



BROMSGROVE DISTRICT COUNCIL

MEETING OF THE PLANNING COMMITTEE

MONDAY 4TH DECEMBER 2017
AT 6.00 P.M.

PARKSIDE SUITE, PARKSIDE, MARKET STREET, BROMSGROVE, B61 8DA

:

SUPPLEMENTARY DOCUMENTATION

The attached papers were specified as “to follow” on the Agenda previously distributed relating to the above mentioned meeting.

4. Updates to TPO 7 and planning applications reported at the meeting (to be circulated prior to the start of the meeting) (Pages 1 - 8)

Parkside
Market Street
BROMSGROVE
Worcestershire
B61 8DA

K DICKS
Chief Executive

**Bromsgrove District Council
Planning Committee**

**Committee Updates
4th December 2017**

Tree Preservation Order (No. 7) 2017

**Trees on land adjoining Harris Brush Works and Saxon Business Park,
Hanbury Road, Bromsgrove**

This update relates to the extract from the National Planning Practice Guidance (PPG) referred to in the Update 1, which is below, and not in Appendix 5.

Extract: National Planning Policy Guidance

Who makes Tree Preservation Orders and why?

Local planning authorities can make a [Tree Preservation Order](#) if it appears to them to be '[expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area](#)'.

Authorities can either initiate [this process](#) themselves or in response to a request made by any other party. When deciding whether an Order is appropriate, authorities are advised to take into consideration [what 'amenity' means in practice](#), what to take into account when assessing [amenity value](#), [what 'expedient' means in practice](#), [what trees can be protected](#) and [how they can be identified](#). When granting planning permission authorities have a [duty](#) to ensure, whenever appropriate, that planning conditions are used to provide for tree preservation and planting. Orders should be made in respect of trees where it appears necessary in connection with the [grant of permission](#).

[Flowchart 1](#) shows the process for making an Order.

Paragraph: 005 Reference ID: 36-005-20140306

Revision date: 06 03 2014

Can county councils make Tree Preservation Orders?

County councils can make Tree Preservation Orders but there are [restrictions](#) in areas where there is both a district planning authority and a county planning authority. In these areas the county council may only make an Order:

- where necessary in connection with the grant of planning

permission

- on land which is not wholly lying within the area of a single district council
- on land in which the county council holds an interest.

Paragraph: 006 Reference ID: 36-006-20140306

Revision date: 06 03 2014

What does 'amenity' mean in practice?

'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.

Paragraph: 007 Reference ID: 36-007-20140306

Revision date: 06 03 2014

What might a local authority take into account when assessing amenity value?

When considering whether trees should be protected by an Order, authorities are advised to develop ways of assessing the amenity value of trees in a structured and consistent way, taking into account the following criteria:

Visibility

The extent to which the trees or woodlands can be seen by the public will inform the authority's assessment of whether the impact on the local environment is significant. The trees, or at least part of them, should normally be visible from a public place, such as a road or footpath, or accessible by the public.

Individual, collective and wider impact

Public visibility alone will not be sufficient to warrant an Order. The authority is advised to also assess the particular importance of an individual tree, of groups of trees or of woodlands by reference to its or their characteristics including:

- size and form;
- future potential as an amenity;
- rarity, cultural or historic value;
- contribution to, and relationship with, the landscape; and
- contribution to the character or appearance of a conservation area.

Other factors

Where relevant to an assessment of the amenity value of trees or woodlands, authorities may consider taking into account other factors, such as importance to nature conservation or response to climate change. These factors alone would not warrant making an Order.

Paragraph: 008 Reference ID: 36-008-20140306

Revision date: 06 03 2014

What can help local authorities identify trees that may need protection?

An authority's tree strategy may identify localities or populations of trees as priorities for the making or reviewing of Orders. Authorities may also refer to existing registers, recording trees of particular merit, to assist in their selection of trees suitable for inclusion in an Order.

Paragraph: 009 Reference ID: 36-009-20140306

Revision date: 06 03 2014

What does 'expedient' mean in practice?

Although some trees or woodlands may merit protection on amenity grounds it may not be expedient to make them the subject of an

Order. For example, it is unlikely to be necessary to make an Order in respect of trees which are under good arboricultural or silvicultural management.

It may be expedient to make an Order if the authority believes there is a risk of trees being felled, pruned or damaged in ways which would have a significant impact on the amenity of the area. But it is not necessary for there to be immediate risk for there to be a need to protect trees. In some cases the authority may believe that certain trees are at risk as a result of development pressures and may consider, where this is in the interests of amenity, that it is expedient to make an Order. Authorities can also consider other sources of risks to trees with significant amenity value. For example, changes in property ownership and intentions to fell trees are not always known in advance, so it may sometimes be appropriate to proactively make Orders as a precaution.

