

Public Document Pack



BROMSGROVE DISTRICT COUNCIL

MEETING OF THE PLANNING COMMITTEE

THURSDAY 22ND MAY 2025
AT 6.00 P.M.

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

MEMBERS: All Members

Membership to be determined at the date of publication.

AGENDA

1. Election of Chairman
2. Election of Vice-Chairman
3. To receive apologies for absence and notification of substitutes
4. 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.
5. To confirm the accuracy of the minutes of the meeting of the Planning Committee meeting held on 22nd April 2025 (Pages 7 - 12)
6. Updates to planning applications reported at the meeting (to be circulated prior to the start of the meeting)
7. Tree Preservation Order (18 2024) Tree on Land at 2 The Coppice, Hagley, Worcestershire, DY8 2XZ (Pages 13 - 76)

8. 24/00816/FUL - Installation of 40 solar panels on 5 ground mounted frames (Resubmission of application 24/00192/FUL. Crossbrook House, Dusthouse Lane, Finstall, Worcestershire, B60 3AE. Mr. A. Borton (Pages 77 - 92)
9. 25/00106/FUL - First floor rear extension and annex with ancillary use to the existing dwelling in the rear garden. 47 Lodge Crescent, Hagley, Worcestershire, DY9 0ND. Mrs. C. Jones (Pages 93 - 104)
10. Planning Performance Information Quarter 4 (Pages 105 - 114)
11. To consider any Urgent business, details of which have been notified to the Assistant Director of Legal, Democratic and Procurement Services prior to the commencement of the meeting and which the Chairman, by reason of special circumstances, considers to be of so urgent a nature that it cannot wait until the next meeting.

J. Leach
Chief Executive

Parkside
Market Street
BROMSGROVE
Worcestershire
B61 8DA

14th May 2025

**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**

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

**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.**

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 by 12 noon on Tuesday 20th May 2025.**
- 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 Tuesday 20th May 2025.

- 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**
- 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 and for any such items the live stream will be suspended and that part of the meeting will not be recorded.**



INFORMATION FOR THE PUBLIC

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- 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.

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

at www.bromsgrove.gov.uk

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BROMSGROVE DISTRICT COUNCIL

MEETING OF THE PLANNING COMMITTEE

TUESDAY 22ND APRIL 2025, AT 6.10 P.M.

PRESENT: Councillors H. J. Jones (Chairman), M. Marshall (Vice-Chairman), S. J. Baxter, D. J. A. Forsythe, C.A. Hotham, R. E. Lambert, P. M. McDonald, B. McEldowney, J. D. Stanley and S. A. Robinson

Observers: Councillor D. Hopkins

Officers: Mrs. R. Bamford, Mr. D. M. Birch, Mr. S. Evans (of Anthony Collins Solicitors), Mr. A. Hussain (via Microsoft Teams), Mrs. J. Chambers (via Microsoft Teams), Mrs. R. Smith (of Worcestershire County Council Highways, via Microsoft Teams) and Mr. G. Day

The legal advisor for the committee announced that the application 24/00117/S73 - Land at Whitford Road, Bromsgrove was considered at the Committee meeting on 1st April 2025, however, the resolution was ultimately invalid because the meeting was not quorate when the vote was taken on this item. Therefore, the additional Planning Committee meeting was convened to determine the application.

87/24

TO RECEIVE APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES

Apologies for absence were received from Councillors E. M. S. Gray, J. Clarke and A. Bailes with Councillors P. M. McDonald, S. A. Robinson and C. A. Hotham in attendance as substitute Members respectively.

Apologies for absence were also received from Councillor S. M. Evans.

88/24

DECLARATIONS OF INTEREST

Councillors S. J. Baxter, D. J. A. Forsythe, M. Marshall, B. McEldowney and J. D. Stanley declared in relation to Agenda Item Number 5 (Minute No. 90/24) – 24/00117/S73 - Land at Whitford Road, Bromsgrove, in that they had been in attendance at the Planning Committee meeting held on 1st April 2025 when the application was considered. However, they stated that they had given no further representations on the application and were in attendance at this meeting with an open mind and would listen to the officer's presentations and other committee Members considerations before coming to a decision.

89/24

UPDATES TO PLANNING APPLICATIONS REPORTED AT THE MEETING

A Committee Update was circulated to Members prior to the meeting commencing, with a paper copy also made available to Members at the meeting.

