

**PLANNING
COMMITTEE**

2nd March 2015

TREE PRESERVATION ORDER (NO.19) 2014 – Trees on Land at Peterbrook Road, Maypole Lane and Gay Hill Golf Club, Hollywood, Bromsgrove

Relevant Portfolio Holder	Kit Taylor
Portfolio Holder Consulted	No
Relevant Head of Service	Head of Planning Services and Housing
Ward(s) Affected	Hollywood and Majors Green Ward
Ward Councillor(s) Consulted	No
Non-Key Decision	

1. SUMMARY OF PROPOSALS

- 1.1 The Committee is asked to consider the confirmation with modification of Tree Preservation Order (No.19) 2014 relating to trees on Land at Peterbrook Road, Maypole Lane and Gay Hill Golf Club, Hollywood, Bromsgrove.

2. RECOMMENDATIONS

- 2.1 It is recommended that Tree Preservation Order (No.19) 2014 relating to trees on Land at Peterbrook Road, Maypole Lane and Gay Hill Golf Club, Hollywood, Bromsgrove is confirmed with modification.

3. KEY ISSUES

Financial Implications

- 3.1 There are no financial implications relating to the confirmation of the TPO.

Legal Implications

- 3.3 Town and Country Planning (Trees) Regulations 1999 covers this procedure.

Service / Operational Implications

- 3.4 The TPO was provisionally made on the 19th September 2014 due to a high level of tree works being carried out on the site. The site is owned by Gallagher Construction Ltd and there was a concern that the level of work indicated that the site was potentially being prepared for development.

The provisional TPO will remain in force until the 19th March 2015. Notification of the Order was given to all persons in the surrounding area and to all those who could be affected by the making of the TPO.

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One objection has been received in respect of the TPO from Pegasus Group on behalf of JJ Gallagher Ltd. (See Appendix 1- Objection Report dated 14th October 2014). In summary the Objection consists of the following:

1. The TPO is not expedient in the interests of public visual amenity.
2. The trees are not under threat.
3. The trees are of an inappropriate species and location.
4. The TPO is not specific which results in an unreasonable burden on the owners of the trees.
5. Some of the trees are offsite and no evidence has been provided to ensure that the TPO has been served on all relevant tree owners.

However the Objector has stated that if the Council do confirm the TPO, it is confirmed subject to modifications that omit any tree/ group that cannot be demonstrated to be of public visual amenity or enjoyment.

The Tree Officer responds in summary to the Objection (See Appendices 2-5 for full details).

1. Site visits confirm it is used by the public for local walkers/ dog walkers. The site borders Gay Hill Golf Club so is visible to users of the course.
2. The trees are highly visible from Maypole Lane and Peterbrook Road, therefore it is reasonable to say that they offer visual amenity value.
3. Some of the trees in the groups have been reassessed and defined as individual trees within the modified order.
4. The administration of the TPO was accurate and correct and all relevant persons were served with the TPO.
5. Some of the trees are outside the site owned by JJ Gallagher Ltd but do influence the site. It is common practice to protect these trees in such circumstances.

The Tree Officer carried out a Tree Survey and the findings are detailed in Appendix 5- Tree Officer Report.

- 3.5 Policy Implications- None
HR Implications- None
Council Objective 4- Environment, Priority C04 Planning
- 3.6 Climate Change / Carbon/ Biodiversity- The Proposal in relation to confirming the TPO can only be seen as a positive impact on the environment.

Customer / Equalities and Diversity Implications

- 3.7 The customers have been provided with the relevant notification. The customers will receive notification by post of the decision of the committee.

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3.8 Equalities and Diversity implications- None

4. RISK MANAGEMENT

4.1 There are no significant risks associated with the details included in this report.

5. APPENDICES

Appendix 1 – Objection Report from Pegasus Group dated 14.10.15

Appendix 2 – Map and Schedule of Provisional Order

Appendix 3 – Map and Schedule of Modified Order

Appendix 4 – Photographs of Trees

Appendix 5 - Tree Officer Report dated 9th February 2015

6. BACKGROUND PAPERS

None

7. KEY

TPO - Tree Preservation Order

AUTHOR OF REPORT

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