

# **PLANNING COMMITTEE**

15<sup>th</sup> August 2024

## **Tree Preservation Order (214) 2024 Tree on Land At 83 Parsons Road, Southcrest, Redditch, B98 7EG**

Relevant Portfolio Holder	Cllr Sid Khan
Portfolio Holder Consulted	No
Relevant Head of Service	Head of Planning and Environmental Services
Ward(s) Affected	Central
Ward Councillor(s) Consulted	No
Non-Key Decision	

### **1. SUMMARY OF PROPOSALS**

- 1.1 The Committee is asked to consider the confirmation of Tree Preservation Order (214) 2024, relating to tree on land at 83 Parsons Road, Southcrest, Redditch, B98 7EG

### **2. RECOMMENDATIONS**

- 1.2 It is recommended that the provisional Tree Preservation Order (214) 2024 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 26<sup>th</sup> February 2024 following on from an enquiry that was made in late 2023 regarding an Oak tree within the rear garden at 83 Parsons Road regarding the TPO status of the tree. I contacted to the resident to investigate the matter and to inform to them that the tree was not currently under the protection of any TPO.

## PLANNING COMMITTEE

15<sup>th</sup> August 2024

The resident informed me they would like the tree removed. Upon visiting the site to view and assess the tree, it was apparent that the tree is clearly visible from the surrounding roads and footpaths as well as the public car park to the north of the property.

The tree in question is a fully mature Oak and forms part of a continuous line of mature trees to the rear of properties. The tree is visually in good vitality with only minor deadwoods present within the crown with no major structural defects noted.

The tree has been previously managed to reduce the entire crown, to which the tree has responded well; with regrowth approaching 3m in length. It is accepted that further crown management will be warranted at some point in the future and could be agreed on an application.

It was therefore deemed prudent to raise an order on the site, to include the Oak tree due to the threat of removal levied against the tree.

3.5 One objection have been received in respect of the Provisional TPO having been raised:

- A letter from Mrs Maryam Shakeel, dated 29<sup>th</sup> February 2024 (Appendix 2)

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

### **Public Amenity Value:**

The National Planning Policy Framework states in relation to amenity value:

*“Amenity’ is not defined in law, so authorities need to exercise judgment when deciding whether it is within their powers to make an Order.*

*Orders should be used to protect selected trees and woodlands if their removal would have a significant negative impact on the local environment and its enjoyment by the public. Before authorities make or confirm an Order, they should be able to show that protection would bring a reasonable degree of public benefit in the present or future.”*

The tree stands within the rear of the 83 Parsons Road but is clearly visible from the public highway (Parsons Road and Tunnel Drive) as shown in photos 1 - 3 (Appendix 3). In addition, a TEMPO evaluation has been undertaken

**PLANNING  
COMMITTEE**

**15<sup>th</sup> August 2024**

---

(see Appendix 4) and the tree has been scored 20, where 16+ definitely warrants TPO protection.

**Health and Safety:**

As mentioned above the tree appears in good vitality with no major, structural defects noted and with only minor deadwood present.

**General Debris 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. It is felt that this is an acceptable nuisance, in view of the level of influence the tree has on the property and the quality of the tree and the value it offers to the landscape and character of the area.

**Size:**

The tree sits at the rear of the garden and has had previous works carried out on the crown to manage the size and spread. Further works could be agreed to manage the tree through the TPO application process.

**Potential development:**

Any potential development would be considered under the normal planning system within which the relevance and status of any protection on the tree would be considered. Any potential threat of permitted development influencing the tree would be considered under TPO legislation and agreed via the normal application process.

- 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.

# **PLANNING COMMITTEE**

**15<sup>th</sup> August 2024**

## **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 Mrs Maryam Shakeel of 83 Parsons Road, dated 29<sup>th</sup> February 2024  
Appendix (3) Photographs of the subject trees, taken from the public highway.  
Appendix (4) TEMPO assessment

## **6. BACKGROUND PAPERS**

None

## **7. KEY**

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

### **7.1 Conclusion and recommendations:**

The Oak tree included within the order offers a high level of public visual amenity value being, clearly visible from the local public road network and pathways as well as adding considerably to the character of the estate and landscaping of the area. The tree has a considerable future life span and although it may need periodic future management, it is sustainable in the longer term within the boundaries of the property.

**PLANNING  
COMMITTEE**

**15<sup>th</sup> August 2024**

---

Therefore, I recommend to the committee that Tree Preservation Order (214) 2024 is confirmed and made permanent without modification as shown in appendix (1) of this report.

**AUTHOR OF REPORT**

Name: Andrew White / Tarek Ball

Email: Andrew.White@BromsgroveandRedditch.gov.uk

Tel: 01527 64252 Ext. 3123