

PLANNING COMMITTEE

29th February 2012

TREE PRESERVATION ORDER No. (138) 2011 – CONFIRMATION – TEARDROP SITE, BORDESLEY LANE

Relevant Portfolio Holder	Cllr Jinny Pearce, Portfolio Holder, Planning, Regeneration, Economic Development and Transport
Portfolio Holder Consulted	No
Relevant Head of Service	Ruth Bamford, Head of Planning and Regeneration Guy Revans, Head of Environment
Wards Affected	Abbey
Ward Councillor Consulted	No
Non-Key Decision	

1. SUMMARY OF PROPOSALS

This report proposes the long-term protection of trees that are mature and significant and therefore considered to be of positive benefit to amenity. Their value makes them worthy of retention in the longer term.

2. RECOMMENDATIONS

The Committee is asked to RESOLVE that

Tree Preservation Order No (138) 2011, as detailed in the Schedule attached at Appendix 1 to the report and Plan at Appendix 2, be confirmed.

3. KEY ISSUES

Financial Implications

- 3.1 The costs of the administrative and technical processes associated with this matter may be met from within existing budgets, and the financial aspects are not a matter for the Planning Committee to consider.

Legal Implications

- 3.2 These matters are completed in line with the provisions of the Town & Country Planning Act 1990 (as amended).
- 3.3 The Legal Services Manager has been consulted with regard to the legal implications.

Service / Operational Implications

- 3.4 This site is an area of undeveloped land dominated by roadside barrier planting, scrub and rough grassland. It is enclosed on one side by the A441 Alvechurch Highway and on the other side by Bordesley Lane and the Crematorium site.
- 3.5 The land is currently owned by Redditch Borough Council but is in the process of being sold for development purposes. As the site supports trees, it was deemed appropriate to survey the site to establish whether any trees are worthy of protection by means of a Tree Preservation Order (TPO), prior to being sold for development.
- 3.6 TPOs are made to protect trees (individuals, groups, areas, or entire woodlands) that contribute significantly to their local environment and to its enjoyment by the public. This is known as the public amenity value of trees. When suitable trees / woodlands are identified a provisional TPO is made which comes into effect immediately, followed by a consultation period where interested parties can make representations against or in favour of the TPO.
- 3.7 Following the consultation period a decision must be made to either confirm (in other words, make permanent) the TPO or not. If representations are received then the matter is considered by the Planning Committee, and generally if no representations are received then the TPO is confirmed by officers of the Council under delegated powers. However, when TPOs are made on council owned land, as in this particular instance, it has been decided that the matter should also be considered by the Planning Committee whether or not any representations are received.
- 3.8 Following a survey of the site, three individual trees were identified for inclusion within a new TPO. These trees are identified as T1 (horse chestnut), T2 (oak) and T3 (oak). They are all large mature specimens of good health and located in prominent locations within the site. As mature trees they add greatly to the character of the area and are of very high biodiversity value. T2 is particularly valuable in biodiversity and historical terms as it is classed as a veteran tree and would also have been a feature of the former lane that originally led to the chapel site prior to development of the current road system.
- 3.9 A TPO was therefore made to protect the future contribution that the trees will make to public amenity and biodiversity. The trees will not impact unduly on any potential development of the site; rather it is considered that their presence will greatly enhance the landscaping as mature feature trees.

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- 3.10 No representations have been received to date.
- 3.11 All three trees are large mature specimens located in prominent positions, and their levels of visual amenity will be further enhanced if development of the site takes place. These trees can all be comfortably retained and incorporated within a development and will enhance the site as large established landscape features. The fact that no objections to this TPO have been received from the development applicants indicates that they acknowledge the amenity value of these trees

Customer / Equalities and Diversity Implications

- 3.12 No relevant implications have been identified.

4. RISK MANAGEMENT

The risk of not protecting the trees is that, in the long term, they may cease to fall within the control of the Council and therefore be felled or pruned such that their significance and contribution to the wider area would be diminished, causing a loss to the amenity of the area.

5. APPENDICES

Appendix 1 - Proposed TPO schedule for confirmation
Appendix 2 - Plan attached under separate cover
(see Committee Plan Pack)

6. BACKGROUND PAPERS

Relevant correspondence on file.

7. Key

TPO = Tree Preservation Order.

AUTHOR OF REPORT

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APPENDIX ONE

First Schedule

Trees specified individually

(encircled in black on the attached map)

<u>No. on Map</u>	<u>Description</u>	<u>NGR</u>	<u>Situation</u>
T1	Horse chestnut	404064/268793	Northern end of site adjacent to subway embankment.
T2	Oak	404291/268660	Southern end of site near Bordesley Lane.
T3	Oak	404291/268629	Southern end of site near Alvechurch Highway roundabout.

Trees specified by reference to an area

(within a dotted black line on the map)

NONE

Groups of Trees

(within a broken black line on the map)

NONE

Woodlands

(within a continuous black line on the map)

NONE