

**PLANNING
COMMITTEE**

9th July 2024

**Tree Preservation Order (3) 2024 Tree on Land At 21 and 23 Hawthorne Drive
Hollywood B47 5QT**

Relevant Portfolio Holder	Cllr Peter Whittaker
Portfolio Holder Consulted	No
Relevant Head of Service	Head of Planning and Environmental Services
Ward(s) Affected	Hollywood
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 (3) 2024, relating to trees on land at 21 and 23 Hawthorne Drive, Hollywood B47 5QT

2. RECOMMENDATIONS

- 1.2 It is recommended that provisional Tree Preservation Order (3) 2024 is confirmed without modification and made permanent as provisionally 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 8th February 2024 as shown in appendices (1) in response to an indication received by the Council that the owner of the tree at 23 Hawthorne Drive intended to fell the Oak tree on that property.

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A TEMPO (Tree Evaluation Method for Preservation Orders) was carried out on the trees included within the order by Gavin Boyes on 7th February 2024 which can be seen in appendix (2) which showed that the trees accrued a score worthy of consideration for TPO protection.

3.5 Three objections have been received in respect of the provisional TPO having been raised as follows and shown in appendix (3):

- A letter from Penny and Paul Conlon residents at 23 Hawthorne Drive B47 5QT dated 26th February 2024.
- A letter from Clare and Adrian Pickersgill residents at 26 Beech Road B47 5QS dated 5th March 2024.
- A letter from Stephen Evans resident at 27 Beech Road B47 5QS dated 7th March 2024.

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

Public Amenity Value: The trees do stand within the grounds of properties served by a private driveway, but the trees are clearly visible from the public highway and pathways from both Hawthorne Drive and Beech Road as shown in the photographs 1,2 and 3 of appendices (4).

Risk Of Subsidence and Root Invasion to Property: The cases of tree related subsidence brought to the attention of Bromsgrove District Council within our district are low. The properties and the trees to be protected have now coexisted for a number of years and In recent years we have experienced long and more intense dry spells likely to create subsidence issues. Therefore, if there were to be any potential subsidence issues in this estate it is likely that they would have become evident by now. If any such issues should arise the appropriate management of the tree could be considered to address that situation. The layout of the properties in relation to the trees has clearly been carefully considered at the time of the planning and development of the site as the trees greatly predate the estate being estimated 80-100 years of age and the buildings being of an acceptable distance from the trees.

General Deris Fall Nuisance: All trees do unfortunately bring a level of leaf and minor stature deadwood twig/ branch fall all of which is due to the natural growth habit of the tree. I feel that this is an acceptable nuisance in view of the level of influence the trees have on the properties this instance and the quality of the trees and the value they offer to the landscape and character of the area.

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Risk Of Root Invasion to Drains: It has been highlighted that a sewer drain runs down the private roadway serving the properties in Hawthorne Road and across land into the carriageway of Beech Road passing locally to the two trees to be protected. Tree root is known to be opportunistic in taking advantage of accessing an easily available water source where drainage systems are damaged or poor quality due to the age of the system. Roots do not generally exert any mechanical pressure on drains to create damage they will tend to take the easiest direction of growth and go around any obstruction such as drains. This is a modern estate and as such would be expected to have a high quality and robust drainage infrastructure that would be unlikely to be damaged by root and therefore suffer root invasion.

Shadowing: 26 Beech Road Tree T1 of the order stands on the western side of the property so will create shadowing in the mid to late afternoon the influence of the shadowing could be managed to a degree by crown management pruning.

23 Beech Road and 23 Hawthorn Road: T1 of the order stands on the eastern side of these properties therefore will create shading in the morning which again could be managed to a degree by crown management pruning.

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.

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- Appendix (1) Schedule and Plan of Provisional Order as raised.
- Appendix (2) Tempo Assessment
- Appendix (3) Letters of Objection
- Appendix (4) Photographs

6. BACKGROUND PAPERS

None

7. KEY

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

7.1 Conclusion and recommendations:

I feel that the two Oak trees within this order offer a valuable level of public visual amenity value being clearly visible from the local public road network and pathways and add considerably to the character of the estate and landscaping of the area. They have a considerable future life span and although they may need periodic crown management due to the constraints of their growing position, they are sustainable in the longer term within the infrastructure of the estate.

Therefore, I recommend to the committee that Tree Preservation Order (3) 2024 is confirmed and made permanent without modification as shown in appendix (1) of this report.

AUTHOR OF REPORT

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