

# Public Document Pack



## **BROMSGROVE DISTRICT COUNCIL**

### **MEETING OF THE PLANNING COMMITTEE**

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

**PARKSIDE SUITE - PARKSIDE**

**MEMBERS:** Councillors H. J. Jones (Chairman), M. Marshall (Vice-Chairman), A. Bailes, S. J. Baxter, D. J. A. Forsythe, E. M. S. Gray, R. E. Lambert, B. McEldowney, S. R. Peters, J. Robinson and J. D. Stanley

### **AGENDA**

1. To receive apologies for absence and notification of substitutes
2. Declarations of Interest

To invite Councillors to declare any Disclosable Pecuniary Interests or Other Disclosable Interests they may have in items on the agenda, and to confirm the nature of those interests.

3. To confirm the accuracy of the minutes of the meeting of the Planning Committee held on 6th August 2024 - To Follow

4. Updates to planning applications reported at the meeting (to be circulated prior to the start of the meeting)
5. Tree Preservation Order (7) 2024 Trees on the land at 20 and 28 Fenton Road, Hollywood, B47 5LS (Pages 7 - 26)
6. 24/00756/HHPRIO - Single storey flat roofed side/rear extension - 41 Old Station Road, Bromsgrove, Worcestershire, B60 2AE (Pages 27 - 36)
7. To consider any other business, details of which have been notified to the Head of Legal, Equalities and Democratic Services prior to the commencement of the meeting and which the Chairman considers to be of so urgent a nature that it cannot wait until the next meeting

SUE HANLEY  
Chief Executive

Parkside  
Market Street  
BROMSGROVE  
Worcestershire  
B61 8DA

23rd August 2024

If you have any queries on this Agenda please contact  
Pauline Ross  
Democratic Services Officer

Parkside, Market Street, Bromsgrove, B61 8DA  
Tel: 01527 881406  
Email: [p.ross@bromsgroveandredditch.gov.uk](mailto:p.ross@bromsgroveandredditch.gov.uk)

Please note that this is a public meeting and will be live streamed for general access via the Council's YouTube channel.

You are able to see and hear the livestream of the meeting from the Committee Pages of the website, alongside the agenda for the meeting.

[BDC Planning Committee – Live Streaming Link](#)

If you have any questions regarding the agenda or attached papers, please do not hesitate to contact the officer named above.

### **PUBLIC SPEAKING**

The usual process for public speaking at meetings of the Planning Committee will continue to be followed subject to some adjustments. For further details a copy of the amended Planning Committee Procedure Rules can be found on the Council's website.

The process approved by the Council for public speaking at meetings of the Planning Committee is (subject to the discretion and control of the Chair), as summarised below:-

- 1) Introduction of application by Chair
- 2) Officer presentation of the report
- 3) Public Speaking - in the following order: -
  - a. objector (or agent/spokesperson on behalf of objectors);
  - b. applicant, or their agent (or supporter);
  - c. Parish Council representative (if applicable);
  - d. Ward Councillor

Each party will have up to a maximum of 3 minutes to speak, subject to the discretion of the Chair.

Speakers will be called in the order they have notified their interest in speaking to the Democratic Services Officer and will be invited to unmute their microphone and address the Committee face-to-face or via Microsoft Teams.

- 4) Members' questions to the Officers and formal debate / determination.

**Notes:**

- 1) Anyone wishing to address the Planning Committee on applications on this agenda must notify the Democratic Services Officer on 01527 881406 or by email to [p.ross@bromsgroveandredditch.gov.uk](mailto:p.ross@bromsgroveandredditch.gov.uk) by 12 noon on Friday 30<sup>th</sup> August 2024**
- 2) Advice and assistance will be provided to public speakers as to how to access the meeting and those registered to speak will be invited to participate face-to-face or via a Microsoft Teams invitation.**

**Provision has been made in the amended Planning Committee procedure rules for public speakers who cannot access the meeting via Microsoft Teams, and those speakers will be given the opportunity to submit their speech in writing to be read out by an officer at the meeting.**

**Please take care when preparing written comments to ensure that the reading time will not exceed three minutes. Any speakers wishing to submit written comments must do so by 12 noon on Friday 30<sup>th</sup> August 2024**

- 3) Reports on all applications will include a summary of the responses received from consultees and third parties, an appraisal of the main planning issues, the case officer's presentation and a recommendation. All submitted plans and documentation for each application, including consultee responses and third party representations, are available to view in full via the Public Access facility on the Council's website [www.bromsgrove.gov.uk](http://www.bromsgrove.gov.uk)**
- 4) It should be noted that, in coming to its decision, the Committee can only take into account planning issues, namely policies contained in the Bromsgrove District Plan (the Development Plan) and other material considerations, which include Government Guidance and other relevant policies published since the adoption of the Development Plan and the "environmental factors" (in the broad sense) which affect the site.**
- 5) Although this is a public meeting, there are circumstances when the Committee might have to move into closed session to consider exempt or confidential information. For agenda items that are exempt the public are excluded.**



## **INFORMATION FOR THE PUBLIC**

### **Access to Information**

The Local Government (Access to Information) Act 1985 widened the rights of press and public to attend Local Authority meetings and to see certain documents. Recently the Freedom of Information Act 2000 has further broadened these rights, and limited exemptions under the 1985 Act.

