

PLANNING COMMITTEE

5th July 2021

Tree Preservation Order (8) 2021 Tree On Land at 4 Merriemont Drive, Barnt Green, Birmingham B45 8QZ

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 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 (8) 2021 relating to Tree/s on Land at 4 Merriemont Drive, Barnt Green, Birmingham B45 8QZ

2. RECOMMENDATIONS

- 1.2 It is recommended that provisional Tree Preservation Order (2) 2021 on Land at 4 Merriemont Drive, Barnt Green, Birmingham B45 8QZ 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 the 1st April 2021 as shown in appendices (1) in view of an enquiry having been received requesting advice on the status of the tree in view of a potential to remove the Cedar tree T1 included within the provisional order.

PLANNING COMMITTEE

5th July 2021

3.5 Two objections have been received in respect of the provisional TPO having been raised as follows:

1. A letter sent via Email attachment received on the 11th April 2012 from Mr Keith Moody the owner of 4 Merriemont Drive as shown in appendix (2) of the report.
2. Letter dated 14th April 2021 from Mr & Mrs Colemeadow of 5 Merriemont Drive as shown in appendix (3) of the report.

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

- **Nuisance debris fall:** Cedar trees will create a volume of needle and cone fall however, I feel that these issues are manageable by regular cleaning of the area around the tree and sympathetic management pruning of the tree. I also feel that the value the tree provides in both amenity and character outweighs the nuisance debris fall issues it creates.
- **Proximity of the tree to the houses and neighbours garage:**
I feel that the tree is of an appropriate distance and size in relation to the local houses and as such would not have a major detrimental influence on the light levels to any of the local properties. The tree does stand in close proximity to the garage block of 3 Merriemont Drive, however I believe judging by the appearance of the garage that T1 Cedar tree predates the construction on the garage. Therefore, this tree would have been taken into consideration at the time the garage built and a suitable specification for the construction of the garage required to allow for the presence of the tree and any potential influence it may have on the structure. Crown conflict issues with the roof of the garage would be manageable via a suitably sympathetic level of crown pruning of the tree. If any evidence of structural damage is experienced and evidenced, then an appropriate level of work on the tree as required to address the issue would generally be allowed.
- **Root damage to path and drains:**
As highlighted in the objection the path local to the tree has been repaired and there was no obvious disturbance to the path on inspection at the time of recent site visits. Therefore, hopefully the recent repair work has resolved this matter. Roots ingress to drainage systems is opportunistic as they only take advantage of the easily available water source, roots generally do not cause

PLANNING COMMITTEE

5th July 2021

the damage in the first instance. There are now measure available such a root cutting and lining of the drainage systems that can prevent root ingress. In view of the age of the properties in Merriemont Drive I would expect the drainage system to be of a modern design which are generally robust to damage issues and resistant to root ingress.

- **Amenity Value:**

The tree is not visible from Twatling Road which feeds Merriemont Drive. However, the carriageway of Merriemont Drive is not gated and therefore there is free public access to the drive. The tree is highly prominent to the front of the property to users of the lower section of Merriemont Drive and therefore would offer visual amenity value to any visitors to the site. It is also visible from the front outlook of the majority of the properties within Merriemont Drive.

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) Letter of objection from Mr Keith Moody the owner of 4

PLANNING COMMITTEE

5th July 2021

Merriemont Drive
Appendix (3) Letter of Objection from Mr & Mrs Colemeadow of 5 Merriemont Drive
Appendix (4) Photos of the tree.

6. BACKGROUND PAPERS

None

7. KEY

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

7.1 Conclusion and recommendations:

T1 Cedar tree of the order is a very good quality, highly prominent tree standing to the front of 4 Merriemont Drive and therefore offers a high degree of visual amenity value to visitors to the site and residents of neighbouring properties while adding greatly to the character of the site and area.

Therefore, I recommend to the committee that Tree Preservation Order (8) 2021 is confirmed and made permanent with modification as shown in appendix (1) of this report.

AUTHOR OF REPORT

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