90/24

24/00117/S73 - VARIATION OF CONDITION 25 OF PLANNING PERMISSION APP/P1805/W/20/3245111 ALLOWED ON APPEAL 09/02/2021 (LPA 16/1132): FROM: NO PART OF THE DEVELOPMENT SHALL BE OCCUPIED UNTIL THE JUNCTION OF FOX LANE/ ROCK HILL HAS BEEN ALTERED IN ACCORDANCE WITH THE SCHEME FOR A ROUNDABOUT SHOWN ON THE PLAN FOX LANE/ ROCK HILL SCHEMATIC REF 7033-SK-005 REVISION F. AMEND TO: NO MORE THAN 49 DWELLINGS SHALL BE OCCUPIED UNTIL THE JUNCTION OF FOX LANE/ROCK HILL HAS BEEN ALTERED IN ACCORDANCE WITH THE SCHEME FOR A ROUNDABOUT SHOWN ON THE PLAN FOX LANE/ROCK HILL SCHEMATIC SCHEME REF 7033-SK-005 REVISION G AND ANCILLARY DRAWINGS 7033-S278-701 REV C02, 2015804 AGE-ZZ-XX-DR-X-0002, 0003, 0004, 0005, 0006 REV C02. LAND AT WHITFORD ROAD, BROMSGROVE. BELLWAY HOMES

Officers presented the report and in doing so highlighted that the application was for the variation of condition 25 of planning permission APP/P1805/W/20/3245111 allowed on appeal 09/02/2021 (LPA 16/1132), as follows:-

FROM: No part of the development shall be occupied until the junction of Fox Lane/ Rock Hill has been altered in accordance with the scheme for a roundabout shown on the plan Fox Lane/ Rock Hill schematic ref 7033-SK-005 revision F.

AMEND TO: No more than 49 dwellings shall be occupied until the junction of Fox Lane/Rock Hill has been altered in accordance with the scheme for a roundabout shown on the plan Fox Lane/Rock Hill schematic schemeref 7033-SK-005 revision G and ancillary drawings 7033-s278-701 rev C02, 2015804 AGE-ZZ-XX-DR-X-0002, 0003, 0004, 0005, 0006 REV C02.

Officers presented the presentation slides, as detailed on pages 25 to 37 of the main agenda pack.

The current proposal sought to allow the occupation of 49 dwellings and was supported by survey data from 2024 and further modelling information (including a non-technical summary).

Officers explained that there had been extensive discussions with Worcestershire County Council, Highways (County Highways) and as detailed in the report that, County Highways acting in its role as the

Highway Authority, had undertaken a full assessment of this planning application and had raised no objections to the current proposal.

The proposal to vary the condition to allow occupation of some dwellings prior to the alteration of the roundabout had been subject to amendments and the submission of additional supporting information. This had occurred in response to concerns expressed by both the Highway Authority and Officers.

Officers referred to the retaining wall information, as detailed on pages 32 to 35 of the main agenda pack, County Highways confirmed that from a highways perspective there had been no proposed changes to the form, scale or footprint of the roundabout scheme when assessing the revision and were content with the changes.

The deterioration in the network performance identified in the outputs of the modelling cannot reasonably be considered to meet the severe threshold.

Officers concluded that the occupation of 49 dwellings prior to the alteration of the Fox Lane / Rock Hill junction was considered acceptable with regards to planning policy and other material planning considerations.

At the invitation of the Chairman, Mr. J. Gerner, on behalf of The Bromsgrove Society addressed the Committee in objection to the application. Ms. D. Farrington the applicant's agent addressed the Committee in support of the application. Councillor D. Hopkins, Ward Member also addressed the Committee.

At the request of the Chairman, Ms. R. Smith of County Highways addressed the Committee in order to clarify County Highway's position on the application.

In regard to previous applications being refused, as mentioned during the public speaking, County Highways clarified that there had been three previous proposals submitted under the current application which County Highways had objected to:-

1. June 2024 – 75 dwellings based on 2017 traffic data – Objection Raised, and recommended refusal
2. October 2024 – 39 dwellings based on 2017 traffic data – Objection Raised, and recommended refusal
3. February 2025 – 100 dwellings based on 2024 traffic data (which the applicant has said was for 49 dwellings, but the data was for 100 dwellings) – Objection Raised, and recommended refusal
4. Current Application – 49 dwellings based on 2024 traffic data – No objection

The trip generation data which was agreed by the local authority in 2021 showed that occupancy of 49 dwellings would lead to an increase of 34

two ways trips in the AM peak and 35 in the PM peak. This would equate to 18 AM trips going towards the junction, leading to a 13second delay (82 to 95 seconds) in the peak AM traffic and a 7m (47m to 54m) increase in queue size.

