

# **PLANNING COMMITTEE**

5<sup>th</sup> July 2021

## **Tree Preservation Order (2) 2021 Trees On Land at 1A College Road, Bromsgrove B60 2NE**

Relevant Portfolio Holder	Cllr A. Sherry
Portfolio Holder Consulted	No
Relevant Head of Service	Head of Planning and Environmental Services
Ward(s) Affected	Bromsgrove Central
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 (2) 2021 relating to Tree/s on Land at 1A College Road, Bromsgrove B60 2NE

### **2. RECOMMENDATIONS**

- 1.2 It is recommended that provisional Tree Preservation Order (2) 2021 on Land at 1a College Road B60 2NE is confirmed with modification as in the provisional order as raised and shown in appendix (2).

### **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 the 29<sup>th</sup> January 2021 as shown in appendices (1) in response to planning application 19/00894/PREAP for a "Proposed dormer bungalow fronting college road alongside No. 1B within the curtilage of No.1 and utilising the same vehicular access". The layout submitted for this application would have required the loss of trees T2

Magnolia and T3 Golden Foliage Chamaecyparis Conifer of the provisional order. Since the raising of the order this preapplication has progressed to become application 20/01574/OUT for the Development of a single dwelling at 1A College Road Bromsgrove (Outline application with matter of access for consideration). the site layout plan of the existing and proposed layout of this application can be seen in appendix (3) which still requires the loss of T2 magnolia but now allows the retention of T3 Golden Cypress.

3.5 One objection has been received in respect of the provisional TPO having been raised as follows:

1. A Marlow Consulting Ltd Arboricultural Report date 17<sup>th</sup> February 2021 as shown in appendix (3)

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

- The magnolia should not have been included within the order as it is a shrub species and not a tree. Although the magnolia T2 is a mature specimen I accept that it is strictly a shrub species and should therefore not be retained within the permeant order. The applicant of 20/01574/OUT has also agreed to plant a replacement Magnolia within the scheme as shown on the proposed layout plan.

- T3 Golden Foliage Conifer does not provide sufficient visual amenity value from a public place:

I accept that this tree does stand some distance back within the property from road edge and that the view of the tree is partially screened from the road by the canopies of other trees. However, feel that regardless of these issues it is still clearly visible from a number of positions from public pathway running along College Road. It is also proposed under application 20/01574/OUT to remove 6 trees from within the site as shown highlighted in Pink on the proposed site layout shown in appendix (3). The removal of these tree will increase the visibility of T2 Golden conifer from College Road.

- TEMPO Assessment: Under the TEMPO assessment system any tree scoring 12 or over is potentially suitable for consideration of TPO protection. I disagree with some of the TEMPO scores given in the TEMPO assessment provided with the objection. My TEMPO assessment scoring can be seen in appendix (5) of this report. The

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TEMPO sheet provided with the objection show that both T1 and T2 of the order meet the threshold score to continue on to the assessment in sections (D) and Part (2) of the Tempo sheet, but these two elements of the sheet have not been completed. I would assume from the scores given in section A-C of the sheets provided (with which I disagree) that T1 would be likely to fail to meet the 12-15 score required for consideration for TPO protection. But as there is a know risk to the Golden foliage conifer this would certainly meet the required score with the scores given in section A-C should sections (D) and Part 2 have been completed.

- 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) Schedule and Plan of Provisional Order as raised  
Appendix (2) Schedule and Plan of proposed modified order

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Appendix (3) Site Layout Plan both existing and proposed for application  
20/01574/OUT  
Appendix (4) Objection Marlow Consulting Ltd Arboricultural Report  
Appendix (5) Tempo Assessment  
Appendix (6) Photographs of trees with the order

**6. BACKGROUND PAPERS**

None

**7. KEY**

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

**7.1 Conclusion and recommendations:**

The trees within the order are visible to users of College Road and therefore offer a reasonable degree of visual amenity value when viewed from a publicly accessible area and also add greatly to the character of the area.

Therefore, I recommend to the committee that Tree Preservation Order (2) 2021 is confirmed and made permanent with modification as shown in appendix (1) of this report.

**AUTHOR OF REPORT**

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