- You can inspect agenda and public reports at least five days before the date of the meeting.
- You can inspect minutes of the Council, Cabinet and its Committees/Boards for up to six years following a meeting.
- You can have access, upon request, to the background papers on which reports are based for a period of up to six years from the date of the meeting. These are listed at the end of each report.
- An electronic register stating the names and addresses and electoral areas of all Councillors with details of the membership of all Committees etc. is available on our website.
- A reasonable number of copies of agendas and reports relating to items to be considered in public will be made available to the public attending meetings of the Council, Cabinet and its Committees/Boards.
- You have access to a list specifying those powers which the Council has delegated to its Officers indicating also the titles of the Officers concerned, as detailed in the Council's Constitution, Scheme of Delegation.

You can access the following documents:

- Meeting Agendas
- Meeting Minutes
- The Council's Constitution

at [www.bromsgrove.gov.uk](http://www.bromsgrove.gov.uk)

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## **PLANNING COMMITTEE**

3<sup>rd</sup> September 2024

### **Tree Preservation Order (7) 2024 20and 28 Fenton Road Hollywood B47 5LS**

Relevant Portfolio Holder	Cllr Peter Whittaker
Portfolio Holder Consulted	No
Relevant Head of Service	Head of Planning and Environmental Services
Ward(s) Affected	Hollywood
Ward Councillor(s) Consulted	No
Non-Key Decision	

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

- 1.1 The Committee is asked to consider the confirmation without modification of Tree Preservation Order (7) 2024 Trees on land at 20 and 28 Fenton Road, Hollywood B47 5LS

#### **2. RECOMMENDATIONS**

- 1.2 It is recommended that provisional Tree Preservation Order (7) 2024 is confirmed without modification and made permanent as provisionally 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 the 4<sup>th</sup> April as shown in appendices (1) in response to information received highlighting that the owner of 20 Fenton Road intended to fell the two Oak trees T1 and T2 of the order.

A TEMPO (Tree Evaluation Method for Preservation Orders) was carried out on the trees included within the order by Gavin Boyes on 25<sup>th</sup> April 2024

### PLANNING COMMITTEE

3<sup>rd</sup> September 2024

which can be seen in appendix (2) showing that on this assessment the trees achieved a suitable score to justify consideration for TPO protection.

3.5 Four objections have been received in respect of the provisional TPO having been raised as follows as shown in appendix (3) of the report:

- A letter dated 6<sup>th</sup> May from resident 16 Fenton Road, Hollywood B47 5LS.
- A letter not dated from residents, 18 Fenton Road, Hollywood B47 5LS
- A letter dated 30<sup>th</sup> April 2024 from residents, 20 Fenton Road, Hollywood B47 5LS
- A letter dated 2<sup>nd</sup> May 2024 from residents, 22 Fenton Road, Hollywood B47 5LS

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

**Public Amenity Value:** All trees included within the order are partially but clearly visible from publicly accessible locations along Fenton Road and Alveston Road as shown in the photographs within the report.

**Bird Fouling:** This is a naturally occurring nuisance issue occurring around and trees in general including those outside of this order which may also affect the garden. This being the case it is not considered to be justification for not protecting trees of value to the landscaping of the area.

**Leaf, Seed and Debris Fall:** These are naturally occurring issues associated with the yearly life cycle of all trees and their general health and condition. The nuisance issue of leaf and acorn fall is seasonal only occurring during a limited period of the year and can be managed by clearing the fallen debris. Native broadleaf trees such as Oak would be expected to develop a degree of growth habit deadwood within the crown over a period of time generally years which can be dislodged from the tree in high winds. Most would be expected to be small and not represent any safety concerns. This issue can also be managed by having the deadwood periodically cleared from within the crown.

**Shading:** Tree T1 and T2 have a crown height and spread that would create a degree of shading on all the properties that have raised this issue in their objection. However, the shading would only affect properties for a limited period during the day. Shading issues could also be managed to a degree by a level of sympathetic crown thinning management of the trees



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**Poor Historic Management Of Trees:** There have been a number of branches / boughs removed from the lower canopy of the trees leaving unsightly stubs on the trees. The general appearance of the trees could be improved by further pruning of these stubs in line with BS3998:2012 guidance.

- 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.

### **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) Tempo Assessment  
Appendix (3) Letters of Objections  
Appendix (4) Photographs of trees

### **6. BACKGROUND PAPERS**

None

### **7. KEY**

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

## **PLANNING COMMITTEE**

**3<sup>rd</sup> September 2024**

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### 7.1 Conclusion and recommendations:

The trees included within the order are visible from a public perspective as shown by the photos within the report they contribute to the character of the area.

Therefore, I recommend to the committee that Tree Preservation Order (7) 2024 is confirmed and made permanent without modification as shown in appendix (1) of this report.

