Tree 1
TPO Number	G1
Species	Lime
Height	7m
Spread	6m
Diameter	200mm
Form	Moderate
Vigour	Moderate
Approx Age	Early Mature
Pests / Diseases	None Evident.
Canopy	Moderate – Twin Stemmed
% Deadwood	1%
Cavities	None Evident
Bark	Good
Roots	Moderate due to surrounding hard surfaces
Overall Health	Good
Visibility	High
Amenity Value	High / Moderate

Further Assessment

5. The tree subject to this application is an early mature lime tree. The tree is in a good state of health with no significant structural defects present. The tree is visually prominent within the street scene and provides a moderate to high amount of amenity to the area.
6. The applicants would like to fell the as they have concerns over the safety of the tree and they are also concerned about potential damage to their property from the roots of the tree.
7. On inspection the tree was found to be in a good state of health with no evident structural defects or diseases that would lead to the tree becoming a significant hazard to the safety of the residents of the property or users of the adjacent highway. As such unless any evidence can be provided to the contrary no works should be allowed on the grounds of the safety of the tree.
8. The applicant also states concerns over potential root damage as a reason for the felling of the tree. The tree is further away than current best practice guidance in relation to direct damage by trees to properties. As such damage caused by the stem or main roots pushing on the fabric of the property is highly unlikely and unless

evidence can be provided that damage is being caused, the tree should not be felled on these grounds.

9. In terms of indirect damage through tree related subsidence, the occurrence of such damage is highly unpredictable, and the mere presence of a tree in close proximity to a property should not be taken as proof that such damage is occurring or is likely to occur.
10. Tree related subsidence can only occur on clay soils, and is also influenced by factors such as the plasticity index of the soil, the percentage of clay particles in the soil and the depth of the foundations of the property. As no information has been provided on the above factors a full assessment of the likelihood of tree related subsidence cannot be carried out. As such no works should be allowed on this basis.

CONCLUSION

11. The tree subject to this application is an early mature lime tree that is situated in the front garden of 52 Woodland Road, Halesowen. The tree is situated adjacent to the public highway and is prominent within the street scene. As such the tree provides a moderate to high amount of amenity to the surrounding area.
12. The reasons that the applicant have stated in support of the felling are that the tree is dangerous and that they are concerned of the possibility of the tree causing damage to the property.
13. On inspection the tree was found to be in a reasonable state of health with no evident defects present that would suggest that the tree is likely to wholly or partially fail. As such no works should be permitted on these grounds.
14. In terms of the potential to tree related damage to the property, the tree is sufficiently far enough away not to damage the property through direct pressure or contact. Also no evidence has been provided to show that the tree is causing damage, or is likely to cause damage through tree related subsidence. As tree related damage of this kind is highly unpredictable it is impossible to determine with any degree of accuracy the likelihood of any such damage occurring. As such no works should be allowed on these grounds.

RECOMMENDATION

15. It is recommended that application is refused for the reasons set out below.

Conditions and/or reasons:

1. The tree provides a moderate to high amount of amenity to the surrounding area. On inspection the tree was found to be in a healthy condition, and no evidence has been provided to show that tree related property damage is occurring or is likely to occur. As such the reasons stated in support of the application are considered to be unfounded and therefore insufficient justification for the removal of this tree or the subsequent loss of public amenity.