The assessment was undertaken using automatic techniques, by an established specialist 3rd party company called Advanced Transport Research. The data was collected over a 1-week period across 6 sites, and there was a one day turning count at the junction including queue surveys. It was highways position that the traffic data was acceptable.

County Highways addressed Members concerns with regards to the modelling data which did not adequately reflect the real world situation at several assessment locations, County Highways assured Members that they were satisfied that the data and geometry had been checked and that it accurately reflected the junction and congestion.

Members then considered the application which officers had recommend be granted.

The following was clarified after questions from Members

- That although delegated decision making was requested, the only amended Conditions were those already addressed by the application before Members and previously confirmed amendments, other conditions would remain the same.
- That there was no control over the tenure of the dwellings as part of the rewording of the Condition, the applicant would decide this.
- That a three-way traffic light could not be considered in the traffic assessment as the plans had not been finalised. Furthermore, it would not be suitable to include in the model, due to the temporary nature of any traffic managing measures.

Members drew Officers attention to page 21 of the Public Reports pack and questioned why the traffic data did not follow a linear path when increasing the number of occupied dwellings from 30 to 40. County Highways was asked to comment on the figures and the meeting stood adjourned from 18:52 hours to 18:57 hours for Officers (joining via Teams) to locate the correct part of the report to answer the Members query.

Having reconvened the meeting, County Highways stated that they could not identify why the data was showing the jump from 5.4seconds to 12.9seconds and therefore could not comment on the data in question.

Members questioned the validity of the 2024 traffic data which suggested that traffic had decreased during the 2017-2024 period which Members did not agree with considering the expansion of the area in that time. County Highways stated that they could not speculate on why this happened, and that they could only assess the data supplied.

Further stating that from their analysis there would only be a 13meter/7sec delay in traffic based on the 2024 data. Officers further noted that the increase would be temporary until the roundabout was completed, which could not be seen as significant and therefore, no objection was raised.

The accuracy of the data and its interpretation was called into question by Members. It was noted that some data was discounted as being an “anomaly,” however, Members questions how that decision was arrived at, when the data was assessed during a single day. A query was also raised as to why one set of data was measured in 15-minute and another in 5-minute intervals. County Highways could not provide any clarity on these questions but further reaffirmed that their assessment only highlighted a 7sec delay which they did not consider severe.

Councillor M. Marshall proposed an alternative Recommendation that planning permission be refused due to the severe residual cumulative impact on the road network without the mitigation afforded by the completion of the roundabout scheme, the Alternative Recommendation was seconded by Councillor C. A. Hotham.

Members commented that in their opinion the highways data did not adequately support the recommendation, with Members repeatedly expressing their concern that the traffic assessments showed that traffic volume decreased between 2017 and 2024. Concern was also voiced in regard to discounting the three-way traffic lights that may appear on site in the near future which would further impact the junction.

However, Members also noted that they were considering 49 properties but could not quantify the scale of the impact caused by the additional dwellings. Additionally, there was also no technical information supplied which supported the Alternative Recommendation.

On being put to the vote, it was

RESOLVED that permission be refused due to the severe residual cumulative impact on the road network without the mitigation afforded by the completion of the roundabout scheme.

91/24

TO CONSIDER ANY URGENT BUSINESS, DETAILS OF WHICH HAVE BEEN NOTIFIED TO THE ASSISTANT DIRECTOR OF LEGAL, DEMOCRATIC AND PROCUREMENT SERVICES PRIOR TO THE COMMENCEMENT OF THE MEETING AND WHICH THE CHAIRMAN, BY REASON OF SPECIAL CIRCUMSTANCES, CONSIDERS TO BE OF SO URGENT A NATURE THAT IT CANNOT WAIT UNTIL THE NEXT MEETING.

The Chairman announced that there was no Urgent Business to be considered.

