

CITY OF WOLVERHAMPTON COUNCIL	Planning Committee Tuesday, 12 January 2021
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Planning application no.	20/01541/TR	
Site	Land South of Junction with Bankfield Road, Nettlefolds Way, Bilston, West Midlands	
Proposal	06/00437/TPO (A1) - Fell 28 Lombardy Poplars. Reason - there are concerns regarding the condition and safety of the trees following the failure of one of the trees in August.	
Ward	Bilston East;	
Applicant	Mr Charles Langtree - The Lands Trust	
Cabinet member with lead responsibility	Councillor Stephen Simkins Cabinet Member for City Economy	
Accountable Director	Richard Lawrence, Director of Regeneration	
Originating service	Planning	
Accountable employee	James Dunn	Tree Officer
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1.0 Summary recommendation

1.1 Approve subject to conditions.

2.0 Application site

- 2.1 The trees subject to this application are a group of 28 Lombardy poplar trees that are located on the open space south of the Junction with Bankfield Road, and Nettlefolds Way. The trees are located close to the boundary fence with Loxdale Primary School.
- 2.2 The Trees are protected under The Wolverhampton (GKN Sankey Sports Ground) Tree Preservation Order 1984 (Ref: 06/00437/TPO (A1)).
- 2.3 The trees form 2 linear groups along the boundary line either side of a pedestrian entrance into the primary school. The trees are a significant landscape feature in the area and provide a high amount of visual amenity to the surrounding area.

3.0 Application details

3.1 The applicant, who is the manging agent for the land, has proposed to fell the trees due to concerns regarding their condition following the failure at the base of one of the trees in August. Given the location of the trees any future failures would present an unacceptable safety risk to both the users of the open space and also pupils, staff and visitors at the school. It is proposed to plant replacement trees following the removal of the trees.

4.0 Relevant policy documents

4.1 None

5.0 Publicity

5.1 No comments received.

6.0 Consultees

6.1 No officer consultation.

7.0 Legal implications

7.1 There are no legal implications arising from this report [KR/18122020/E]

8.0 Appraisal

8.1 The trees subject to this application provide a significant level of public amenity to the area due to their presence as a landscape feature visible across the open space, and from the adjacent public highways. Given their amenity value significant justification would be required to justify their removal.

8.2 The tree that had failed in August had a significant cavity in the lower stem and down into the root flare of the tree which comprised approximately 90% of the cross-sectional area of the stem. The decay had advanced to the point that the remaining timber was unable to support the weight and wind loading that the tree was subject to. This structural failure resulted in the tree falling from the base into the grounds of the school.

8.3 The 2 groups of trees have formed distinct aerodynamic groups, with neighbouring trees in each group having adapted to and relying on the shelter that adjacent trees provide. Creation of any gaps within the 2 groups of trees by removal of individual trees may render the adjacent trees more liable to failure. Therefore, even if some trees within the group(s) do not have any significant defects then the removal of the whole group may be justified if sufficient trees within the group require removal due to the presence of defects.

8.4 A number of trees within the group of the one that failed were sounded with a mallet to asses the presence of decay. Of the 5 sounded 4 suggested that there was decay

present at the base of the tree, and given the species response to decay, the risk of failure in these trees will increase in time.

- 8.5 Given that all the trees are of the same age and species, and have existed in similar ground conditions, a similar level and proportion of decay is likely to be present in the remaining trees within the group.
- 8.6 The applicant is currently arranging for the remaining trees to be assessed for decay to confirm the levels of decay present, the results of this assessment will be reported to the Committee. Whilst normally such information would be required 'up front' given the committee cycle, and the start of the bird nesting season at the beginning of March 2021 it is appropriate for this application to be presented to the January 2021 committee.
- 8.7 The condition of the trees will have been adversely affected by the local development and associated ground works to form the school site and the open space, However given the age species, and generally poor ground conditions in the area, the decline of the trees at their stage of life is not unexpected.
- 8.8 The removal of the trees will have a significant impact on the public amenity of the area, as the landscape feature will be lost. The future removal of the trees is something that has been considered as part of the landscape design and setting out of the adjacent open space as a replacement shelter belt has already been planted. However, this is still in its infancy and will not mitigate the lost amenity for a number of years.
- 8.9 The applicant has also proposed to further reinforce the recent planting with additional planting along the line of the trees to be removed. As such whilst there will be a loss of amenity in the short to medium term, the long-term amenity of the area will be preserved and enhanced by the new trees, which will be more in keeping to the adjacent land uses.
- 8.10 Subject to the confirmation of the expected condition of the trees, the removal of the likely safety risk that these trees present is sufficient to justify the impact on the amenity of the area that will result.

9.0 Conclusion

- 9.1 Subject to the confirmation of the expected presence and extent of decay in the remaining trees, and given the general condition of the trees subject this application, their removal is justified in order to reduce the safety risk that these trees will pose to the users of the open space and adjacent primary school.

10.0 Detail recommendation

- 10.1 Grant subject to the receipt of appropriate confirmation of poor condition in the wider group(s) of trees and a condition requiring the planting of appropriate replacement trees.

