

TWC/2015/0859

Land adjacent, 21 Priorslee Village, Priorslee, Telford, Shropshire
Felling of 1 no. Blue Cedar

APPLICANT

Mr Derek Parkin

RECEIVED

24/09/2015

PARISH

St. Georges and Priorslee

WARD

Priorslee

OFFICER Tom Carruthers

This application has been referred to Committee

OBJECTIONS: Yes

1. THE PROPOSAL

- 1.1 This application seeks consent to fell 1no. Blue Cedar tree on land adjacent to 21 Priorslee Village.
- 1.2 The reasons provided by the applicant for the required felling are the land in which it is growing is not an adequate size for the tree to grow; the branches are over hanging the garage roof and the highway; roots are growing on the surface and are beginning to lift the tarmac and kerb stones; the needles fall all year and are blocking the drains, and it is blocking out the light to the house.
- 1.3 A previous application for the same work was submitted earlier in the year (Our ref: TWC/2015/0640). This was withdrawn to allow the applicants to submit further supporting information and to allow a wider public consultation.
- 1.4 The applicant has submitted amended information with the application. They have now submitted a tree report with the name of the expert who carried out the report on it and there are e-mails with more up to date information. There was also a petition in favour of the felling of the tree submitted with the application.

2. SITE AND SURROUNDINGS

- 2.1 The tree is on Highway land adjacent to 21 Priorslee Village which is in the Council's Ownership. The tree overhangs the garage and garden of no.21. The tree also hangs over the access to the communal garage court to the rear of the properties. It also overhangs the drive way to York House, 15 Priorslee Village.
- 2.2 21 Priorslee Village is an end of Terrace property in Priorslee Village which is a residential area of Telford.

- 2.3 The tree which is the subject of this application is part of a group TPO (Our ref: 190305)

3. PLANNING HISTORY

- 3.1 TWC/2015/0640 Felling of 1no. Blue Cedar Withdrawn 09/09/2015
- 3.2 TWC/2014/0283 Cutting back of branches overhanging the garage by 1.5m, crown thinning of canopy by a maximum of 20%, crown lift to create an outer crown lift of 4m and reduction of 2no. damaged limbs to 1no. Cedar tree.
Tree Preservation Order Granted 02/06/2014

4. PLANNING POLICY CONTEXT

- 4.1 National Planning Guidance
National Planning Policy Framework
- 4.2 Wrekin Local Plan Saved Policies
OL11 Woodlands and trees
- 4.3 Core Strategy
CS12 Natural Environment

5. CONSULTATION RESPONSES

- 5.1 St Georges & Priorslee Parish Council: Object
The Blue Cedar is a fine Specimen and is well maintained
- 5.2 Arboriculture: Object
No additional information to substantiate the felling. The tree is healthy and has considerable amenity value.
- 5.4 Neighbourhood Consultation

When the application was submitted it was accompanied by a petition containing ten signatures in favour of felling the tree.

Seven letters of support have been received following neighbour consultation. The points raised are summarised below:

- It is a lovely tree but it is in the wrong place.
- The tree has become too tall for the position it was planted in. It was planted as an ornamental tree about 30 years ago and should never have been allowed to grow so tall.
- No maintenance by Telford & Wrekin Council until 10 years ago when the tree was already too big.
- The tree would appear to have outgrown itself from lack of care becoming an unsightly and incredibly dangerous structure.

- Roots are already causing problems to the courtyard entrance to the garages.
- Access to the garages has been difficult in the past before some lower branches were removed and if allowed to continue to grow, access could again be problematic as the branches over hang the access.
- Worried about the stability of the tree as the root system is pushing up above the ground.
- Needs to be felled before it falls. If it falls it will cause considerable damage to properties.
- A tree of this type should not have been planted in a restricted place but in a woodland where there is ample space to grow.
- This particular species of Cedar has the potential to grow to twice its current size.
- This Cedar tree is currently of a small for size for its species, which in suitable growing conditions could easily reach 35 - 40 metres height and a similar or greater crown diameter. Even before anything nearing that size is reached this tree will pose a high potential hazard to both pedestrian and vehicular traffic.
- The Cedar is not in keeping with the current neighbouring tree species and provides no improvement to the local fauna.
- The species is notorious for being difficult to reduce in size through crown reduction measures, both technically and aesthetically, making future hazard management difficult. Any crown reduction measure would be a very short term solution requiring regular repetition which would only increase future management costs.
- If the application is refused, is the Council prepared to take responsibility for damage caused if the tree is uprooted in stormy weather?
- This tree must be in distress and as a woodland species is clearly not an appropriate tree for this environment.
- Regarding the continuing rate of growth, we would further express concern as to where the moisture is being drawn to fuel growth. For instance is the drainage system being breached?
- Removal of the tree could prevent future structural problems, insurance claims etc.
- If the tree is removed, a more appropriate replacement could fill this void for future generations to benefit.

