

MEMORANDUM**APPENDIX 2**

From:	[REDACTED] Tree Officer	To:	[REDACTED] Legal Officer
My Ref:	TPO (2) 2011 Trees on land at Barnt Green to side and rear of Barnt Green Inn, Kendal End Road	Your Ref:	TPO (2) 2011 Trees on land at Barnt Green to side and rear of Barnt Green Inn, Kendal End Road
Please ask for:	[REDACTED] Ext 3075	Date	25 th July 2011

Re: Confirmation of Tree Preservation Order (TPO)**Background:**

The provisional order was raised on 23rd March 2011 in response to interest being shown in development of the site for residential purposes. The site supports a number of mature and highly prominent trees that provide a high level of public amenity as they are visible from the public highways bordering the site. Many of the trees also have a high nature conservation value due to their maturity and species type. The provisional order included the adjacent land at Barnt Green Cricket Club and Barnt Green Inn, as both sites also support trees of high public amenity value that were not protected by any other legislation.

Representations Received – Objections Appendix 1.

[REDACTED] (**owner of the land subject to development interest**).

Letter and map received from [REDACTED], acting on behalf of [REDACTED], dated 4th May 2011 highlighting the following concerns.

1. It is inappropriate for a TPO to be made with reference to an area, as only specific trees or groups of trees worthy of protection should be included. A tree survey commissioned by the owner will be made available for use as a basis for making a detailed tree assessment to refine the TPO.
2. The reason for making the TPO does not indicate that a proper amenity assessment of the trees has been made. Evidence of this assessment is required to demonstrate that a TPO is appropriate.
3. Understorey shrubs should not be included within the TPO, and an area designation does not specify what understorey shrubs are included.
4. The Order has been hastily made as a result of interest in potential development of the site, however despite the land having being promoted for development over many years, no attempt has been made to remove any trees. Therefore this order should be refined following a detailed assessment of the trees.
5. The Order needs clarification in terms of location address. The correct address is Kendal End Road.
6. The Order needs clarification in the Specification of Trees section. It should be referred to as Schedule 1.

My Comments:

1. In line with the Secretary of State's guidance, the area designation was used in the provisional Order to provide initial temporary protection for all trees on the site until a detailed assessment of the trees could be carried out, prior to requesting confirmation of the Order. This assessment was carried out on 14th and 19th July 2011, and as a result the Order has been reclassified to include only individual trees and groups of trees that provide a high degree of public amenity. The tree survey commissioned by the owner was made available and used as a basis for assessing the trees on the site.

2. A detailed assessment of amenity value using a nationally recognised method for TPO suitability was used, and is evidenced in Appendix 2. This method includes the key criteria that Government guidance highlights as being important to show that amenity value is being assessed in a structured and consistent way. As a result of the assessment, the individual trees and groups identified in Schedule 1 are deemed to provide a high level of public amenity due to their location as established trees around the perimeter of the site or as significant mature specimens within the site.
3. In order to provide immediate blanket protection and for simplicity and efficiency, the provisional Order covered all trees and understorey shrubs to ensure that no clearance of woody vegetation could occur prior to a detailed assessment being made. It was always intended that the area order would be reclassified prior to confirmation to ensure that only trees that provide a high degree of public amenity were included.
4. Due to the fact that the site supports some important mature trees of high public amenity, landscape and wildlife value, it was considered appropriate to make an immediate TPO following reports of renewed interest in development of this site. This indicated that the trees were potentially at risk from development pressure, and so to minimise this risk a provisional Order was raised to provide blanket protection.
5. The reclassified Order now identifies the trees by stating their location using the National Grid Reference number, and all references to the address of the site specify Kendal End Road.
6. The reclassified Order shows the list of trees titled as Schedule 1.

Conclusion & Recommendation

The individual trees and groups of trees identified in Schedule 1 provide a high level of public amenity due to their prominent locations around the boundary of the possible development site, or as large mature specimens located within the site. Many of the smaller trees and linear groups along the external site boundary are established plantings and would therefore also act as effective screening and provide a softening effect on the landscape should development take place in the future. As the majority of the trees are mature native species, they are also of great importance for wildlife, providing habitats for a range of fauna including protected species.

Therefore, to ensure that these valuable trees are retained and managed appropriately in the future, I propose that Bromsgrove Tree Preservation Order (No.2) 2011 is confirmed in line with the schedule below.

