

Classification:

Agenda item 10a (deferred from April Meeting)

CCLA  
GOOD INVESTMENT

Penny O'Hagan (Town Clerk)  
Wem Town Council  
Wem Library  
High Street  
Wem SY4 5AA

8<sup>th</sup> April 2026

**Planting of Tree adjacent to 3,5,7 Barleyfields, Wem.**

I am contacting you to complain and seek an explanation for the planting of the tree close to the driveway owned and maintained by the occupiers of numbers 3, 5 and 7 Barleyfields, Wem, SY4 5AA.

The positioning of the tree is a potential health and safety issue which I assume has been considered through a risk assessment. I understand that the tree planted is a variety of maple. If this is the case, the variety can grow to 5-6 metres in height and, if not pruned, can have a spread of at least 4 metres. A spread of 1 metre will overhang the adjacent driveway and reduce visibility. The tree has been planted close to the exit/entrance of the path which leads to the playground area in Barleyfields, and the path is a busy thoroughfare from other housing estates. The path is regularly used by children walking and cycling to and from school as well as other pedestrians, some of whom are elderly. As the tree matures, this will restrict the view from vehicles backing out of the drive as well as the pedestrians. This is not only from the residents. Delivery vans also vacate the private driveway at speed throughout the day. I have concerns that the risk of pedestrians being in collision with a vehicle has been greatly increased by the trees positioning.

Another concern is that the tree has been placed where the residents of 3,5 and 7 Barleyfields place their recycling/refuse bins for collection. As the tree grows, up to 6 bins will have to be placed on the pavement in front of the tree, again blocking the access to the park entrance and the pavement. This will force pedestrians into the road, one side of which is usually full of parked cars (including vans) which restricts visibility, further increasing the risk of a road traffic incident and /or a trip hazard.

Having looked at the Shropshire County Council directive regarding tree placement on council owned property my understanding is that an assessment must be carried out (by an arboriculturist) conforming to British Standards 5837. Can you tell me if this assessment has been conducted and if so, can you forward me a copy. If an assessment has not been conducted it would appear to contradict the Shropshire County Council Development Guidance for tree placement. BS 5837 also provides guidance for the minimum distance between young trees or new plantings from structures. The driveway owned by 3,5 and 7 Barleyfields is defined as a 'flexible surface' because it is tarmac. The minimum distance the tree should have been planted in accordance with the guidance from the driveway is 0.7 Metres as a sapling. The tree has been planted 0.6 Metres away and will therefore have to be moved.

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When the Council plants a tree, the regulations also state that the dimensions of a mature tree must be considered. The field maple variety can have a stem diameter of more than 300 mm. In this case the minimum distance to the driveway increases 1.5 Metres. If this is the case, no tree of this variety can be planted on the small grass area. Can you tell me why this part of the directive/guidance has not been complied with?

Other considerations from BS 5837 for tree planting are a soil assessment, topographical review and identifying risks to underground services including drains. If there is concern over root development a root barrier should be inserted to protect adjacent services. Has this been considered and if so, what were the results?

Already some of the sapling which has been planted is close to encroaching the driveway. What is the plan when the tree overhangs the drive? I own a campervan which needs clearance of 2.1 Metres and most delivery vans exceed this. How often will this be monitored and any overhang of the driveway cut back?

My understanding is that the 'Council' has liability for any damage caused by newly planted trees to adjacent property and surroundings. Can you confirm that if the driveway is damaged then Wem Council will pay for repairs and restorative costs and that this liability will also include any underground services (drains, utilities). Damage to vehicles is also to be expected, caused by overhanging branches, and I would like confirmation that the Council will also be liable in this instance.

As the tree that has been planted does not conform with BS 5837, I would be grateful if you could explain to me the reason why. I would also like you to acknowledge in writing that I have informed you of a potential health and safety risk with regards to pedestrian access to the adjacent parkland and vehicles exiting the driveway in question. I would also like acknowledgment that Wem Council will pay for any damages to the driveway and underground services caused by the developing tree. This liability will also extend to vehicles damaged by associated branches. I would also like reasons in writing as to why BS 5837 has not been complied with.

I look forward to your response and if the decision is not to remove the tree, I would like an appointment with the Major to further escalate the complaints procedure before going direct to Shropshire County Council.

From: [REDACTED]

Sent: 26 March 2026 14:52

To: Town Clerk <[info@wem.gov.uk](mailto:info@wem.gov.uk)>

Subject: 3, 5 and 7 Barleyfields, Wem, SY4 5LU

Thursday 26th March, 2026

Good afternoon,

Who decided to plant trees in Barleyfields?

Presumably you are aware that the above three numbers are a private road and do not have the same facilities as other roads in Wem, therefore we are responsible for repairs etc. When these trees were sited there doesn't seem to have been any consideration as to damage the tree roots could do to our property; namely our drains and stop cocks, not to mention our road and properties that can be damaged by these roots. Why were we not consulted on the planting of the trees?

I am assuming that they were planted to deter any tinkers/travellers which we had on the green behind the hedge, that faces and is only a few yards from our front doors. A post/stanchion would have been a better solution. The tree can still be moved without damaging it and replaced by the former.

Fortunately the people concerned moved on quickly, because their children had to return to school, further north, Yorkshire, I believe.

I would appreciate an answer to this email quickly so that our problem can be resolved.

I am starting with the Town Council, but intend to take the matter further if no is satisfactory consideration is given to us.

Sincerely

[REDACTED]

I would appreciate a quick reply

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Response Sent from Town Clerk on 30.3.26

Thank you for your email and letter regarding the tree planting at Barleyfields.

The land in question is owned and managed by the Town Council and decisions about planting and maintenance are made as part of our role in managing public open spaces across the town for the benefit of both wildlife and the wider community. Due to the large number of open spaces we are responsible for and our limited staffing capacity, we are not able to consult on individual matters such as the planting of a single tree as in this case.

We understand your concerns about the potential impact on nearby properties and infrastructure. Please be assured that the species selection and positioning of the trees were carefully considered to minimise any risk, including to drains and surrounding surfaces.

We are aware that the tree closest to numbers 3, 5 and 7 has sustained some damage to its stake and tie. This will be monitored as part of our regular inspections and if it does not establish successfully or is further damaged, we will review the situation and take appropriate action, including replacement if necessary.

Thank you again for getting in touch. We have noted your comments and will keep them on record. Should any issues arise in the future that may be directly linked to the trees, these can of course be reviewed.

Best wishes

Penny O'Hagan

Town Clerk