6. PLANNING CONSIDERATIONS

6.1 Having regard to the development plan policy and other material considerations, including comments received during the consultation process, the planning application raises the following main issues.

- Principle
- Amenity value of the tree

Principle

- 6.2 The tree is outside of the applicant's curtilage. It is within a highway verge and therefore is owned by Telford & Wrekin Council, who as owners have already refused permission for the tree to be felled.
- 6.3 On the original application, the Council's Arboriculturist commented that the tree is growing within Local Authority adopted highway land and has been subjected to annual inspections for the last 6 years by the landowner. It has a full and healthy canopy. It has undergone formative tree surgery on two occasions most notably last year.

Amenity value of the tree

- 6.4 The tree is a woodland variety of tree that is not normally found in residential areas. The tree is growing within a very small area of land adjacent to the boundary wall of 21 Priorslee Village.
- 6.5 It is a large tree which is visible within the street scene, however it is not the only tree in the vicinity. There are many trees in Priorslee Village, many of which are covered by Tree Preservation Orders. The tree is an attractive specimen and does help to soften the hard landscaped area adjacent to no.21 Priorslee Village. The tree is considered to be early mature for its species and thus can continue to provide a significant local amenity value within the landscape for the foreseeable future.
- 6.6 However due to its position, it does show signs of minor damage due to larger vehicles hitting it when driving past or getting access to adjacent properties.
- 6.7 It has been mentioned that the Cedar is not in keeping with the neighbouring tree species and provides no improvement to the local fauna. It is considered that the tree is not a usual species for this setting and that the tree would be more suited to a woodland setting, however it is not the only Blue Cedar within Priorslee Village and the tree in this location adds to the diversity of tree species.

Other Matters

- 6.7 There have been 7 letters and a petition received in support of the felling of this tree. The majority of the letters make reference to the tree being a lovely specimen but it is in the wrong place. The tree is early mature for its species and does have the potential to grow bigger. At present, the tree does overhang over the highway and it does overhang the garage of 21 Priorslee Village and The driveway of York House, 15 Priorslee Village. It is a large tree and the area of land is small. The Council's Arboriculturists state that the tree has been subjected to annual inspections for the last 6 years and that it has a full and healthy canopy.
- 6.8 The roots have started to come up and are visible at ground level. There is visible damage to kerbs and the driveway to the garages that the applicants

and other residents claim are down to the roots. Whereas this may be the case, there has been no evidence submitted to substantiate this claim.

- 6.9 Many of the letters are concerned that the tree could fall and cause damage to properties. There has been no evidence submitted that this tree is in danger of falling or unhealthy and the Council's arboriculturists consider that the tree is healthy.
- 6.10 The applicants have mentioned that an insurance company has said that if the tree is left in situ, they will not be able to get insurance on their home. Whilst if this is the case this is unacceptable to the applicants, it is unfortunately not a material planning consideration.
- 6.11 It has been stated that the tree is difficult to reduce in size making future hazard management difficult and any crown reduction measures would be a very short term solution requiring regular repetition which would increase costs. There has been work done to the tree in the past and officers cannot see why future work cannot be done to safeguard the future of the tree. The costs of these works are not a planning consideration and cannot be taken into account whilst determining this application.

7. CONCLUSIONS

- 7.1 The felling of this Blue Cedar has not been justified. It is considered that the tree is still healthy and provides continuing amenity value and there has been no arboricultural reason given to justify felling the tree and therefore, would conflict with Policy OL11 of the Wrekin Local Plan and CS12 of the Core Strategy.

8. RECOMMENDATION

- 8.1 Based on the conclusions above, it is recommended that the committee

REFUSE TREE PRESERVATION ORDER CONSENT.