### **AUTHOR OF REPORT**

Name: Gavin Boyes

Email: [Gavin.Boyes@bromsgroveandRedditch.gov.uk](mailto:Gavin.Boyes@bromsgroveandRedditch.gov.uk)

Tel: 01527 883094

TOWN AND COUNTRY PLANNING ACT 1990  
Town and Country Planning (Tree Preservation) (England) Regulations 2012

**Bromsgrove District Council Tree Preservation Order (7) 2024**  
**Tree/s on land at Land Rear Of 20 And 28 Fenton Road, Hollywood,**  
**Worcestershire, B47 5LS,**

Bromsgrove District Council in exercise of the powers conferred on them by section 198 of the Town and Country Planning Act 1990 make the following Order—

**Citation**

1. This Order may be cited as **Tree Preservation Order (7) 2024**

**Interpretation**

- 2.— (1) In this Order “the authority” means Bromsgrove District Council.

(2) In this Order any reference to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990 and any reference to a numbered regulation is a reference to the regulation so numbered in the Town and Country Planning (Tree Preservation)(England) Regulations 2012.

**Effect**

- 3.— (1) Subject to article 4, this Order takes effect provisionally on the date on which it is made.

(2) Without prejudice to subsection (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners) and, subject to the exceptions in regulation 14, no person shall—

- (a) cut down, top, lop, uproot, wilfully damage, or wilfully destroy; or
- (b) cause or permit the cutting down, topping, lopping, uprooting, wilful damage or wilful destruction of,


any tree specified in the Schedule to this Order except with the written consent of the authority in accordance with regulations 16 and 17, or of the Secretary of State in accordance with regulation 23, and, where such consent is given subject to conditions, in accordance with those conditions.

**Application to trees to be planted pursuant to a condition**

4. In relation to any tree identified in the first column of the Schedule by the letter “C”, being a tree to be planted pursuant to a condition imposed under paragraph (a) of section 197 (planning permission to include appropriate provision for preservation and planting of trees), this Order takes effect as from the time when the tree is planted.

Dated this 4<sup>th</sup> April 2024

Signed on behalf of Bromsgrove District Council

 G. Row  
.....  
Authorised by the Council to sign in that behalf

Authorised by the Council to sign in that behalf

## First Schedule

### Trees specified individually

(encircled in black on the map)

<u>No. on Map</u>	<u>Description</u>	<u>NGR</u>	<u>Situation</u>
T1	Oak	408368, 277217	In rear garden 20 Fenton Road B47 5LS
T2	Oak	408365, 277213	In rear garden 20 Fenton Road B47 5LS
T3	Oak	408348, 277195	In rear garden 28 Fenton Road B47 5LS

### Trees specified by reference to an area

(within a dotted black line on the map)

<u>No. on Map</u>	<u>Description</u>	<u>NGR</u>	<u>Situation</u>
NONE			

### Groups of Trees

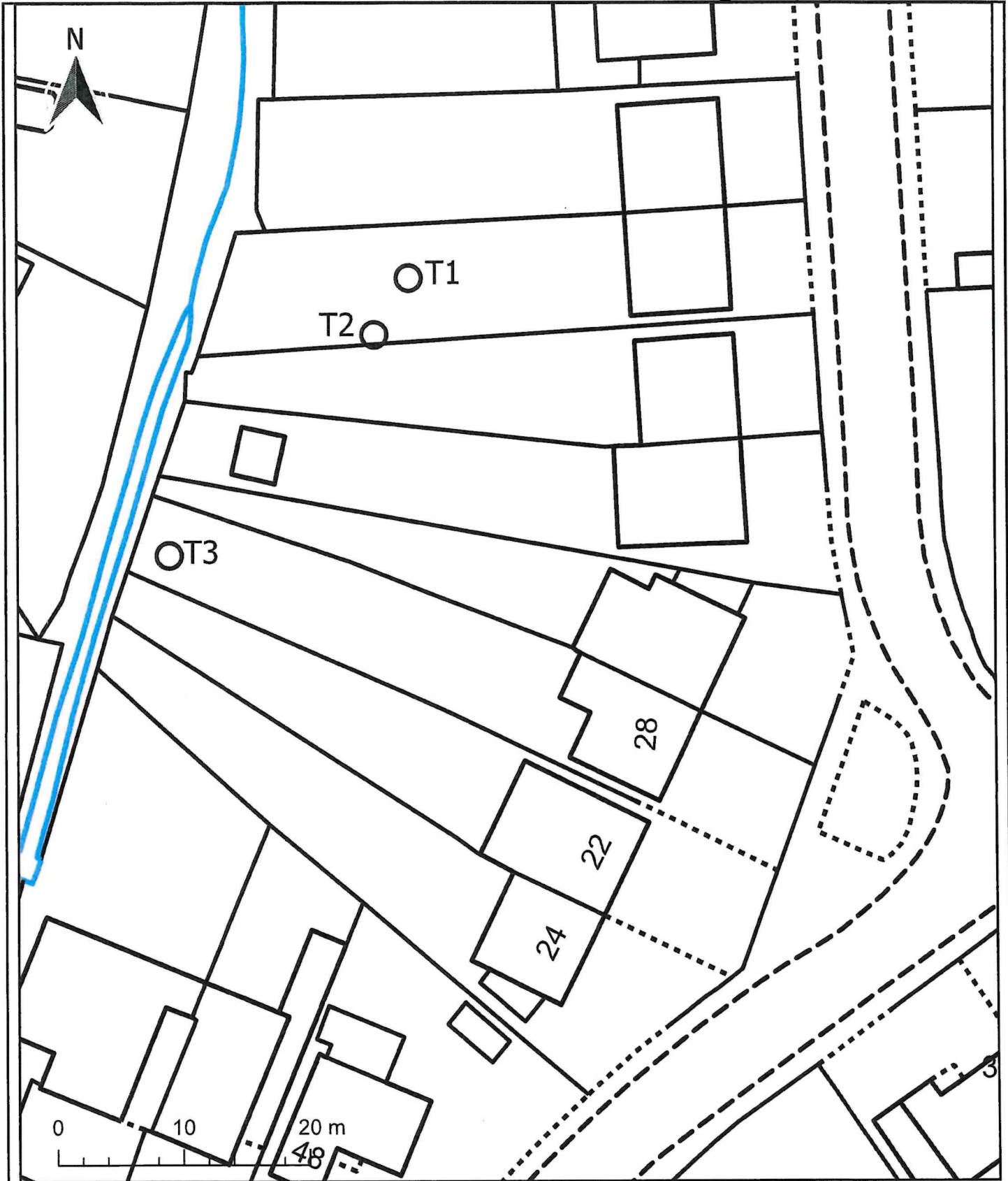
(within a broken black line on the map)

