

**PLANNING
COMMITTEE**

29th February 2012

**TREE PRESERVATION ORDER No. (140) 2011 – CONFIRMATION –
LAND OFF OAKENSHAW ROAD**

Relevant Portfolio Holder	Councillor 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	Greenlands
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 and their value makes them worthy of retention in the longer term.

2. RECOMMENDATIONS

The Committee is asked to RESOLVE that

Tree Preservation Order No (140) 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 grassland with a mix of remnant hedgerows supporting mature trees, and more recent barrier planting along footpaths and around the perimeter. The land ownership is currently split between Redditch Borough Council and Worcestershire County Council, but is in the process of being sold for residential development. 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.
- 3.5 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.
- 3.6 Following the consultation period a decision must be made to either confirm (*i.e.* 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 be considered by the Planning Committee whether or not any representations are received.
- 3.7 Following a survey of the site, eleven individual trees were identified for inclusion within a new TPO. These trees are identified as T1 to T11 and are all oaks. They are large mature specimens of good health and are prominent features within the local landscape. As mature oak trees they add greatly to the character of the area and are of very high biodiversity value. They are also valuable in historical terms as they form part of a linear landscape feature which was originally an agricultural field boundary. A TPO was therefore made to protect the future contribution that the trees will make to public amenity and biodiversity.
- 3.8 As the trees are all located along the southern boundary of the site, there is no reason to suppose that their inclusion within a TPO would impact unduly on any residential development. As mature boundary trees they would act as screening from outside the site and enhance visual amenity and privacy for residents from within the site.
- 3.9 No representations have been received.

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- 3.10 All eleven trees are large, prominent mature specimens. They have a high degree of visual amenity, as well as high biodiversity and historic value. These trees can all be comfortably retained and incorporated within a development and will enhance the site as large established landscape features. No objections to this TPO have been received, which indicates that the local residents acknowledge the amenity value of these trees.

Customer / Equalities and Diversity Implications

- 3.11 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	Oak	404829, 265713	Grass bank north of playing field
T2	Oak	404856, 265713	Grass bank north of playing field
T3	Oak	404872, 265712	Grass bank north of playing field
T4	Oak	404890, 265712	Adjacent to NE corner of allotments site
T5	Oak	404907, 265711	Adjacent to N boundary of allotments site
T6	Oak	404923, 265711	Adjacent to N boundary of allotments site
T7	Oak	404941, 265708	Adjacent to boundary fence, N of footpath
T8	Oak	404949, 265707	Adjacent to boundary fence, N of footpath
T9	Oak	404960, 265706	Adjacent to boundary fence, N of footpath
T10	Oak	404970, 265706	Adjacent to boundary fence, N of footpath
T11	Oak	404994, 265703	Adjacent to boundary fence, N of footpath

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