

BROMSGROVE DISTRICT COUNCIL – STRATEGIC PLANS – TREES & LANDSCAPE

MEMORANDUM

From:	Gavin Boyes Senior Tree Officer	To:	Kam Sodhi, Rasma Sultana, Vanessa Brown Legal Department Bromsgrove
My Ref:	Bromsgrove District TPO (19) Land Off Peterbrook Road, Hollywood	Your Ref:	Bromsgrove District TPO (19) Land Off Peterbrook Road, Hollywood
Please ask for:	Gavin Boyes	Ext	3094
		Date	9 th February 2015

Re: Request to Confirm The Order

I would like to request at the next available Planning Committee meeting that the committee consider the confirmation of the above order for the reasons outlined below.

Reasons For Proposal

The order was raised on the 19th September 2014 due to a high level of tree works / clearance being carried out on the site by heavy plant machinery. The site is owned by Gallagher Construction Ltd and local residents and myself were concerned that the level of work indicated that the site was potentially been prepared for development.

Representations Received : Objection.**Report By Pegasus Group (Appendices 1) On Behalf OF JJ Gallagher LTD****My Comments:****Reference Section 3 Grounds For Objection:**

Paragraph 3.2 sentence A. I have now visited the site on a number of occasions and each time the site was being heavily used by local walkers and dog walkers. The site also boundaries on to Gay Hill Golf course via Group 7 of the order which forms the boundary tree line between the Golf Course and the site so would be highly visible and aesthetically please users of the course. Groups 3 are highly visible from the busy Maypole Lane and Group 14 from the equally busy Peterbrook Road. The site is dissected by a public right of way. Therefore I feel it is reasonable to disagree with all comments made within the objection that the trees included within this TPO do not offer any visual amenity value. Should the site be subject to any future development then I would argue that the amenity value of this tree stock would be greatly increased.

Paragraph 3.2 sentence C. I would agree that some of the trees on individual merit basis would be of a quality that perhaps would not warrant TPO protection. However these trees are largely included within the groups of which they form an important integral part. It is often the case that trees within groups are of poorer individual form due to the competition between trees. Some of the groups included within the provisional order have been reassessed and defined down to specified individual trees within the modified order which will have removed some of the poor trees referenced in this comment of the objection.

Paragraph 3.2 sentence D. I disagree with this comment in general and feel that the provisional order was sufficiently detailed to allow accurate administration. The modified order is more detailed and more accurately defines trees to be covered to allow an improved level of administration.

Paragraph 3.2 sentence E. I agree some of the trees are outside of the site owned by Gallagher but do influence the site in terms of canopy overhang and root plate spread. Therefore any activity on the site could influence the trees and their health. It is common practice in such circumstances to protect these trees.

Paragraph 3.7. I feel that the level of work taking place at the time the order was raised and nature of ownership of the site raises a sufficient level of concern as to warrant the raising and confirming of this order.

Paragraph 3.6. The raising of the provisional order was carried out under a time pressure due to tree / scrub clearance work being carried out at the time and therefore a detailed inspection of all the trees was not possible at that time. Therefore I would agree with this comment to a degree and have removed some trees within the modified order following their closer inspection.

Paragraph 3.8. All local residents affected by tree contained within this order have been consulted as required under best practice when raising an order. The Council have received no other objections to the order and I feel that all the trees include within the order would have a lengthy period of sustainability some perhaps requiring a sympathetic level of crown management. I also feel that should the site be subject to development at any time in the future all boundary trees would be more highly valued by residents adjoining the site.

Paragraph 3.9, 3.10, 3.11. I agree with these comments to a degree in respect that due to the pressure at of the time the raising of the order in work being carried out on the site the provisional order was raised containing a large amount of Hawthorn within the groups. Many of the groups containing Hawthorn that arguable formed hedges have now altered and more accurately defined down to individual trees within the modified order. The exception to this is Group 7 along the Southern boundary of the site with the Gay Hill Golf Course. This group does contain a percentage of Hawthorn which has been unmanaged for a lengthy period of time and therefore are trees in their own right and add greatly to the cohesion of the group.

Paragraph 3.12. I agree with this comment there are a number of trees that due to the pressure of limited time available to raise the provisional order were plotted slightly inaccurately. Alterations have been made within the modified order to address this issue.

Paragraph 3.13. As previously mentioned the raising of the provisional order was carried out under the time pressure of work being carried out on the site at the time. Therefore while trying to be reasonably sympathetic to allowing what I considered to be a reasonable level of work to continue (i.e. an area order could have been raised which would have stopped all works on the site) but while ensuring that provisional cover was provided for other more valuable trees the group designation was used in some areas where this designation would not be suitable in the longer term. In modifying the order some groups have been defined down to include on specific trees within the new order making it more accurate to administrate over.