92/24

TO CONFIRM THE ACCURACY OF THE MINUTES OF THE MEETINGS

OF THE PLANNING COMMITTEE HELD ON 4TH MARCH 2025 AND 1ST APRIL 2025

Councillor M. Marshall asked for a correction to the minutes of the meeting held 1st April 2025, in that under Minute Number 80/24 as detailed on page 4 of the Supplementary Agenda pack, had stated that the applicant was his election agent. Councillor Marshall asked for it to be amended in that the applicant worked with his election agent (but was not his election agent), however, he had not discussed the application with either party.

RESOLVED that subject to the amendment detailed in the pre-amble above, the minutes of the Planning Committee meetings held on 4th March 2025 and 1st April 2025, be approved as correct records.

The meeting closed at 7.20 p.m.

Chairman

PLANNING COMMITTEE

DATE 22/05/2025

Tree Preservation Order (18 2024 Tree on land at 2 The Coppice, Hagley, Worcestershire, DY8 2XZ)

Relevant Portfolio Holder	Cllr Kit Taylor
Portfolio Holder Consulted	No
Relevant Head of Service	Head of Planning and Environmental Services
Ward(s) Affected	Hagley
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 (18) 2024, relating to a tree on land at 2 The Coppice, Hagley, Worcestershire, DY8 2XZ.

2. RECOMMENDATIONS

- 1.2 It is recommended that provisional Tree Preservation Order (18) 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 19th December 2024 as shown in appendices (1) in response to an indication received by the Council that the owner of the tree at 2 The Coppice, Hagley intended to fell the Cedar tree at that property.

PLANNING COMMITTEE

DATE 22/05/2025

A TEMPO (Tree Evaluation Method for Preservation Orders) was carried out on the tree within the order by David Whittles on 10th December 2024 which can be seen in appendix (2). This showed that the tree accrues a score worthy of consideration for TPO protection.

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

- A letter from Paul and Nicola Collins, 2 The Coppice Hagley dated 8th January 2025.
- A letter from Stuart and Emma Booton, 3 The Coppice, Hagley dated 8th January 2025.
- A letter from Mrs Joan Cope, 11 Sweetpool Lane, Hagley dated 19th January 2025.

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

Public Amenity Value: The tree does stand within the grounds of a property served by a private road serving 9 houses, but the tree is still visible from the public highway at Sweetpool Lane and side roads and paths nearby. This is shown in several photos in appendices (4). The claim that the tree is an “eyesore” and “lacks any local amenity value” are subjective. A TEMPO assessment has been carried out and indicates that the tree definitely merits a TPO.

Safety Issues: The initial request to remove the tree came in on the 9th December 2024, immediately after Storm Darragh had dissipated. Prior to this, the tree was subject to an Arboricultural survey in relation to a proposed extension at No.2 The Coppice. No safety issues were recorded either in this report or by the Tree Officer’s visit in regard to the Planning Application. The behaviour of a tree in a large storm can be alarming to witness, but it is these dynamic properties that allow a tree to withstand the complex loading forces produced by wind - and are not necessarily representative of day-to-day life. The ability of the Cedar to withstand a storm such as Darragh with only minor damage can also be seen as an indicator of the quality of the tree.

General Deris Fall Nuisance: All trees do unfortunately bring a level of leaf and minor stature deadwood twig / branch fall all of which is due to the natural growth habit of the tree. I feel that this is an acceptable nuisance in view of the level of influence the tree has on the properties this instance and taking into account the

PLANNING COMMITTEE

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quality of the tree and the value it has to offer to the landscape and character of the area.

Risk Of Root Invasion: It has been highlighted that the roots of the tree are affecting the driveway at No.2. and it is suggested that the roots could, in future, affect the foundations of the property. Some Root activity has to be expected when living near trees. This tree significantly pre-dates the surrounding properties, and the houses at the Coppice have been there since the early 2000's with no reported influence of the tree on foundations. These are modern houses and as such would be expected to have high quality and robust foundations and infrastructure. Even if root intrusion were the case, there are engineering solutions such as root barrier systems that can help mitigate these issues.

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 Objection

Appendix (4) Photographs

Appendix (5) Arb Report by Jim Unwin

PLANNING COMMITTEE

DATE 22/05/2025

6. BACKGROUND PAPERS

Arboricultural Report produced by Jim Unwin in relation to the proposed extension at No.2 The Coppice.

7. KEY

TPO - Tree Preservation Order

TEMPO – Tree Evaluation Method for Preservation Orders

7.1 Conclusion and recommendations:

I feel that the Cedar within this order offers a valuable level of visual amenity value, being visible from the local public road network and pathways, and adds considerably to the character of the estate and landscaping of the area. It has a considerable future life span and although it may need periodic crown management due to the constraints of the growing position and existing bracing, it is sustainable in the longer term within the infrastructure of the estate.