SCHEDULE 1

Trees Specified Individually (encircled in black on the map)

Reference on map	Description	Situation
T1	Lime	NGR 400711 274100
T2	Oak	NGR 400752 274072
T3	Oak	NGR 400775 274043
T4	Wild pear	NGR 400771 274036
T5	Oak	NGR 400761 274016
T6	Hawthorn	NGR 400759 274011
T7	Holly	NGR 400756 274005
T8	Oak	NGR 400645 274009
T9	Oak	NGR 400679 273946
T10	Hawthorn	NGR 400719 273934
T11	Hawthorn	NGR 400713 273922
T12	Oak	NGR 400699 273896
T13	Hawthorn	NGR 400680 273858

T14	Oak	NGR 400572 273978
T15	Oak	NGR 400451 274014
T16	Lime	NGR 400471 274038
T17	Lime	NGR 400479 274044
T18	Oak	NGR 400492 274044
T19	Holm oak	NGR 400666 274078

Trees specified by reference to an area
(within a dotted black line on map)

None

Groups of trees
(within a broken black line on the map)

G1	11 x hawthorn	NGR 400773 274053
G2	15 x hawthorn	NGR 400758 274065
G3	60 x hawthorn	NGR 400725 274091
G4	2 x oak	NGR 400764 274023
G5	2 x oak	NGR 400431 274002
G6	4 x sycamore	NGR 400508 274015

Woodlands
(within a continuous black line on the map)

None

I recommend that the provisional Tree Preservation order (2) 2011 is now confirmed to include all the above trees.

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T.E.M.P.O Tree Evaluation Sheet

Evaluation by: AS/AB Date: 14/7/11 & 19/7/11 Sheet No. 1 of 2.

Address/Site Details: Fievy Hill Road, Bant Green

Tree Ref	Species	DBH (mm)	Amenity Assessment			Sub	d - other factors	Expediency Assessment	Score	TPO Y/N
			a - Condition	b - Longevity	c - Visibility					
T1	lime	1500	3	5	4	120	2	4	180	Y
T2	oak	1300	4	5	5	140	2	3	190	Y
G1	11 x H'horn	150	3	4	3	100	4	3	170	Y
G2	15 x H'horn	75	3	4	3	100	4	3	170	Y
G3	60 x H'horn	75	3	4	3	100	4	3	170	Y
T3	Oak	340	3	4	4	110	1	3	150	Y
T4	Peas	300	2	2	4	80	2	3	130	Y
G4	2 x oak	300	2	4	4	100	1	3	140	Y
T5	Oak	400	3	4	4	110	1	3	150	Y
T6	H'horn	200	3	4	3	100	1	3	140	Y
T7	Holly	75	3	4	3	100	1	3	140	Y
T8	Oak	1400	4	5	3	120	2	4	180	Y
T9	oak	1200	4	5	4	130	2	4	190	Y
T10	H'horn	200	3	4	3	100	1	3	140	Y

Trees must have accrued 7+ points (& no zeros) to qualify

Part 1: Amenity assessment

- a) Condition
 - 5) Good
 - 4) Fair
 - 3) Fair
 - 1) Poor
 - 0) Unsafe
 - 0) Dead
- b) Longevity
 - 5) 100+
 - 4) 40 - 100
 - 3) 20 - 40
 - 1) 10 - 20
 - 0) <10
- c) Relative public visibility
 - 5) Very large trees, or large trees that are prominent landscape features
 - 4) Large trees, or medium trees clearly visible to the public
 - 3) Medium trees, or larger trees with limited view only
 - 2) Small trees, or larger trees visible only with difficulty
 - 1) Young, v.small, or trees not visible to the public, regardless of size
- d) Other factors
 - 5) Principal components of arboricultural features, or veteran trees
 - 4) Members of groups of trees that are important for their cohesion
 - 3) Trees with significant historical or commemorative importance
 - 2) Trees of particularly good form, especially if rare or unusual
 - 1) Trees with none of the above additional redeeming features

Part 2: Expediency assessment

- 5) Known threat to tree
 - 3) Foreseeable threat to tree
 - 2) Perceived threat to tree
 - 1) Precautionary only
 - 0) Tree known to be an actionable nuisance
- Part 3: Decision guide**
- Any 0 Do not apply TPO
 - 1 - 6 TPO indefensible
 - 7 - 10 Does not merit TPO
 - 11 - 13 Possibly merits TPO
 - 14+ Definitely merits TPO

T.E.M.P.O Tree Evaluation Sheet

Sheet No. 2 of 2

Evaluation by: AS/AB Date: 14/7/11 & 19/7/11

Address/Site Details: land at Floy Hill Road, Bant Green.

Tree Ref	Species	DBH (mm)	Amenity Assessment			Sub	d - other factors	Expediency Assessment	Score	TPO Y/N
			a - Condition	b - Longevity	c - Visibility					
T11	Hornbeam	120	3	4	3	10	1	3	14	Y
T12	Oak	300	2	4	4	18	1	3	14	Y
T13	Hornbeam	200	3	4	3	18	1	3	14	Y
T14	Oak	1200	3	2	3	8	2	4	14	Y
G5	2x oak	600	3	4	3	18	1	2	13	Y
T15	Oak	1000	3	4	3	18	2	2	14	Y
T16	Lime	c.800	3	4	4	11	2	2	15	Y
T17	Lime	c.800	4	4	4	12	2	2	16	Y
T18	Oak	400	3	4	3	18	1	3	14	Y
G6	4x Sycamore	400	2	2	3	7	4	3	14	Y
T19	Horn oak	600	3	4	4	11	1	2	14	Y
						0			0	
						0			0	
						0			0	

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