<u>No. on Map</u>	<u>Description</u>	<u>NGR</u>	<u>Situation</u>
NONE			

### Woodlands

(within a continuous black line on the map)

<u>No. on Map</u>	<u>Description</u>	<u>NGR</u>	<u>Situation</u>
NONE			



**Bromsgrove**  
District Council  
[www.bromsgrove.gov.uk](http://www.bromsgrove.gov.uk)



Project: Bromsgrove Tree Preservation Order (7) 2024

Drawing: Fenton Road, Hollywood B47 5LS

Drawing No.: 1 of 1

Drawn: Gavin Boyes - Arboricultural Team

Scale: 1:400 @ A4

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Environmental Services  
Town Hall  
Walter Stranz Square  
Redditch  
Worcs B98 8AH

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Ordnance Survey  
100023252

*Paul Schiater*  
4<sup>th</sup> April 2024.







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22 Fenton Road  
Hollywood  
Birmingham  
B47 5LS

2<sup>nd</sup> May 2024

Dear Mr Boyes

Reference: Tree Preservation Order (7) 2024

We write regarding a recent Tree Preservation Order placed on trees located on land at the rear of 20 Fenton Road, Hollywood, B47 5LS.

We would like to object to the imposition of the TPO for the following reasons:

- The tree is, in our opinion, too large to be in a residential garden due to health and safety concerns. We have been experiencing very high winds and if the tree was to fall it would have major implications due to the proximity to the houses – both the owner's house but also those either side. If the tree was to fall and cause death or injury, would the council be held responsible as they have imposed the TPO? If damage was caused to property, would the council be liable to cover resulting costs to put things right, e.g. replacing fencing or fixing any other damage to property? These costs could be substantial. It is not right that the property owner or neighbours affected by such damage should be responsible for covering costs incurred due to issues with the trees cited in the TPO.
- In the recent high winds several sizeable branches have fallen into our garden, which is a health and safety risk to our visiting grandchildren and, more importantly, to the young family next door, where the trees are located. There is currently a large limb hanging loose which could fall at any time.
- We had a 2-year-old puppy who died in February of this year due to Meningoencephalitis of Unknown Origin (MUO). As the name suggests, it is not always easy to specify the way in which a dog contracts this condition, but our vet advised that a dog can contract an infection due to bacteria, viruses or parasites. The trees in the neighbouring property result in a large amount of bird droppings, particularly from pigeons, which can be dangerous to dogs.
- We were hoping to get another dog but are loath to do this due to the above and also because of the amount of acorns that fall into our garden each year, which are dangerous to dogs if ingested. The trees are therefore affecting the quality of our life in terms of our desire to have a pet.
- The effect the trees have on our daily life include:
  - The amount of fallen leaves and acorns we have to deal with each year. This is a very onerous task and due to our ages, this task will become more difficult to deal with as

# Agenda Item 5

time passes. The large amount of leaves and acorns we have to deal with is much more than can be disposed of via the brown garden bin provided by the council.

- We lose about 2 hours of sunlight in the summer months as the trees block the sun from our garden.
- We struggle to get things to grow in our garden as the tree roots take much of the nutrients and moisture from the soil.

We respectfully request that our concerns are put on record and given consideration prior to making the TPO permanent. It seems strange that a TPO can be imposed at the request of a couple of individuals who are not directly or adversely affected by the said trees. In the interests of fairness it would make sense to visit the properties affected to make an informed decision before imposing the TPO without prior consultation.