During the recent planning application there was no mention of removing the tree to facilitate an extension and indeed, the extension was designed to work with the tree, with pile and beam foundations to protect the root system. The attached tree survey from this application categorised the Cedar as “B1” under BS 5837:2012 (Trees in relation to design, demolition and construction). This classification also indicates that this is a tree is worthy of retention.

Therefore, I recommend to the committee that Tree Preservation Order (18) 2024 is confirmed and made permanent without modification as shown in appendix (1) of this report.

AUTHOR OF REPORT

Name: David Whittles

Email: David.Whittles@bromsgroveandredditch.gov.uk

Tel: 01527 881600

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

Bromsgrove District Council Tree Preservation Order (18) 2024
Tree/s on land at 2 The Coppice, Hagley, Worcestershire, DY8 2XZ,

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 (18) 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,

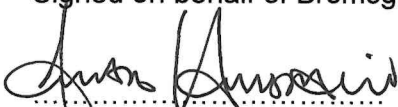
any tree specified in the Schedule to this Order except with the written consent of the authority in accordance with regulations 16 and 17, or of the Secretary of State in accordance with regulation 23, and, where such consent is given subject to conditions, in accordance with those conditions.

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 *19th day of December 2024*

Signed on behalf of Bromsgrove District Council



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	Cedar	389814, 280423	Front No. 2 The Coppice, DY8 2XZ, on the western side of drive.

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>
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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>
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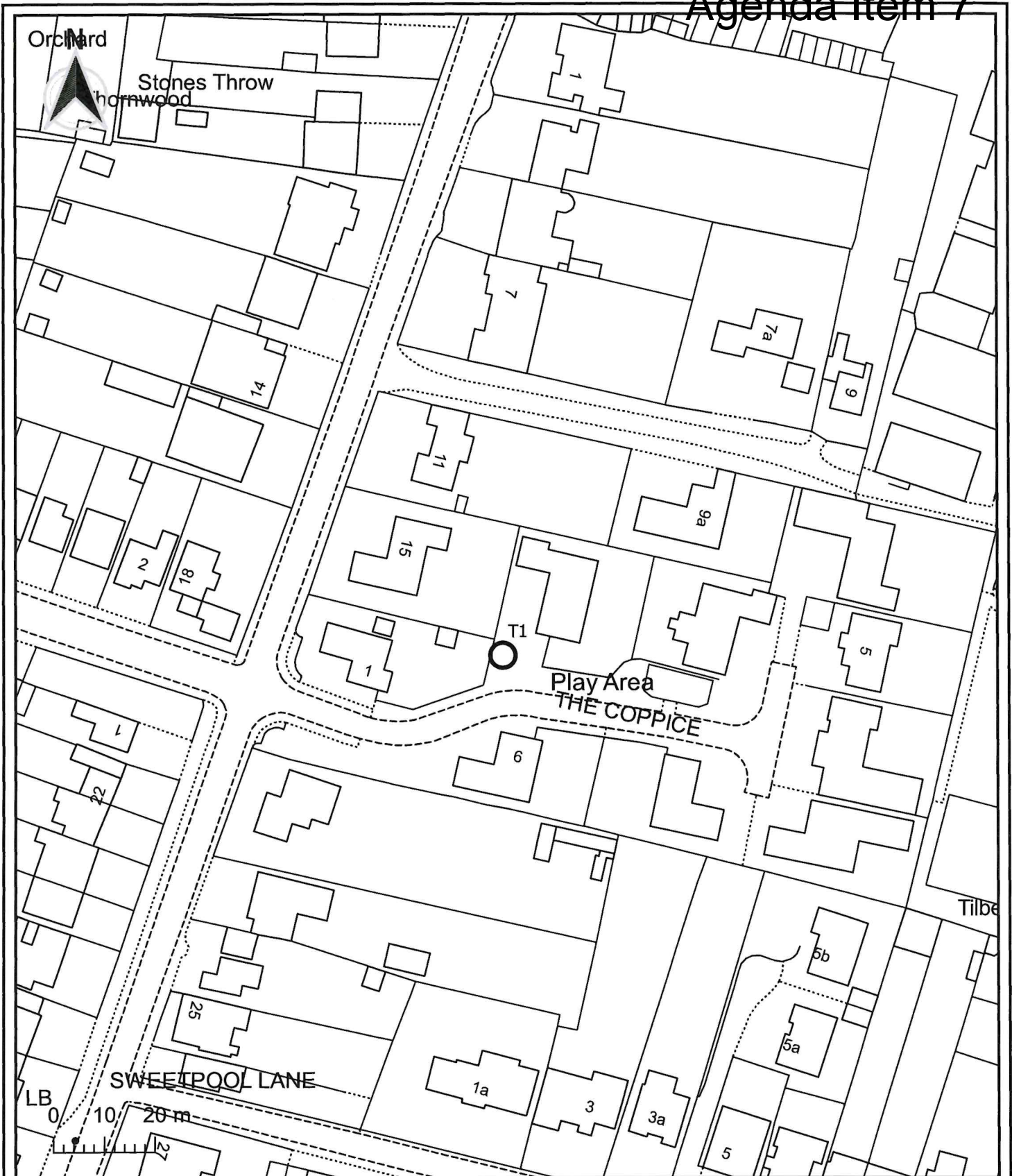
NONE

