

**PLANNING
COMMITTEE**

1st March 2021

Tree Preservation Order (14) 2020 Trees On Land At 11 Plymouth Road, Barnt Green B45 8JE

Relevant Portfolio Holder	Cllr A. Sherry
Portfolio Holder Consulted	No
Relevant Head of Service	Head of Planning and Environmental Services
Ward(s) Affected	Barnt Green Ward
Ward Councillor(s) Consulted	No
Non-Key Decision	

1. SUMMARY OF PROPOSALS

- 1.1 The Committee is asked to consider the confirmation without modification of Tree Preservation Order (14) 2020 relating to Tree/s on land at 11 Plymouth Road, Barnt Green B45 8JE

2. RECOMMENDATIONS

- 2.1 It is recommended that provisional Tree Preservation Order (14) 2020 relating to trees on land at 11 Plymouth Road, Barnt Green B45 8JE is confirmed without modification as in the provisional order as raised and shown in appendix (1).

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 2012 covers this procedure.

Service / Operational Implications

Background:

- 3.4 The provisional order was raised on 11th September 2020 in view of a suspected / perceived threat to the trees by potential risk of development work at the site.

3.5 The following one objection has been received in respect of the provisional TPO having been raised;

1. A letter attachment to an email dated 8th August 2020 and hard copy of the same attached letter delivered to the Council offices at Crossgates House on the 9th August 2020 from Mr N Wykes, 11 Plymouth Road, Barnt Green B45 8JE shown in appendix (2)

My comments in relation to the points raise within the objection are as follows:

- a. Trees on the frontages of other properties in Plymouth Road have been protected when a similar perceived threat to them has become known. Therefore, there has been no biased approach taken in this case.
- b. I do not envisage that the laying of a new drive on the footprint of the existing drive would have a detrimental effect on the trees to be protected. It is highly likely with modern engineering options that any improvement to the drive could be carried out in a sympathetic manner and without causing any detrimental influence on the trees within the order. If there is a need to widen the drive, there is ample scope to do this on the opposite side of the drive and away from the trees to be protected.
- c. The order defines the trees as a group not an area and the schedule of the order provides specific details of the number of trees and their species within the group.
- d. There is a statutory time period for the issuing of a decision notice on a TPO application once it is registered and validated of 8 weeks. However, applications are often processed far sooner than the permitted 8 weeks and an application could be prioritised where there is a known urgent need to do so. There is no financial cost to making a TPO application for consent to carryout work.
- e. I feel that the trees are of an appropriate distance from the front elevation of the property so as they do not have majorly adverse influence on the natural light level to the property.

**PLANNING
COMMITTEE**

1st March 2021

- 3.6 Policy Implications- None
HR Implications- None
Council Objective 4- Environment, Priority C04 Planning
- 3.7 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

- 3.8 The customers have been provided with the relevant notification and the responses received are attached in the appendices. The customers will receive notification by post of the decision of the committee.
- 3.9 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

List Appendices.

Appendix (1) Plan & Schedule of Provisional Order
Appendix (2) Email & Letter of Objection from Mr N Wykes.
Appendix (3) Completed TEMPO Evaluation Sheet
Appendix (4) Photographs of tree group subject to the order

6. BACKGROUND PAPERS

None

7. KEY

TPO - Tree Preservation Order
TEMPO – Tree Evaluation Method for Preservation Orders

- 7.1 Conclusion and recommendations:

**PLANNING
COMMITTEE**

1st March 2021

A Tree Evaluation Method For Preservation Orders (TEMPO) assessment of the group of trees was carried out to aid the decision making process of evaluating the trees suitability for protection was carried out and by my application of this assessment method the group of tree scored 18 as shown in appendix (3). Anything scoring over 14 under this method is deemed suitable for Tree Preservation Order protection.

The group of trees are highly prominent to users of Plymouth Road therefore offer a high degree of visual amenity value to passers-by both pedestrians and road users, they add greatly to the character of the street and the area.

Therefore, I recommend to the committee that the order is confirmed and made permanent without modification as shown in appendix (1) of this report.

AUTHOR OF REPORT

Name: Gavin Boyes

Email: Gavin.Boyes@bromsgroveandRedditch.gov.uk

Tel: 01527 883094