We look forward to receiving your response.

Yours sincerely

Gavin Boyes Environmental Services,  
Bromsgrove District Council,  
Crossgate House,  
Crossgate Road,  
Redditch,  
Worcestershire,  
B98 7SN

20 Fenton Road,  
Hollywood,  
Worcestershire,  
B47 5LS

30<sup>th</sup> April 2024

Dear Mr Boyes,

Objection to the Tree Preservation Order

Further to the letter received on 4<sup>th</sup> April 2024 please accept this as formal objection to the tree preservation order placed on two trees (tree 1 and 2) in our rear garden of 20 Fenton Road, Hollywood, Worcestershire, B475LS.

We have recently purchased this property and completed 5 weeks ago. Prior to the house completion, searches were carried out by our solicitors, which concluded that no TPOs were placed on the trees. We also made a point of calling twice ourselves and spoke to your department in regards to these trees who also confirmed there were no orders on the trees.

Having the two large overgrown trees in the garden was a deciding factor on whether we would purchase the property, as our primary objective is to buy a house and have a family garden, which is a safe place for our children who are aged 3 and 1 to play. As we received confirmation there were no TPOs on the trees we decided to put an offer on the house as by removing the trees, this would become our dream family home. We would have not purchased the property if there was a TPO.

Firstly, you have stated that the reasons for making the order are because the trees provide special amenity value. Both tree 1 and 2 are in the middle of our rear garden so are not prominent features or clearly visible to the public. They have also been heavily lopped in the past, with multiple large branches hacked down, making them an eye sore and an unpleasant view. In addition, the base of tree 1 has three chainsaw incisions where someone has previously cut ivy away. If tree 1 were to fall down it would most certainly cause damage to our property.

Our major concern is the danger they could potentially cause, especially to our small children. The size and scale of the trees are not suitable for a family garden where the children have no choice but to play under the trees. Branches could fall off at any time and severely injure or at worst kill our children. We currently feel constantly anxious when our children go in the garden, worried what could potentially fall from the trees. In the high winds a few weeks ago, branches fell; fortunately, our children were not in the garden. With the current size and state of these trees, we would not allow our children to play in their own garden when it is windy as it is a safety risk.

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Another concern we have is the amount of pigeons in the trees. As you are most likely aware, pigeon droppings can be very harmful to people, in particular vulnerable people. Our children may come into direct contact with pigeon droppings, whilst they are playing in the garden as they have no choice but to play under the trees, which could ultimately result in them becoming very ill.

The neighbours either side of us were delighted when we informed them that we were planning to remove the trees as the trees are large, block out their light in the garden as well as constant branches and acorns falling into their garden, which they have raised to us as being a safety risk. The trees are too big and unsuitable to be in a family garden.

Do you think tree 1 and 2 are suitable trees to be in a family garden with the known safety risks and the limited amenity value to the public?

Thank you for the opportunity to appeal the TPO.

I sincerely hope you give this appeal full consideration.

Kind regards



3.9(H) In The Case Of A Listed Building Deliberately Allowed To Fall Into Disrepair, A Compulsory Purchase Order With A Direction For Minimum Compensation

NO

3.9(I) A Building Preservation Notice

NO

3.9(J) A Direction Restricting Permitted Development

NO

3.9(K) An Order Revoking Or Modifying Planning Permission

NO

3.9(L) An Order Requiring Discontinuance Of Use Or Alteration Or Removal Of Building Or Works

NO

\* 3.9(M) A Tree Preservation Order \*

NO

3.9(N) Proceedings To Enforce A Planning Agreement Or Planning Contribution

NO

## Informative Information

WHERE RELEVANT: NATIONAL PARK AUTHORITIES ALSO HAVE THE POWER TO SERVE A BUILDING PRESERVATION NOTICE, SO AN ENQUIRY SHOULD ALSO BE MADE WITH THEM.

WHERE RELEVANT: CADW (MEANING "TO KEEP" OR "TO PROTECT") IS THE WELSH GOVERNMENT'S HISTORIC ENVIRONMENT SERVICE WORKING FOR AN ACCESSIBLE AND WELL PROTECTED HISTORIC ENVIRONMENT FOR WALES. ADDITIONAL ENQUIRIES SHOULD ALSO BE MADE WITH THEM AT: WELSH GOVERNMENT, PLAS CAREW, UNIT 5/7 CEFN COED, PARC NANTGARW, CARDIFF, CF15 7QQ.

IN THE CASE OF LONDON BOROUGH: THE HISTORIC BUILDINGS AND MONUMENTS COMMISSION (ENGLISH HERITAGE) ALSO HAD THE POWER TO ISSUE BUILDING PRESERVATION NOTICES FOR LISTED BUILDINGS IN LONDON BOROUGH. FOR FURTHER INFORMATION CONTACT THE RELEVANT LOCAL AUTHORITY.

MATTERS ALREADY ENTERED ON THE LOCAL LAND CHARGES REGISTER WILL NOT BE REVEALED IN ANSWER TO THIS ENQUIRY.