Woodlands

(within a continuous black line on the map)

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



Bromsgrove
District Council
www.bromsgrove.gov.uk

Redditch
Borough Council
Working together for our communities

Project: TPO (18) 2024

Drawn: David Whittles

Drawing: 2 The Coppice,
Hagley, DY8 2XZ

Scale: 1:1,000
@ A4

Drawing No.: 1 of 1

Date: 12.2024

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

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Ordnance Survey
100023252

David Whittles 19/12/24
AUTHORISED SIGNATORY.

T.E.M.P.O Tree Evaluation Sheet

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Hagley

DY8 2XH

19/1/2024

David Whittles of
Environmental Services Bromsgrove D.C.
Crossgate House
Redditch

Re: Tree preservation order (18) 2024
At 2 The Coppice Hagley DY8 2XZ

Dear Sir,

I wish to object to the proposed preservation order for the pine tree as mentioned above for the reasons given —

1. The tree is considerably taller than the surrounding homes & the prevailing winds catch the top half causing much swaying & debris deposit in the area & anxiety to residents.
2. The proximity (about 10 metres) to three homes on health & safety grounds. We have had 3 violent storms in December (climate change will no doubt bring more) with 60mph winds producing violent tree movement causing alarm to all in the vicinity of potential damage to buildings and loss of life if the tree fell.
3. The proximity of such a tall dominant tree falling would block the road (if a car were coming dreadful consequences) or cause extensive damage to properties and loss of life.

Yours sincerely Mrs. Joan Cope

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8 January 2025

Mr. David Whittles
Environmental Services
Bromsgrove District Council
Crossgate House
Crossgate Road
Redditch
Worcestershire B98 7SN

Reference: Tree/s on land at: 2 The Coppice, Hagley, Worcestershire, DY8 2XZ

Dear David

We are writing in accordance with Regulation 6 of the Town and Country Planning (Tree Preservation) (England) Regulations 2012 to formally object to the Tree Preservation Order (provisional) that came into force on 19th December 2024 relating to the tree ("T1") on the Order's schedule (a Cedar with a split trunk, located at the front of our property in close proximity to our house and the road).

We object for the following reasons:

1. We believe that the tree T1 is becoming increasingly dangerous and represents a serious safety risk. During storm "Darragh" (6th-7th December 2024), a quantity of very large branches and debris was ripped from the tree, causing damage to property. One of these branches (of around 8ft in length) landed in our neighbours garden (over 30 feet away). Had any of the debris hit an occupant or passerby, we believe the injury could have been fatal given the size of the branches that were dislodged. We do not believe that Storm Darragh was a "once in a lifetime" event; given the general consensus that severe storms and high winds are becoming more likely, the risk that the tree causes damage or injury is also becoming more likely.
2. The tree T1 has become too large for the site, given it's proximity to our and our neighbours properties. It's twin stems require structural support bracing (already installed at our cost) and regular pruning (also at our cost). Should the brace fail during a storm or heavy winds, we believe there is a risk that the tree could split and fall. Given the massive size and weight of the tree, this would cause significant property damage at the least, and in the worst case a fatal injury. We continue to try to manage this by checking the brace regularly and reducing the tree's height but this work is becoming increasingly expensive given the size of the tree (and will be impacted by the Preservation Order's restrictions). The tree is also beginning to impact other parts of our property - the roots are breaking through our driveway, and there is a risk that the roots could begin to damage the foundations of our house.

