

PLANNING APPLICATION NUMBER:P06/1240

Type of approval sought	Tree Preservation Order
Ward	Pedmore & Stourbridge East
Applicant	Miss K Hardle & Mr D Grocott
Location:	30, FIELDFARE ROAD, LYE, STOURBRIDGE, WEST MIDLANDS, DY9 7ES
Proposal	FELL 1 OAK TREE
Recommendation Summary:	REFUSE

TREE PRESERVATION ORDER NO: D520 (1997) – G1

SITE AND SURROUNDINGS

1. The tree subject to this application is a mature oak tree that is situated in the rear garden of 30 Fieldfare Road, Stourbridge. The tree is located in the south eastern corner of the garden close to the boundary with Stevens Park.
2. The tree can be publicly seen from a large area of Stevens Park, and over the roof of 32 Fieldfare Drive. When viewed from the fieldfare road, due to the land fall in the area the tree is raised and prominent to the area. As such the tree provides a high amount of public 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 has been one previous Tree Preservation Order application on this site.

<i>Site History</i>		
Application No	P05/0979	03/05/05
Proposal	Prune 1 Oak Tree	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	Oak
Height	12m
Spread	8m
Diameter	900mm
Form	Good
Vigour	Good
Approx Age	Mature
Pests / Diseases	None Evident.
Canopy	Good – Slightly Stressed
% Deadwood	1%
Cavities	Very slight cavity in base – not significant
Bark	Good
Roots	Slight excavation on 25% of roots within the BS: 5837 distance. Due to the remaining roots in the affected area and the rest of the rooting area of the tree this is not considered to be significant.
Overall Health	Good - slightly stressed
Visibility	High
Amenity Value	High

Further Assessment

6. The tree subject to this application is a mature oak tree. The tree is in a good state of health with no significant structural defects present. The tree is visually prominent from the adjacent park and provides a high amount of amenity to the area.

7. The applicants would like to fell the tree to resolve problems with the tree blocking light and the leaves blocking the guttering of the applicant's and neighbouring properties.
8. The tree is situated due east of the property and approximately 10 metres from the face of the building. Due to the level changes in the area the tree is significantly higher than the property. As such the tree does block morning and early afternoon sunlight from the property. However due to the orientation of the property in relation to the tree the property gets uninterrupted access to daylight in the majority of the afternoon and early evening.
9. As the tree is considered to provide a high amount of amenity to the users of the adjacent park light obstruction on this scale is not considered to be sufficient justification for the removal of this tree.
10. The applicant's also raise concerns about the leaves from the trees blocking the guttering of the properties. Whilst it is accepted that the trees is a substantial size and will drop a significant number of leaves into the guttering, it is only considered that the clearing of drains is part of routine maintenance of a property. Also there are a number of products available that can help reduce the amount of leaves that enter into guttering. As such this is not considered to be sufficient justification to remove the tree and resulting loss of amenity to the area.
11. The applicants have previously been granted approval to Crown thin the tree by 20%. To date these works have not been carried out. It is considered that if these works were carried out it would make a significant impact on the amount of light that is obstructed by the tree.

CONCLUSION

12. The Oak tree that is subject to this application is a mature tree that is in a good state of health. The tree is situated adjacent to Stevens Park and is highly visible to the users of the park. As such the tree provides a high amount of amenity to the surrounding area.
13. The applicants would like to fell the tree as it obstructs light from their property and blocks the guttering during the autumn. After inspection of the tree it is accepted that the tree does block morning and early afternoon sunlight from the property, but the property has uninterrupted access to daylight in the majority of the afternoon and evening. As such this is not considered to be sufficient justification for the felling of the tree.

14. The clearance of guttering is considered to be a part of routine maintenance of the property and not sufficient ground for the felling of the tree.
15. Following the site visit and inspection of the tree, the combined affects of the above reasons are not considered sufficient to justify the removal of this tree and the impact that it would have on the amenity of the area.

RECOMMENDATION

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

Conditions and/or reasons:

1. The tree provides a high amount of amenity to the surrounding area. The reasons stated in support of the application are not considered sufficient justification fro the removal of this tree or the subsequent loss of public amenity.