## ▶ SECTION 3.10 COMMUNITY INFRASTRUCTURE LEVY (CIL)

NONE IDENTIFIED 

3.10(A) Is There A CIL Charging Schedule?

NO

3.10(B) If, Yes, Do Any Of The Following Subsist In Relation To The Property, Or Has A Local Authority Decided To Issue, Serve, Make Or Commence Any Of The Following:-:

3.10(B)(I) A Liability Notice?

NO

3.10(B)(II) A Notice Of Chargeable Development?

NO

Gavin Boyes Environmental Services,  
Bromsgrove District Council,  
Crossgate House,  
Crossgate Road,  
Redditch,  
Worcestershire,  
B98 7SN

Dear Mr Boyes,

Further to the temporary order placed on April 4, 2024 (Tree/s on Land at: Land Rear Of 20 And 28 Fenton Road, Hollywood, Worcestershire, B47 5LS), please accept this as a formal objection to T1 & T2 in the rear of 20 Fenton Road, B47 5LS. Please note we have no objection to T3.

**Reasons for objection:**

We bought our property on Fenton Road just over two years ago, and we love our house and the community. T1 & T2, located in a neighbouring property, must be about the only thing we do not love. I can speak for most, if not all, of the residents nearby that these trees are a big nuisance due to their size. They unleash a considerable amount of leaves and acorns covering our gardens and destroying our lawns and flower beds. Our children love playing in our garden, and we try our best to keep the garden looking nice for them, which is proving very difficult due to T1 & T2. 12 months ago, we had (T1) pruned back to try and limit the leaf fall. Still, we feel this has had no or minimal impact; in fact, along with other attempts to prune the tree in the past by others it has left the tree looking very strange and not very nice to look at; many visitors have commented that the tree isn't very pleasing.

The last and most important reason for our objection is our children's safety when playing in the garden. We moved here because of the garden and had never experienced living so close to a large oak tree before, so we were unaware of the nuisance and dangers until now. Recently, with the heavy winds we experienced, an alarming number of large branches fell from the tree and landed in our garden near where our children play in their sand pit and on the trampoline. This has truly scared me and my partner to think such branches could fall and land on our children or their friends when they play in our garden.

Thank you for the opportunity to appeal this tree preservation order.

We hope this is enough to encourage the council to form a decision in our favour.

---

18 Fenton Road, Hollywood, Worcestershire, B47 5LS

20 Ferbon Road  
Hollywood

B47 5LS

6 May 2021

For the attention of Gavin Bayes  
Bromsgrove District Council

Tree Preservation Order (T) 2024 - land at rear of  
20 Ferbon Road

Further to the above preservation order I would like  
to strongly support the removal of the 2 oak  
trees in the rear garden of 20 Ferbon Road B47 5LS  
identified as T1 408368, 277217 & T2 408365, 277213.

Whilst these trees would be fine in an appropriate  
setting eg parkland or large open space they are  
totally inappropriate for a rear garden, particularly  
where there are young children.

I live 2 doors away and the trees encroach on  
my garden both in terms of shedding leaves and  
casting shade. More importantly they shed branches  
which to date have been relatively small but I am  
concerned about the safety of my two grandsons (aged  
8 + 10) who like to play in the garden.

I have trees to the bottom of my garden which  
I endeavour to maintain but as said above the  
trees in the garden of No 20 are completely  
inappropriate and potentially dangerous.

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PHOTO 1

T1 View From North Of Tree On Fenton Road



PHOTO 2

T1 & T2 View From Directly Opposite Property On Fenton Road





PHOTO 3

T3 View From Corbett Road South Of Tree



PHOTO 4

Tree T1,T2 and T3 View From Alveston Road To The West



# Agenda Item 6

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mr Christopher Hazlewood	Single storey flat roofed side/rear extension 41 Old Station Road, Bromsgrove, Worcestershire, B60 2AE.	08.09.2024	24/00756/ HHPRIO

**This application is being considered by Planning Committee rather than being determined under delegated powers as the applicant is related to a Council employee.**

**RECOMMENDATION: That PRIOR APPROVAL IS NOT REQUIRED**

### **Consultations**

None required

### **Neighbours**

2 letters sent 01/08/24 (expire 25/08/24): no response received

### **Relevant Policies**

Schedule 2, Part 1, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

### **Relevant Planning History**

B/1265/1975	Erection of two detached houses with garages on site of cottages at corner of Garibaldi Terrace and Old Station Road.	GRANTED	14.07.1975
B/382/1974	Erection of two detached houses with garages on site of cottages.	GRANTED	30.09.1974

### **Site Description**

The site is located in an established residential area of Bromsgrove. The two-storey dwelling is detached and is located on the eastern side of Old Station Road, with Garibaldi Terrace running to the northern boundary.

### **Proposal Description**

The proposal relates 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 extension will have a flat roof. The extension has dimensions 6 metres by 2.2 metres with a height of 3 metres. The eaves height will also be 3 metres.

### **Procedural Matters**

Members should note that this application is **not** a planning application, it is an application for Prior Approval.