3. The preservation order is made in the interests of amenity, although we note that no other preservation orders exist on other trees in the vicinity and we do not understand why the tree suddenly has amenity value given that no Tree Preservation Order was put in place when the house was originally built. A tree's amenity value includes its impact on stress and illness levels as well as its ability to provide a sense of wellbeing and should consider the people that live in close proximity to the tree as a priority. It seems there has been no consideration given to the significant negative amenity value that the tree has given its increasingly negative impact on the mental wellbeing of ourselves, our family, and our neighbours. The people that live in close proximity to this tree should be the primary beneficiaries of the tree's amenity value, but are all objecting to the Preservation Order based on the health and safety risks that we've outlined in this letter.

We strongly urge you to rescind the Tree Preservation Order and consider our alternative proposal:

1. We intend to remove the tree (T1), at our cost, for all of the reasons we have outlined;
2. We already intend to plant new trees on our property, at our cost, that are more appropriate (both in terms of size and position) and we are happy to select replacement trees (species, maturity etc) in consultation with you and your team;
3. We are happy to make the planting of those replacement trees a condition of the consent to remove T1.

We note that the Preservation Order came into force on 19th December 2024 on a temporary basis for six months, creating an effective deadline of 19th June 2025 for the Council to either make the order permanent or to remove it. However, we would very much appreciate an earlier response to our objection as soon as possible.

Yours sincerely,

Paul and Nicola Collins

2 The Coppice, Hagley, DY8 2XZ

Mr David Whittles
Environmental Services
Bromsgrove District Council
Crossgate House
Crossgate Road
Redditch
Worcestershire, B98 7SN

Mr & Mrs S Booton
3 The Coppice
Hagley
Worcestershire
DY82XZ

8th January 2024

Subject: Objection to Tree Preservation Order (18) 2024 at 2 The Coppice DY8 2XZ

Dear David,

We are writing to formally object to the TPO for T1 tree (Cedar) National Grid Reference 389814, 280423, with the following points of concern regarding the tree in question.

Firstly, the tree lacks any local amenity value. Far from being an enhancement to the area, it is an eyesore that negatively impacts the aesthetic of the surroundings. Its size is disproportionate to The Coppice, making it entirely unsuitable for its current location.

We believe the tree poses an imminent danger to public safety. It is already braced, a clear indication of its instability, and recent storms have no doubt worsened the situation. Substantial amounts of debris have been thrown across the road and the nearby children's play area, creating significant hazards. Should the tree be subjected to further storms, there is a very real risk of it being uprooted and falling directly into the play area, or houses with potentially dire consequences.

We believe that the tree could and should be replaced with a species more suitable for The Coppice and the local environment. A replacement tree would provide a better balance of aesthetic appeal, environmental benefit, and public safety, addressing the current issues while contributing positively to the area.

In conclusion, we strongly urge the relevant authorities to address this pressing concern and take action to ensure public safety while considering an appropriate replacement. Thank you for your time and attention to this matter.

Yours sincerely,

Stuart & Emma Booton

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Scene Item 7

26 February 2025 14:15

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B. J. UNWIN FORESTRY CONSULTANCY Ltd. Jim Unwin BScFor, MICFor, FArborA, CEnv. Chartered Forester Fellow of the Arboricultural Association Chartered Environmentalist.			Parsonage Farm, Longdon Tewkesbury, Glos. GL20 6BD UK T: 01684 833538 M: 07860 376527 E: Jim@bjunwin.co.uk
			

Client: **Mr Paul & Mrs Nicola Collins**

c/o: Mike Taylor RIBA ARB
 Taylor and Co Architects Ltd
 T 01905 621600
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 E design@taylorandcoarchitects.co.uk
www.taylorandcoarchitects.co.uk

Site: **2 The Coppice Hagley , Nr Stourbridge, DY8 2XZ**

Subject: Draft ***BS5837 Tree Constraints, Impact Assessment
 & Tree Protection Method Statement for extension.***

Surveyor: Jim Unwin.
 Report:: Jim Unwin. (professional-CV in Appendix VI).
 Dates: Inspection 6th Sept 2024. Report: Stage 1: & **Stage 2: 20th Sept 2024.**

Summary:

- No.2's front garden contains a tall cedar T1, plus shrubs and topiaried hedge.
- The proposal requires hard pruning or replacement of topiary yew T3.
- Intervention of previously-felled cedar T2 reduces the intrusion of the proposed small extension into T1's rootzone.
- Section 6 below details methods to minimise impact of the extension on cedar T1.

