

**BROMSGROVE DISTRICT COUNCIL**

**MEETING OF THE PLANNING COMMITTEE**

**TUESDAY 3RD SEPTEMBER 2024, AT 6.00 P.M.**

PRESENT: Councillors H. J. Jones (Chairman), A. Bailes, D. J. A. Forsythe, E. M. S. Gray (during Minute No. 40/24), R. E. Lambert, P. M. McDonald (substituting for Councillor M. Marshall), B. McEldowney, S. R. Peters and J. Robinson

Officers: Mr. D. M. Birch, Mr. A. Hussain, Mr. G. Boyes, Ms. H. Johnston and Mrs. P. Ross

35/24 **APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES**

Apologies for absence were received from Councillors S. J. Baxter, J. D. Stanley, and M. Marshall, with Councillor P. M. McDonald in attendance as the substitute Member for Councillor M. Marshall.

36/24 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

37/24 **MINUTES**

The minutes of the Planning Committee meeting held on 6<sup>th</sup> August 2024, were received.

**RESOLVED** that the minutes of the Planning Committee meeting held on 6<sup>th</sup> August 2024, be approved as a correct record.

38/24 **UPDATES TO PLANNING APPLICATIONS REPORTED AT THE MEETING**

The Chairman announced that there were no Committee Updates.

39/24 **TREE PRESERVATION ORDER (7) 2024 TREES ON THE LAND AT 20 AND 28 FENTON ROAD, HOLLYWOOD, B47 5LS**

The Committee considered a report which detailed proposals to consider the confirmation without modification Tree Preservation Order (TPO) (N0.7) 2024, relating to trees on land at 20 and 28 Fenton Road, Hollywood, B47 5LS.

The Senior Arboricultural Officer provided a detailed presentation and in doing so drew Members' attention to the recommendation, as detailed on page 7 of the main agenda pack.

Members were informed that the provisional order was raised on 4<sup>th</sup> April 2024, as shown at Appendix 1 to the report; in response to information received which highlighted that the owner of 20 Fenton Road had intended to fell the two Oak trees, T1 and T2 of the provisional order.

A Tree Evaluation Method for Preservation Orders (TEMPO) was carried out on the trees, as detailed at Appendix 2 to the report. The TEMPO showed that the assessment of the trees had achieved a suitable score worthy of justifying consideration of a TPO protection.

Four objections had been received in respect of the provisional TPO having been raised. The officers' comments in relation to the points raised in those objections were detailed on page 8 of the main agenda pack and referred to: -

- Public Amenity Value.
- Bird Fouling.
- Leaf, Seed and Debris Fall.
- Shading.
- Poor Historic Management of Trees.

The Senior Arboricultural Officer concluded that the trees were visible to the public and contributed to the public amenity value of the area.

At the invitation of the Chairman, Mr. Sturdy, who had submitted an objection to the provisional TPO addressed the Committee.

Members then considered the TPO.

Members had noted the comment made by Mr. Sturdy that the trees had been inspected from a distance by the Senior Arboricultural Officer and had not been inspected / viewed in his back garden; some Members asked if this was correct.

In response the Senior Arboricultural Officer explained that the trees had been seen extensively from the bedroom windows of neighbouring properties and that he was happy with his assessment of the trees.

Members commented that they did not doubt that the trees were healthy but on balance were they a danger to the residents at No. 20 and 28 Fenton Road. Mr. Sturdy had expressed some concern when addressing the Committee, as to the safety of his children when using the back garden. Members further commented that this restricted family life. Mr. Sturdy had highlighted that the back garden was small and that the size and scale of the trees were not suitable for a small back garden.

Members further questioned the three chainsaw incisions referred to by Mr. Sturdy, and how these incisions could be physically inspected from the bedroom windows of neighbouring properties. Could these incisions be dangerous in a major storm?

In response the Senior Arboricultural Officer explained that usually ivy on a tree was removed with no serious in-depth incisions. However, he would agree that it would have been more prudent to inspect the trees more closely.

In response to further questions from the Committee with regard to maintaining trees that were subject to a TPO, the Senior Arboricultural Officer explained that maintenance / management could be allowed and would be dependent on the tree type and species, with any proposed maintenance / management being agreed with the Council.

Members again reiterated their concerns that the trees were having a detrimental effect on residents as the trees were too large for the environment they were situated in, within small back gardens.

The Senior Arboricultural Officer stated that the trees were in good condition with no disease and that the only constraints were the physical elements of the site. The trees could be pruned to be safe / acceptable size for the area, but also taking into consideration the ability of the trees to survive being pruned.

Members commented that as stated earlier that the trees were too big for a residential area and blocked out sunlight. With regard to special amenity value. Members were of the opinion that having viewed the photographs, that the trees could only be seen over the top of the houses, so should the trees be pruned to a reasonable size, the trees would not be seen by the public.

Members then questioned if the provisional TPO could be modified by removing trees T1 and T2?

The Senior Arboricultural Officer highlighted that the provisional TPO could be modified should Members be minded to modify it.

In response to further questions from Members with regards to the distance that the trees were inspected from and the three chainsaw incisions. The Senior Arboricultural Officer informed the Committee that the trees were viewed from the bedroom windows of neighbouring properties that were located approximately 15 metres away. It was quite common to see lazy tree marks / scoring, these were usually superficial bark scoring. The Senior Arboricultural Officer further commented that whilst he sympathised with residents, he was just trying to protect the healthy trees. He had visited the properties a number of times in order to gain access to inspect the trees, however, he had been unsuccessful as the residents were not at home.

Members stated that it was important to make the site safe for residents using their back gardens.

The Senior Arboricultural Officer stated that officers could work with the owners of the trees in order to consider a level of management of the trees that was justified.

Members stated that the tree species was far too large for gardens of that size and that a balance had to be reached, with this in mind,

On being put to the vote, it was

**RESOLVED** that provisional Tree Preservation Order (No.7) 2024 relating to trees on land at 20 and 28 Fenton Road, Hollywood, B47 5LSW, be confirmed **with** modification, in that trees T1 and T2 be removed from the provisional order, with T3 being made permanent.

40/24

**24/00756/HHPRIO - SINGLE STOREY FLAT ROOFED SIDE/REAR EXTENSION - 41 OLD STATION ROAD, BROMSGROVE, WORCESTERSHIRE, B60 2AE**

The Application had been brought to the Planning Committee as the applicant was related to a Council employee.

Officers presented the report and in doing so, drew Members' attention to the presentation slides as detailed on pages 32 to 35 of the main agenda pack.

The application was for a single storey flat roofed side/rear extension. The proposal related to a prior approval application for the erection of a single-storey extension to form a utility room at the rear of the property. The proposed extension dimensions were 6 metres by 2.2 metres with a height of 3 metres. The eaves height would be 3 metres.

Members then considered the application, which officers had highlighted in the report, that prior approval was not required.

In response to Members, officers confirmed that two letters had been sent to adjoining neighbours and that no objections had been received.

On being put to a vote it was:

**RESOLVED** that prior approval was not required, and that permission be granted subject to the condition as outlined on page 29 of the main agenda pack.

The meeting closed at 6.40 p.m.

Chairman