In 2015 Central Government introduced a range of permitted development rights to allow larger extensions to residential dwellings. These types of proposals are, however, subject

to a 'lighter touch' prior approval process. In this case, the proposal has been submitted as a Prior Approval application under Schedule 2, Part 1, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Class A.1(g) allows for a detached dwelling to extend beyond the rear wall of the original dwellinghouse by up to 8 metres and up to 4 metres in height. To establish whether the development can be considered under this process an application must be considered against the fixed criteria as outlined below.

Where development can be considered under Class A.1(g), before beginning the development, the developer must provide the following information to the Local Planning Authority.

- A written description of the proposed development including:
  - How far the enlarged part of the dwellinghouse extends beyond the rear wall of the original dwellinghouse;
  - The maximum height of the enlarged part of the dwellinghouse;
  - The height of the eaves of the enlarged part of the dwellinghouse;
- A plan indicating the site and showing the proposed development
- The addresses of any adjoining premises
- The developer's contact address
- The developer's email address

The Local Planning Authority (LPA) may only refuse an application where, in the opinion of the authority;

- The proposed development does not comply with, or
- The developer has provided insufficient information to enable the authority to establish whether the proposed development complies with, the conditions, the limitations or restrictions applicable to development permitted by Class A which exceeds the limits in paragraphs A.1 (f) but is allowed by paragraph A.1 (g).

The LPA must notify each adjoining owner or occupier about the proposed development by serving on them a notice which:

- Describes the development;
- Provides the address of the development;
- Specifies the date the LPA received the information and the date of expiry;
- Specifies the date by which representations are to be received.

Where the owner or occupier of any adjoining premises objects, the LPA is required to assess the impact of the proposed development on the amenity of any adjoining premises. Should no comments be received from the adjoining occupiers, subject to compliance with the size parameters, the Council can issue a decision confirming prior approval is not required. The LPA may require further information to be submitted by the developer as is reasonable to determine the application.

Additionally, the proposed extension also extends off the side wall of the dwellinghouse and is therefore subject to Class A (j) limitations. This includes a maximum of 4 metres in height, be single storey, and must not have a width greater than half the width of the original dwellinghouse.

## **Assessment of Proposal**

No neighbour representations have been received to date

The information submitted has been assessed against Schedule 2, Part 1, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and it meets all criteria, notably:

- The proposed extension is not in excess of dimensions permitted;
- The extension will not extend beyond a wall which forms the principal elevation;
- Buildings do not cover more than 50% of the residential curtilage

I am therefore of the view that the Prior Approval of the Local Planning Authority is not required, and the development is thereby permitted under Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

This is subject to the relevant condition set out under Schedule 2, Part 1, Class A.3 of the Town and Country Planning (General Permitted Development) England Order 2015 (as amended), which states that materials used in any exterior work to be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse. The applicant is aware of this requirement.

