

Dear Councillor

PLANNING COMMITTEE - TUESDAY, 9TH JULY, 2019

I am now able to enclose, for consideration at next Tuesday, 9th July, 2019 meeting of the Planning Committee, the following report that was unavailable when the agenda was printed.

Agenda No Item

- | | |
|---|--|
| 6 | 19/00750/TR - 12/16 Dewsbury Drive, Wolverhampton, WV4 5RQ (Pages 3 - 6)
[To consider the application] |
|---|--|

If you have any queries about this meeting, please contact the democratic support team:

Contact Donna Cope

Tel 01902 554452

Email donna.cope@wolverhampton.gov.uk

Address Democratic Support, Civic Centre, 1st Floor, St Peter's Square,
Wolverhampton WV1 1RL

Encs

This page is intentionally left blank

CITY OF WOLVERHAMPTON COUNCIL	Planning Committee Tuesday, 9 July 2019
--	--

Planning application no.	19/00750/TR	
Site	12/16 Dewsbury Drive, Wolverhampton, WV4 5RQ	
Proposal	06/00025/TPO (T46) Oak Tree Tree Preservation Order number 1962 - Reduction of height and spread by 3-4 metres.	
Ward	Penn;	
Applicant	Mr Wood & Mr Tranter	
Cabinet member with lead responsibility	Councillor Harman Banger City Economy	
Accountable Director	Richard Lawrence, Director of Regeneration	
Originating service	Planning	
Accountable employee	James Dunn	Tree Officer
	Tel	01902 555621
	Email	james.dunn@wolverhampton.gov.uk

1.0 Summary recommendation:

1.1 Refuse

2.0 Application site

2.1 The tree is situated on the front garden boundary between 12 and 16 Dewsbury Drive, Penn. The properties are both residential with 12 being a two-storey house and 16 being a bungalow. The tree is prominently visible in the street scene.

3.0 Application details

3.1 The application has been submitted as the tree is protected under The Wolverhampton Colton Hills, Tree Preservation Order 1962. As such, any works (apart from limited exempt works) to the tree require permission of the Council.

3.2 The applicant has proposed to reduce the height and spread of the tree by 3 – 4 metres. The reasons for the application are concerns about health and safety relating to the debris that falls from the tree; the increasing need for property maintenance in relation to the seasonal debris from the tree; and the increasing cost of property maintenance and car cleaning due to the seasonal debris falling from the tree.

4.0 Relevant policy documents

4.1 None

5.0 Publicity

5.1 None required

6.0 Consultees

6.1 No officer consultation

7.0 Legal implications

7.1 In deciding whether consent should be granted it is necessary to:

- assess the [amenity value](#) of the tree and the likely impact of the proposal on the amenity of the area;
- consider, in the light of this assessment, whether or not the proposal is justified, having regard to the reasons and additional information put forward in support of it;
- consider whether any [loss or damage](#) is likely to arise if consent is refused or granted subject to conditions;
- consider whether any requirements apply in regard to protected species;
- consider other material considerations, including development plan policies where relevant; and
- ensure that appropriate expertise informs its decision.

[LD/02062019/T]

8.0 Appraisal

8.1 The tree subject to the application is a healthy and well-formed tree. There is no evidence of any major defects within the tree, and no evidence that the tree is predisposed to failure. The tree has been previously reduced and has developed good re-growth following the last round of reduction, approximately 5-6 years ago.

8.2 The proposed pruning is too severe and would result in a significant reduction of canopy volume, and a significant number of large pruning wounds. Both of which would be contrary to industry best practice in relation to tree works. Whilst the tree would survive the proposed works there would be a detrimental impact on the long-term health, with the tree becoming susceptible to fungal infections of the pruning wounds, and liable to more systemic problems due to the negative impact on the photosynthetic capacity of the tree to produce energy for the trees varied requirements.

8.3 The submitted reasons for the proposed works do not sufficiently justify the impact on the long-term health of the tree and ultimately the amenity of the area. It is accepted that the tree will deposit various debris throughout the year on to the driveway, garden, roof and guttering beneath the tree; however the clearance of such debris is, whilst inconvenient, part of routine property maintenance and not enough justification for significant tree works. Similarly, the cost of such property maintenance is a reasonable cost of property maintenance.

- 8.4 No major deadwood was observed in the tree, and whilst twigs and minor deadwood may fall from the tree, it is unlikely that this presents a significant health and safety risk, due to its limited size. Should more significant deadwood develop, this can be removed from the tree at any time, without the need for an application.
- 8.5 Whilst the proposed works are too severe, there would be no objection to the pruning of the tree back to the pruning points created by the most recent round of pruning. This would equate to an approximate 1.5 – 1.8 metre reduction in height, a 1.5 metre reduction of the eastern side of the canopy and a 1 metre reduction of the western side of the canopy. These pruning works would be in accordance with industry best practice, and would provide some reduction of the issues, whilst maintaining the tree in good health and ensuring the long-term provision of public amenity to the area. These works would need to be the subject of a fresh application.

9.0 Conclusion

- 9.1 The proposed pruning is too severe, not in accordance with best industry practice and liable to reduce the safe and useful life expectancy of the tree. The reasons for the application do not sufficiently justify, both the initial and the longer-term impact on the public amenity of the area that would result from the works, and therefore it is recommended that the application is refused.

10.0 Detail recommendation

- 10.1 Refuse planning permission for the following reason:

The oak tree subject to this application is considered to provide a high amount of amenity to the surrounding area. The submitted reasons for the application do not sufficiently justify the detrimental impact on the amenity value of the tree that would result from the proposed works.

This page is intentionally left blank