

MEMORANDUM

APPENDIX 2



From:	Gavin Boyes Senior Tree Officer	To:	Rasma Sultana Legal Officer
My Ref:	Bromsgrove District Tree Preservation Order (15) 2012	Your Ref:	
Please ask for:	Gavin Boyes	Ext	3094
		Date	20 th December 2012

Re: Confirmation Of Tree Preservation Order**Back Ground:**

The tree team was requested to inspect the former Sugarbrook Public House site on the junction of the Charford Road and the A38, Bromsgrove on 6th September 2012 in view of planning application 12/0701 made by KFC (GB) Ltd. The application proposed the demolition of the existing building and construction of a new 'drive-thru' restaurant with associated parking and landscaping. Included within the proposal was the requirement to remove a number of trees notably two semi mature Red Oak trees within a line of six Red Oaks on the boundary of the Charford Road. The six Red Oak trees are of very good quality and highly prominent providing a high level of visual amenity value to both pedestrian and motor vehicle users of both the Charford Road, the A38 and local residents. They are a major feature in the street scene of both the Charford Road and the A38 and add greatly to the character of the area. Therefore in light of the proposed loss of the two valuable Red Oaks and the increased potential risk to the health and pressure of management on the other trees especially the line of Red Oaks the development would undoubtedly bring a Provision Tree Preservation Order was raised on the site on 18th September 2012.

Representations Received – Objections Appendices 1.**Letter Received: Sent 15th October 2012 : Received 17th October 2012 : from Mr Rob Wells of Savills, Architects Working On Behalf OF KFC (GB) Ltd.**

The objection was in view of the extent of the Provisional Tree Preservation Order raised. In that the order had been raised as an area order covering the whole site and protecting all trees of what ever species contained with the site. In the letter Savills argued that only the six Red Oak trees on the boundary with the Charford Road are worthy of Tree Preservation Order protection and requested that consideration should be give by the Council to modifying the order to this affect. The letter also highlights the intention to replace a number of the poorer tree stock on the site with new tree stock under the landscape proposal of the development. A plan provided with this letter also highlighted the measures that would be taken to ensure the health and stability of the Red Oak trees is not adversely affected by the development and the measures to be taken for their protection during the works.

My Comments:

Prior to the receipt of the letter sent by Savills dated 15th October 2012 I had a phone conversation with Rob Wells in which the issues raised in his subsequent letter were discussed. During this discussion Rob Wells highlighted that In view of the Tree Preservation Order having been raised and my objection to the removal of the two Red Oak trees the company intended to change the proposal allowing a retention the two Red Oak trees initially earmarked for removal. Also discussed was an agreement that we would allow a sympathetic level of crown pruning on the two trees initially earmarked for removal to manage the impact of the trees on the site. It was agreed that other tree stock on the site is of a distinctly lower quality and prominence and most is highlighted for replacement with new tree stock that will provide better future prospects and benefits to the site and area. Therefore I am happy to recommend a modification of this order is made to just include the group of six Red Oak trees on the boundary with the Charford Road. All of the above detail is confirmed in the letter from Savills dated 15th October 2012.

Conclusion & Recommendation

Apart from the six Red Oak trees on the boundary of the Charford Road I would have to agree that all other tree stock on the site is of a distinctly lower quality and prominence. A high percentage of the lower grade stock on the site is highlighted for replacement with new tree stock that will undoubtedly have better future prospects and will ultimately provide a far higher benefit to the site and area. Therefore I am happy that in this case it is justified and acceptable to make a modification of the order to just include the group of six Red Oak trees on the boundary with the Charford Road. Therefore I would recommend to the committee that this order is modified and confirmed to include only the group of six Red Oak trees on the boundary of Charford Road as shown on the attached plan.

SCHEDULE 1

Trees specified individually (encircled in black on the map)

NONE

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

NONE

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

Reference on the map	Description	NGR	Situation
G1	6 x Red Oak Trees	396030 / 269420	Land attached to the Sugarbrook Public House Charford Road Bromsgrove B60 3NJ

I would recommend to the committee that this order is modified and confirmed to include only the group of six Red Oak trees on the boundary of Charford Road as shown on the attached plan.