Comments On Tree Survey:

T1: Tree was shown in slightly incorrect position within provisional order. Position corrected in modified order

T2: Tree has been crown reduced but is now in good regrowth from all pruning points. It is highly prominent from a number of local properties and site. I would not expect the existing soil level to adversely affect the health of the tree.

T3: High visible tree in good condition.

T4: There is evidence of small long term existing cavity in the buttressing to which the tree has made good reactive wood. Tree is in stable condition with no evidence of excessive decline within crown. Tree would be expected to have a lengthy future life span.

T5: Multi stem in good condition a highly visible tree.

T6: This is a smaller stature tree but in very good condition with a length future life span. Highly visible within site.

T7: Mature showing signs of earlier decline with crown reason unknown. There is good vigour showing throughout the crown beyond the dieback.

T8: Agree with comments in survey and will remove tree from TPO

T9: There are some cavities on some main scaffold limbs but they are long standing and there is good reactive wood being made by the tree. The tree is highly prominent from a number of properties and within the site.

T10: Slight growth habit lean only into site. The tree is highly prominent from a number of properties and within the site.

T11: Canopy overhangs and influences site. The tree is highly prominent from a number of properties and within the site.

T12: Only a very short included bark section that is not likely to compromise the safety of the tree. The tree is highly prominent from a number of properties and within the site.

T17: Tree was shown in slightly incorrect position within provisional order. Position corrected in modified order

T18: Disagree I believe the tree is correctly plotted.

T19, T20 & T21: Disagree I believe these trees are correctly plotted. All these trees are of very good quality and are highly visible within the site.

T22 & T23: Both trees are of very good quality and are highly visible within the site.

T25: Evidence of very small cavity in lower main stem no signs of major decay pocket. Tree is of good form and condition and highly prominent within the site.

T28: There is some slight soil erosion around the buttressing of the tree most likely caused by animal foot fall activity. But not enough to affect stability or health of the tree.

T29: No signs of either the disease or stock damage where found.

T30: Some stock damage and small cavity found on lower main stem but good repair wood being made by tree.

T31: There is some heavy die back in crown and a large wound on the lower main stem. There is no decay found in the wounding on the lower main stem the exposed wood is solid. The crown could be cleaned out and reshaped to improve the quality of the tree and enhance its longer term prospects. The tree is also clearly been used as a shrine with many commemorative items left around the tree.

Group 1: Reassessed and defined now to individual trees within modified order.

Group 2: Reassessed and defined now to individual trees within modified order.

Group 3: Disagree with comment

Group 4: Tree possibly outside of site owned by Gallagher Construction Ltd. But the canopies of trees overhang and influence site. Trees are highly visible from number of local properties and within site.

Group 5: Reassessed and defined now to individual trees within modified order.

Group 6: Disagree with comment trees are highly visible from a number of local properties and within site.

Group 7: Major feature tree line on Southern boundary defines boundary between site and Gay Hill Golf Course. Highly visible from both sites.

Group 8: Reassessed and defined now to individual trees within modified order.

Group 9&10: Disagree with comment trees in both groups are in very good condition and are highly visible from within the site.

Group 11: The majority of the trees in the group are off site but the canopies overhang and influence the site. Brook Cottage B60 1HZ is on the mail list for the order that is clearly the property containing a good proportion of the tree stock in this group. We have received no objection from this property or undelivered and returned notifications. Three standard notices on land where put up to ensure wider advisement of order being raised was available.

Group 12: A large proportion of the trees in the group are off site but the canopies on many overhang and influence the site. The size of group is relevant to ensure tree stock is protected that provides a good level of habitat value and screening value between the local sites / properties and stream line / wetland area.

Group 13: There are trees within the group that ideally need some management but this group is highly visible and relevant in terms of the screening amenity and habitat value it provides to the site.

Group 14: Description appears accurate but I will improve it within the modified order.

Recommendation:

It is my view that the tree stock included within this order offers a high degree of habitat and amenity value to the area and site. I due to the geographical nature of the site and landowner I would have concerns over it potential for future development and the conflict this would undoubtedly bring to bear on the trees. Therefore I recommend to the committee that the order should be confirmed as modified.

Appendices 2. Map and Schedule of Provisional Order.

Appendices 3. Map and Schedule of Modified Order.

Appendices 4. Photographs of Trees.