

PLANNING COMMITTEE

6th March 2023

Tree Preservation Order (11) 2022: 58 Braces Lane, Marlbrook, Bromsgrove B60 1DY

Relevant Portfolio Holder	Cllr A. Sherry
Portfolio Holder Consulted	No
Relevant Head of Service	Head of Planning and Environmental Services
Ward(s) Affected	Marlbrook
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 (11) 2022 relating to a Beech tree at 58 Braces Lane, Marlbrook, Bromsgrove B60 1DY

2. RECOMMENDATIONS

- 1.2 It is recommended that provisional Tree Preservation Order (11) 2022 relating to the Beech tree at 58 Braces Lane, Marlbrook, Bromsgrove B60 1DY is confirmed without modification and made permanent 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 19th October 2022 as shown in appendices (1) in response trees having been recently removed from the gardens of neighbouring properties and known intension of property owners in

this area to be considering development within the rear garden area of the properties.

A TEMPO (Tree Evaluation Method For Tree Preservation Orders) has been carried out as shown in appendix (2) on T1 Beech prior to the provisional order being raised under which I scored the tree at 17 points therefore indicating it justified TPO protection status.

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

- Email received 18/11/2022 From Mr and Mrs Fletcher owners of 58 Braces Lane as shown in appendix (3).

My comments in relation to the issues raised in the objection are as follows:

I feel that the overall size and canopy spread of the tree are acceptable for its location. I therefore do not feel that crown reduction pruning and certainly to a pollard pruning level would be an appropriate level of crown management on this tree. There is a granted planning consent relating to application reference 20/00335/FUL relating to the potential construction of a two storey property on land to rear of 56 Braces Lane as shown on appendix (4). The tree stands on the Eastern boundary of land associated to 58 Braces Lane while the proposed development is on the Western side of the site. Therefore, the tree would only create a major amount of shading during a period of the morning. The proposed development a 56 Braces Lane stands on the Western side of the site therefore will be expected to create a level of shading in the late afternoon and evening. However, I feel that there would be a suitable period of sunlight on the site during midmorning to late afternoon.

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

**PLANNING
COMMITTEE**

6th March 2023

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) Tempo Assessment

Appendix (3) Emailed Objection from Mr & Mrs Fletcher date 18/11/2022

Appendix (4) Plan of Granted Planning Consent 20/00335/FUL at 56 Braces Lane

Appendix (5) Photographs of Tree To be Protected.

6. BACKGROUND PAPERS

None

7. KEY

TPO - Tree Preservation Order

TEMPO – Tree Evaluation Method for Preservation Orders

7.1 Conclusion and recommendations:

The Beech tree T1 of the order is clearly visible to both pedestrian and vehicle users of the Old Birmingham Road therefore offers a high degree of public visual amenity value. It is in good health and condition while having a considerable future life expectancy.

**PLANNING
COMMITTEE**

6th March 2023

Therefore, I recommend to the committee that Tree Preservation Order (11) 2022 is confirmed and made permanent without modification as shown in appendix (1) of this report.

AUTHOR OF REPORT

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