

PROPOSAL: FELL SYCAMORE TREE T20 OF TPO REF 1995_07
SITE: 24 ATHERSTONE AVENUE, PETERBOROUGH, PE3 9TX
APPLICANT: MRS LOBOZZO
REFERRED BY: HEAD OF PLANNING, TRANSPORTATION AND ENGINEERING
REASON: PREVIOUS MEMBER INTEREST IN THIS PROPOSAL

CASE OFFICER: JOHN WILCOCKSON
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RECOMMENDATION: REFUSE

1 Description of the site and surroundings and Summary of the proposal

Site & Surroundings

Detached property with gardens fronting onto 24 Atherstone Avenue, the tree is located at the front of the property on the grass area abutting the public footway.

Proposal

To fell a mature sycamore tree protected by a Tree Preservation Order.

2 History

00/01043/TRE – Pollard Maple tree TPO7_95. refused Oct 2000.

03/00220/TRE - Thin crown of Sycamore by 30 percent and selectively shorten some branches over hard standing area - TPO 7.95 – Approved March 2003

05/00434/TRE - Fell Sycamore tree - T20 of TPO 7.95 – Refused May 2005

3 Consultation / Representations

INTERNAL

None

EXTERNAL

None

NEIGHBOURS

None

COUNCILLORS

None

It should be noted that the consultation ends on 9th April 2012. Any comments received after the publication of this report will be reported in the update report and or verbally.

4 Assessment of the Issues

The applicant cites that the tree roots are damaging drains and manholes, are lifting block paving slabs and branches are a threat to school children. The applicant has supplied supporting evidence in the form of a report from a Drainage Network company setting out the extent of the root damage to the drains, the cause and what repairs need to be carried out.

It is the opinion of the Case Officer that the application should be refused for the following reasons:-

- The Drainage Engineers' Report itself states that there is *tree root ingress* – it does not categorically state that the roots caused the fracture of the pipes that then allowed the roots to enter the pipes.
- To date, there has not been a case whereby claims of tree roots directly damaging drains has been proven successfully in a Court of Law. Tree roots cannot physically penetrate pipes. Typically, salt-glaze pipes such as these fail due to degradation over time, compaction or soil movement. Thereafter, the tree roots cause secondary damage as they seek to monopolise the available moisture as the original pipe splits open.
- The Report also states that the damaged pipes should be sleeved with a structural liner – once carried out, under normal circumstances, this repair work will prevent future root ingress into the pipes.
- The Report also states that the damage to the manholes can be repaired through re-pointing – this in itself demonstrates that the damage in this area is merely superficial.
- Block paving can be repaired/replaced and engineering solutions utilised that can compensate for future growth.
- Concerns surrounding branch failure can be addressed by sound Arboricultural management and without the felling of the tree.

5 **Conclusions**

As the pipes need to be repaired anyway and the other reasons provided to fell can be addressed through tree management, it is considered that there is insufficient justification to fell a tree that provides substantial visual amenity value.

The felling of the tree is not deemed to be proportionate with the remedial works required.

6 **Recommendation**

The Head of Planning, Transport & Engineering recommends that this application be refused.

Copies to Ward Cllrs: M & S Dalton, Arculus