**RECOMMENDATION: That PRIOR APPROVAL IS NOT REQUIRED**

### **Conditions:**

1. The materials used in any external work must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse

**Case Officer:** Holly Johnston Tel: 01527 881258  
Email: holly.johnston@bromsgroveandredditch.gov.uk

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## **24/00756/HHPRIO**

41 Old Station Rd, Bromsgrove, B60 2AE

**Proposal:** Single storey flat roofed side/rear extension

**Recommendation:** That permission is not required as proposal accords with permitted development.



# Site Location Plan

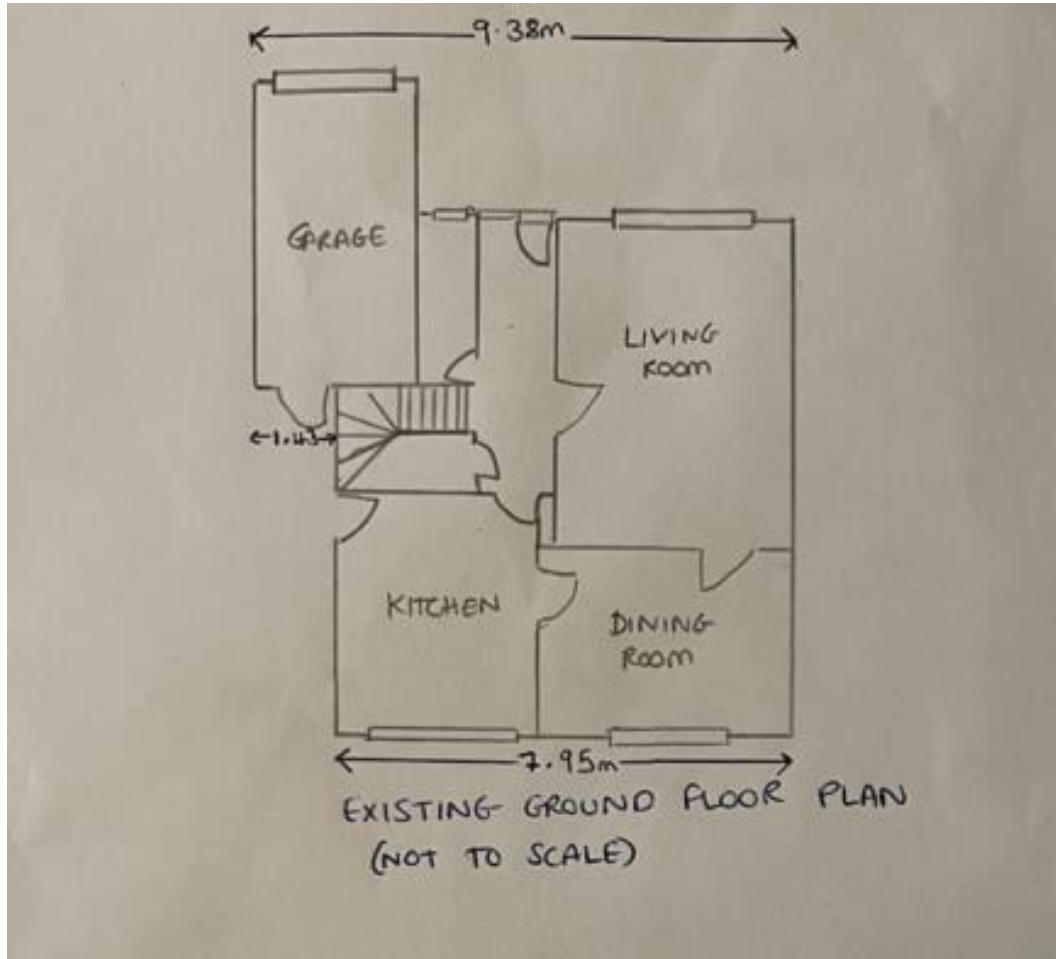




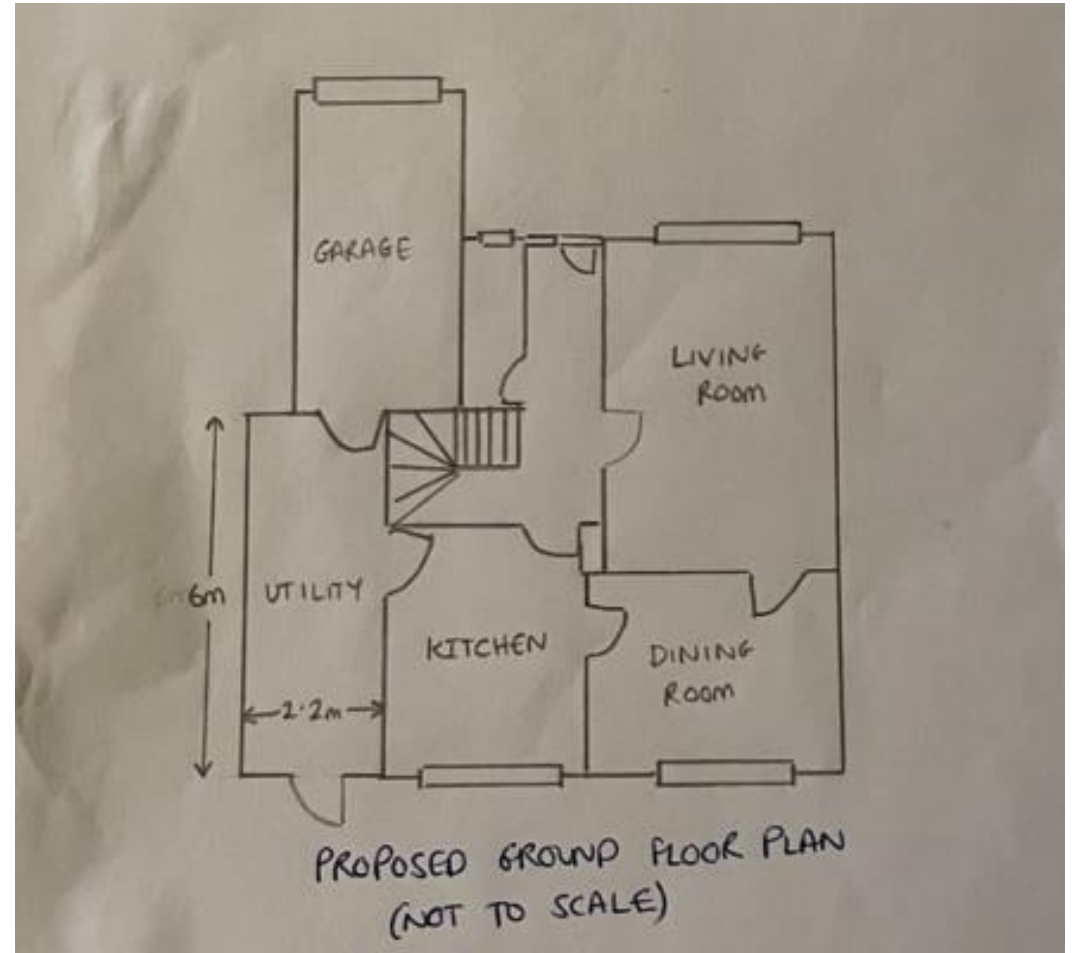
# Aerial Photograph of site



# Existing floor plan



# Proposed floor plan





# Streetscene



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