

PLANNING COMMITTEE

2nd August 2021

Tree Preservation Order (5) 2021 Trees On Land West Of Redditch Road, Alvechurch NGR 402909-272065

Relevant Portfolio Holder	Cllr A. Sherry
Portfolio Holder Consulted	No
Relevant Head of Service	Head of Planning and Environmental Services
Ward(s) Affected	Alvechurch
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 (5) 2021 which relates to the protection of trees on Land West Of Redditch Road, Alvechurch NGR 402909-272065

2. RECOMMENDATIONS

- 1.2 It is recommended that provisional Tree Preservation Order (5) 2021 on Land West Of Redditch Road, Alvechurch NGR 402909-272065 is confirmed with modification as in the provisional order raised and shown in appendix (1). The modification relates to tree T8 of the order which was wrongly listed In the provisional order as an Ash tree when it is an Oak.

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 3rd March 2021 as shown in appendix (2) due to improvements having been made to the access point to the site off the Redditch Road and the beginning of storage of building and site

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management materials on the site. On inspect it was also noted that there are trees within the site marked with pink paint spots which is generally a mark recognised to highlight tree targeted for removal. Land registry checks show that the site is under the ownership of a local builder and therefore the concern was that there was a potential risk that the site could be targeted for development. The site owner has verbally confirmed he has no objection to the order having been raised.

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

1. An Arboricultural report from Mark Chester of Cedarwood Tree Care on behalf of Mr M Smith of 28 Redditch Road, Alvechurch received on 6th April 2021 which directly abuts the site containing the tree within the order and which can be seen in appendix (3) of this report.

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

- Point 1: Identification of Trees Within the Order:

There are nine trees included within the order, each individual tree having been given an identification number and the national grid reference within the schedule of the order. Each individual tree is shown on the plan of the order highlighted by its reference number within the schedule and an icon showing its position. Therefore, I feel although there are more trees on the site than there are included within the order that they are clearly indefinable from the documentation of the order. There is no requirement under tree preservation order legislation guidance to have grid references shown for trees on the plan of the order.

- Point 2: It is unclear why the trees were included within the order:

The trees not included within the order have or are prone to disease or condition issues or are of lower level of prominence from a public amenity value prospective and therefore were not considered suitable for tree preservation order protection.

- Point 3: No amenity assessment of trees

A council tree officer has a right of access to private land to

allow the undertaking of his duties in assessing the suitability of trees for TPO protection where there is reason to believe they might be at risk. A Tempo assessment which is a scoring system used as a guide to the suitability of trees for TPO protection has been provided within the objection. There is no legal requirement to use this assessment process when raising a TPO it is an aid only to the decision making process. We have carried out our own TEMPO scoring of the trees included within the order as shown in appendix (4) which produced a score for all trees that confirms the tree merit consideration for TPO protection, and which differs from the scoring within the objection. The trees within the order are in part visible from the main path and carriageway of Redditch Road and feeder road serving properties 18-28 Redditch Road as shown in the photograph's appendix (5) and therefore do offer a suitable level of public visual amenity value. They are also visible from the rear of a number of private properties in School Lane. Apart from the visual amenity, the trees offer a high level of habitat and biodiversity value to the site and add greatly to the rural character of the area. Should the site be developed in the future the benefits the trees offer to the site and area would have the potential to be greatly increased.

- 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

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- 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 revised order
Appendix (2) Schedule and Plan of provisional order
Appendix (3) Cedarwood Tree Care objection
Appendix (4) Council TEMPO Assessment
Appendix (5) 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 in part visible from the main path and carriageway of Redditch Road and feeder road serving properties 18-28 Redditch Road and therefore offer a suitable 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 (5) 2021 is confirmed and made permanent with modification as shown in appendix (1) of this report.

AUTHOR OF REPORT

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