

**PLANNING
COMMITTEE**

15th October 2024

Tree Preservation Order (12) 2024: 98 New Road, Bromsgrove B60 2LB

Relevant Portfolio Holder	Cllr Kit Taylor
Portfolio Holder Consulted	No
Relevant Head of Service	Head of Planning and Environmental Services
Ward(s) Affected	Aston Fields
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 (12) 2024 Trees on land at 98 New Road, Bromsgrove B60 2LB

2. RECOMMENDATIONS

- 1.2 It is recommended that provisional Tree Preservation Order (12) 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 17th May 2024 as shown in appendices (1) in response to the site being offered for sale which was formally a family support centre owned by Worcestershire County Council. The concern being that once sold the site may be redeveloped which could represent a potential risk to trees on the site being damage or removed.

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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 25th April 2024 which can be seen in appendix (2) showing that on this assessment the trees achieved a suitable score to justify consideration for TPO protection.

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

- Email dated 10th June 2024 from the residents of 96 New Road as shown in appendix (3).

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

Firstly, it needs to be noted that the tree reference in the objection is T1 of the order which is a Lime tree and not a Sycamore.

Safety Risk Represented By Tree:

On visual inspection the tree has been found to be in good health and vigour showing no visual signs of any physiological issues or structural defects. There was no visual evidence to suggest any instability in the root plate. The crown is well shaped and balanced containing no overextended or over weighted boughs or branches. There is an expected volume of minor stature growth habit deadwood within the crown and extensive epicormic growth on the buttressing and mainstem of the tree, which is typical of this species, both of which could be easily managed under a general maintenance pruning of the tree. Therefore, in view of the condition and health of T1 Lime I would consider the risk of it being potentially uprooted or to suffer any major structural failure is low.

Blockage Of Light:

There is no legal right to light in relation to the development of deciduous trees. T1 stands to the south adjacent to the front of 96 New Road, therefore the tree will cast shade on the property as the sun arcs around the tree from east to west but only for limited periods of the morning or early afternoon not throughout the whole day.

Seed And Leaf Fall:

Seed and leaf fall is part of the natural life cycle of deciduous trees and due to the proximity T1 to the local public path, roadway and properties there would be a degree of debris fall from this tree on these features. However, there are many other trees and hedges within this location that would also contribute to this issue which can easily be managed by periodic clearing up of this debris which if undertaken would be expected to prevent the risk of damage to a driveway or path.

Support:

Three Letters of support one accompanied by a 35 signature petition were received in response to the raising of the provisional TPO as shown in appendix (4)

- Letter dated 25th May 2024 from the residents of 3 Clive Road B60 2AY
- Letter dated 28th May 2024 from the residents of 117 New Road B60 2LJ
- Letter dated 28th May 2024 from the resident of 2 Drayton Court B60 2LB, accompanied by 35 signature petition, from residents of the properties listed below;

2 Drayton Court
4 Drayton Court
6 Drayton Court
8 Drayton Court
96 New Road
106A New Road
118 New Road
119 New Road
123 New Road
1 Marlborough Avenue
5 Marlborough Avenue
17 Marlborough Avenue
19 Marlborough Avenue
22A Marlborough Avenue
Unknown Number Marlborough Avenue
45A Wellington Road
52 Wellington Road
53 Wellington Road
54 Wellington Road
55 Wellington Road
64 Wellington Road
1 Clive Road
2 Clive Road
2A Clive Road
3 Clive Road

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- 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) Tempo Assessment
Appendix (3) Letter of Objections
Appendix (4) Letters of Support
Appendix (5) Photographs of trees

6. BACKGROUND PAPERS

None

7. KEY

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

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7.1 Conclusion and recommendations:

The trees included within the order are visible from a public perspective as shown by the photos within the report they contribute to the character of the area and I feel that any nuisance they may cause is greatly outweighed by the amenity and landscape benefits they bring to the area and site.

Therefore, I recommend to the committee that Tree Preservation Order (12) 2024 is confirmed and made permanent without modification as shown in appendix (1) of this report.

AUTHOR OF REPORT

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