

BROMSGROVE DISTRICT COUNCIL

PLANNING COMMITTEE

Date 14th June 2010

REVOCATION OF TREE PRESERVATION ORDERS

- **TPO (4) 2008 TREES ON LAND AT HEWELL GRANGE BROMSGROVE**

- **TPO (7) 2009 TREES ON LAND AT FOUNTAIN INN, CLENT**

Relevant Portfolio Holder	Councillor Mrs. J. Dyer M.B.E.
Relevant Head of Service	Head of Planning and Regeneration Services

1. SUMMARY OF PROPOSALS

- 1.1 The Committee is asked to consider revoking **two** Tree Preservation Orders for the reasons set out in the report.

2. RECOMMENDATION

- 2.1 That the Committee revokes Tree Preservation Orders:

- i) TPO (4) 2008 - trees on land at Hewell Grange, Bromsgrove; and
- ii) TPO (7) 2009 - trees on land at Fountain Inn, Clent.

3. BACKGROUND AND KEY ISSUES

TPO (4) 2008 - trees on land at Hewell Grange Bromsgrove

- 3.1 On the 11th April 2008 a provisional Tree Preservation Order was made in relation to "all trees, coppice, and understorey of whatever species within" an area defined as "land at Hewell Grange, Hewell Lane, Tardebigge." This provisional order remained in force for 6 months, expiring on or about 11th October 2008.
- 3.2 The Order covered a very significant area including HMP Hewell Grange and surrounding grounds and a very large number of landowners were notified of the provisional Order.
- 3.3 Having regard to the vast area covered by the Order the Woodland Officer's task of assessing the trees and liaising with the land owners has been extremely time consuming and has resulted in this Order exceeding the 6 month period for confirmation of the Order.

BROMSGROVE DISTRICT COUNCIL

PLANNING COMMITTEE

Date 14th June 2010

- 3.4 Government Guidance in such circumstances suggests that an Order should be revoked and consideration given to creating a new Order which will ensure any new landowners are given an opportunity to raise objections. A new Order can not be considered unless the preceding Order is revoked first.
- 3.5 In this instance the Committee is asked to revoke TPO (4) 2008, the Woodland Officer will then consider a new Order which will be dealt with under delegated powers.

TPO (7) 2009 - trees on land at Fountain Inn, Odnall Lane, Clent

- 3.6 On the 18th August 2009 a provisional Tree Preservation Order was made in relation to all trees in an area defined as "Land at Fountain Inn, Odnall Lane, Clent." The Order was made to protect the trees as they contribute significantly to the amenity of the area.
- 3.7 The provisional order expired on the 18th February 2010 but due to unforeseen circumstances the Order was not confirmed.
- 3.8 In fairness to any new landowners, the Woodland Officer would seek revocation of the Order and the officer will then give consideration to a new Order which would be served on all interested parties.

5. FINANCIAL IMPLICATIONS

- 5.1 There are no financial implications.

6. LEGAL IMPLICATIONS

- 6.1 This course of action is in accordance with the Town and Country Planning (Trees) Regulations 1999 and in particular Regulation 7 thereof.

7. POLICY IMPLICATIONS

- 7.1 None

8. COUNCIL OBJECTIVES

- 8.1 Council objective 4 - Environment, Priority CO4 - Planning

BROMSGROVE DISTRICT COUNCIL

PLANNING COMMITTEE

Date 14th June 2010

9. RISK MANAGEMENT INCLUDING HEALTH AND SAFETY CONSIDERATIONS

9.1 There are no significant risks associated with the details included in this report.

10. CUSTOMER IMPLICATIONS

10.1 The parties affected by any revocation of the Orders will be notified of the decision of the Committee.

11. EQUALITIES AND DIVERSITY IMPLICATIONS

11.1 None.

12. VALUE FOR MONEY IMPLICATIONS, PROCUREMENT AND ASSET MANAGEMENT

12.1 None.

13. CLIMATE CHANGE, CARBON IMPLICATIONS AND BIODIVERSITY

13.1 The revocation of these Orders will enable the Woodland Officer to consider whether a new Order is appropriate, and if so this can be seen as having a positive impact on the environment.

14. HUMAN RESOURCES IMPLICATIONS

14.1 None.

15. GOVERNANCE/PERFORMANCE MANAGEMENT IMPLICATIONS

15.1 None.

16. COMMUNITY SAFETY IMPLICATIONS INCLUDING SECTION 17 OF CRIME AND DISORDER ACT 1998

16.1 None.

BROMSGROVE DISTRICT COUNCIL

PLANNING COMMITTEE

Date 14th June 2010

17. HEALTH INEQUALITIES IMPLICATIONS

17.1 None.

18. LESSONS LEARNT

18.1 None.

19. COMMUNITY AND STAKEHOLDER ENGAGEMENT

19.1 Revocation of the Order does not involve consultation with the public. However the Committee's decision will be notified to all those affected by the original Order.

20. OTHERS CONSULTED ON THE REPORT

Portfolio Holder	No
Chief Executive	No
Executive Director (S151 Officer)	No
Executive Director - Leisure, Cultural, Environmental and Community Services	No
Executive Director - Planning and Regeneration, Regulatory and Housing Services	No
Director of Policy, Performance and Partnerships	No
Head of Service	Yes
Head of Resources	No
Head of Legal, Equalities and Democratic Services	Yes
Corporate Procurement Team	No

BROMSGROVE DISTRICT COUNCIL

PLANNING COMMITTEE

Date 14th June 2010

21. WARDS AFFECTED

21.1 TPO (4) 2008 Hewell Grange
Ward affected: Tardebigge

21.2 TPO (7) 2009 Fountain Inn, Clent
Wards affected: Furlongs

22. APPENDICES

22.1 Appendix 1 - Report from the Woodland Officer.

23. BACKGROUND PAPERS

23.1 None.

24. KEY

24.1 N/A

AUTHOR OF REPORT

Name: Vanessa Brown
Email: v.brown@bromsgrove.gov.uk
Tel: 01527 881724