Paragraph: 010 Reference ID: 36-010-20140306

Revision date: 06 03 2014

Bromsgrove District Council Planning Committee

Committee Updates
4th December 2017

17/00459/FUL Stoney Lane Farm, Stoney Lane

No Updates

17/00701/OUT Redditch Gateway Land Adjacent To The A4023, Coventry Highway

Additional conditions

- o Commence full element of development within 3 years
- o All details relating to the development to be submitted and approved. Where details relate to more than one administrative area, they shall be submitted and approved by each LPA. Details not approved until LPA(s) has/have approved in writing

Procedure

The effect of the 2nd condition detailed above is that the applicant would need to apply for reserved matters to the LPA where the land parcel is located. Where the reserved matters relates to an area straddled by more than one LPA, separate but identical applications would need to be made to each LPA.

For the purposes of clarification, condition 12 (Construction Environmental Management Plan) would outline the following hours for demolition/construction:

- o 07:00-18:00 hours (Monday to Friday)
- o 08:00-13:00 (Saturday)
- o No working permitted on Sundays or Bank Holidays

Additional comments received from Warwickshire County Council Ecology:

Content with attachment of conditions recommended by the Environment Agency to deal with diversion of watercourses (condition 30) and buffer zones to watercourses (condition 31). Whilst southern-most (Lowland Meadow UK Priority Habitat) field is being retained, remaining combined biodiversity loss is still significant - to be compensated via biodiversity offsetting. The Lowland Meadow UK Priority Habitat would be retained and managed in a sensitive manner to mimic a traditional meadow.

11 additional comments received from third party representations raising objection to the application (UP TO 04.12.2017 JILL AND RICHARD ELEY)

No new reasons for objection raised

Representation from Councillor A Pulsford (Redditch Borough Councillor - Winyates)

- o Support the application, with some reservations
- o In favour because it would be good economically for Redditch and because flooding problems, which occur virtually every winter in the Far Moor Lane area, are unlikely to be addressed except by such drainage conditions as in the planning application - the necessary work is too great to be undertaken except in conjunction with a major development proposal
- o Concerns are the height of the buildings, which preferably should be less, and the

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preservation of the environment

- o Answered to some extent by the revised plans which retains the southern-most fields - should be put in the care of Warwickshire or Worcester Wildlife who would know how to look after them properly
- o Hedges bordering the site should be well maintained to provide an effective screen - unconvinced that it is necessary to have two pedestrian ways through the hedge
- o Traffic along the A435 is a problem - support the reduction of the speed limit through Mappleborough Green no more than 30mph and the creation of at least one pedestrian crossing near the Dog roundabout and preferably at the north end of Mappleborough Green where the old bridleway from Furze Lane meets the A435
- o Traffic and parking along Far Moor Lane may be a problem but it is too early to know if it will be - it would be useful to have notices at either end of Far Moor Lane during construction saying No Access for Construction Traffic (30.11.2017)

Representation from Beoley Parish Council

This community has suffered over the last couple of years as a result of the light and noise pollution created by the similar scheme at Ravensbank. This is an issue which has been raised with Environmental Heath and into which there is an ongoing investigation. As a community we are keen to ensure that our residents are protected in any future expansions as these issues have caused great distress locally and we would want a restriction on working hours to be considered by the Planning Authority. To a lesser extent in the case of Beoley, we feel the movements of heavy goods vehicles needs to be planned and monitored, again to protect our community from unnecessary additional haulage traffic through the village. (23.12.2017)

Position of no overall objection to the principle of development remains, but raises the following concerns (in additional to those raised in their original response):

- o Inevitable increase in traffic through village - restrictions should prohibit the use of the B4101 by HGVs
- o Hours of HGV movements should be restricted via condition
- o Beoley PC should be consulted on any external lighting proposals (which should be kept to a minimum and face away from residential properties) (01.12.2017)

Online petition (Stratford District Council: No to Redditch Eastern Gateway) with 198 signatures.

Grounds for objection:

- o Unnecessary
- o Unwanted by local residents
- o Large number of unused industrial units in Redditch - creating a new one whilst destroying valuable green land and natural habitat for wildlife is unwarranted

Development would put further strain on already overused stretch of road through the neighbouring villages of Mappleborough Green and Studley

17/00786/FUL 77 Lyttleton Avenue, Bromsgrove

Change of Recommendation:

Following discussions with Legal Officers and having reviewed the advice within the National Planning Practice Guidance, Officers are no longer seeking financial contributions on this scheme. The Council will no longer be seeking tariff style contributions on any scheme of 10 units or less. The recommendation on this application is there simplified to read:

RECOMMENDATION: That planning permission be Granted

17/01160/FUL Allandale Cottage, Redhill Road

One neighbour representation has been received raising concerns. However this representation raised no material planning considerations.

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