

Application Number: BH2010/03800 **Ward:** Withdean
Address: 13 Friar Road
Proposal: To fell 1 x Ailanthus altissima (Tree of Heaven)
covered by Tree Preservation Order (No 12) 1996
Officer: Di Morgan, tel. 01273 292929
Date Received: 7 December 2010
Applicant: The Thurman Consultancy

1 Introduction

1.1 The purpose of the report is to consider the above application.

2 Recommendation

2.1 That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in paragraph 7 of this report and resolves to grant consent subject to the following conditions:

- The felling shall be carried out within two years under the supervision and to the satisfaction of the Local Planning Authority.
- The said existing tree shall be replaced by a tree of a size and species and in a position to be agreed by the Local Planning Authority.
- The replacement tree shall be planted during the period November to March next, following the felling of the existing tree, and such planting shall be in all respects to the satisfaction of the Local Planning Authority.
- If, within a period of two years from the date of the planting, the tree (or any other tree planted in replacement for it) is removed, uprooted or destroyed or dies, another tree of the same size and species shall be planted at the same place, or in accordance with any variation for which the Local Planning Authority gives its written consent.

3 Description of the Application Site

- 3.1 The tree the subject of this application is situated in the front garden of 13 Friar Road, approximately 4 metres from the house itself and adjacent to the low boundary wall of the semi-detached property.

4 Proposal

- 4.1 The applicant wishes to fell this tree, stating it is unsuitable for this location for several reasons:
- 4.2.1 The Tree of Heaven is an extremely vigorous, non-native species capable of attaining over 25 m in height. The roots are fast-growing and are known to extend well beyond the crown spread. It produces root suckers some distance away from the trunk which can form trees in their own right.
- 4.2.2 In many countries it is now classed as an invasive alien species.
- 4.2.3 This species has a life expectancy of over 100 years. The specimen the subject of this application is semi-mature with perhaps a further life expectancy of over 80 years, which it is alleged is untenable in this location.
- 4.2.4 Future maintenance requirements will allegedly be significant involving heavy crown reductions, leading to a heavy financial burden and the likely onset of decay or other health problems. The need to restrict the size of the canopy will mean that its landscape contribution will always be limited.
- 4.2.5 The tree is lifting the path in the front garden of no. 13 and is causing cracking to the party wall. This latter issue may be considered to be an actionable nuisance by the neighbours and will need to be repaired.
- 4.2.6 The tree is on the south side of the two houses and blocks sunlight for much of the day to both properties.
- 4.2.7 The height of the tree and close proximity to the roof leads to an annual need to clear the gutters of fallen leaves.
- 4.2.8 The home-owner is a keen gardener but it is extremely difficult for him to grow a reasonable range of plants under or around this tree, not only because of shade and dryness but also because this species is allelopathic (leaking toxins into the ground to prevent the germination of competing plant species).

- 4.2.9 At approximately 600 mm from ground level the main stem forks, at this point the bark is included, which is usually the sign of a weak union. The risk of failure of one of the forks is likely to increase as the tree matures.
- 4.2.10 The Council has recently planted a street tree directly outside the house. Once established, this tree will significantly reduce any perceived visual value of the tree the subject of this application from surrounding viewpoints.
- 4.2.11 The home-owner is willing to replant another species of tree in this location once the present specimen has been removed.

5 Considerations

- 5.1 The tree the subject of this application is approximately 8 metres high with a crown spread of approximately 6 metres.
- 5.2 It is highly visible from the public footpath and road.
- 5.3 Attitudes to this tree are changing within the Arboricultural industry as recent environmental warming (over the last 20 years or so) has changed the habits of the tree. Until this time, it has been quite well behaved and rarely produced seed, however, recently there has been a significant increase in the number of seedlings establishing in southern UK urban areas. In parts of central London this species is becoming a key component of the vegetation, probably to the detriment of the local environment. The trees strong suckering habit (especially after pruning) leads to considerable damage to pavements, drainage systems and building foundations.
- 5.4 The tree has damaged the boundary wall.
- 5.5 The tree has a weak stem union that may fail as the tree continues to mature.
- 5.5 It is highly visible from the public footpath and road.

6 Relevant Planning History

- 6.1 None.

7 Conclusion

- 7.1 The latest industry guidelines regarding this species seem to be that the environmental warming has changed its growth habits, and this will be to the detriment of the native species where it grows. Some think it should be added to Schedule 9 of the Wildlife and Countryside Act, which would make it an offence to plant or otherwise cause to grow, this species in the wild.
- 7.2 The tree has damaged the boundary wall, however, this could be repaired around the tree.
- 7.3 Constant pruning would reduce the risk of the weak stem union failing, however, this is likely to lead to prolific suckering which would be untenable in this small, suburban, front garden.
- 7.4 It is felt that the removal of this tree and the planting of a more suitable species in this location may be preferable at this time.



The tree the subject of this application.



Weak stem union less than 1 metre from ground level.

Town & Country Planning (Tree Preservation)(No 12) Order 1996



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Head of City Infrastructure