Tree and Woodland Consultancy Woodland Valuation and Timber Sales Landscape Management	Visit our website www.bjunwin.co.uk for more information.		Visual Tree Assessment
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Notes:

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Limitation of Report: The statements made in this Report do not take account of the effects of extremes of climate, vandalism or accident, whether physical, chemical or fire. BJUFC cannot therefore accept any liability in connection with these factors, nor where prescribed work is not carried out in a correct and professional manner in accordance with current good practice. The authority of this Report ceases at any stated time limit within it, or if none stated after two years from the date of the survey or when any site conditions change, or pruning or other works unspecified in the Report are carried out to, or affecting, the Subject Tree(s), whichever is the sooner.

1. Instruction.

- 1.1 Mr & Mrs Collins, assisted by [Mike Taylor Architects](#), propose a house extension.
- 1.2 Bromsgrove District Council will require a tree impact assessment and tree protection method statement for the proposal. Therefore, Mike has asked B J Unwin Forestry Consultancy Ltd to advise on trees for planning application purposes.
- 1.3 I have used a plan **2265 Template** for constraints plans.
The Proposal: **Taylor & Co 2265 Proposed Sketch Scheme Rev A of Aug 2024**, extract in section 5, shows the proposal, and guides our tree impact and tree protection Sections 5 & 6 of this report.
- 1.4 Therefore methodology of the report below follows *BS5837:2012 Trees in Relation to Design, Demolition & Construction*.

2. Inspection.

- 2.1 Jim Unwin visited the property on 6th Sept 2024, met Mr & Mrs Collins, and made an inspection in bright light conditions.
- 2.2 The survey was from ground level, involving visual observation (Visual Tree Assessment: Mattheck and Breloer, 1994 and Lonsdale, 1999). I measured stem diameter (wherever access was difficult, rounding up to nearest 5cm), measured or estimated height, and measured or lasered crown spread. I located trees.

3. The Site.

- 3.1 The survey site is the front corner of No.2, built around 2002. Terrain is not elevated and the site not particularly exposed to wind.
- 3.3 Geology from BGS website:-
Superficial deposits: None recorded.
Bedrock geology: Helsby Sandstone Formation - Sandstone. Sedimentary bedrock formed between 247.1 and 241.5 million years ago during the Triassic period.
Therefore, subsoil and geology at foundation depth is likely to be coarse-textured, well-drained, and without volume-change potential.
- 3.4 The site is edged by residential plots.

4. The Trees.

- 4.1 Trees on or adjacent to site:
 - T1 is a tall, mature cedar. It stands next to the drive which is porous build up with a gravel-tray surface.
 - T2 is the stump of a cedar felled within the past few years on the opposite side of the front drive.
 - T3 is a yew trimmed to a hedge / topiary, providing screening from the road.
 - T4 is a beech felled recently.
- 4.2 Off-site trees:-
 - T5 is a broad holm oak 4m to the west at No.1.
- 4.3 Amenity: This could describe an attractive tree, a screening function, habitat potential, or historic/veteran tree.
 - The site is set within a residential close. The cedar is a tall evergreen tree and a significant local landscape feature. .
 - The site is outside any conservation area. But please check with Bromsgrove DC for any TPOs: **Tel: 01527 881188 Email: bsu@bromsgroveandredditch.gov.uk Postal: Town Hall, Walter Stranz Square, Redditch, B98 8AH.**

4.4 Photos below:

4.4.1 View west to trimmed yew in foreground, cedar centre and holm oak beyond.



4.4.2 View north along porous drive to holm oak left, cedar centre and trimmed yew right.



4.5 Detailed Tree Descriptions

4.5.1 Trees **on, or potentially influencing** the site, are individually described in the table below, and shown on the plans in Appendices.

Age class is described as:-

Sap:	Very young tree, or sapling, one-five years old.
Y:	Young tree less than fifteen years old and <1/3 fully grown.
Sm:	Semi-mature tree having attained 1/3 to 2/3 full stature and 1/3 to 1/2 estimated lifespan.
Em:	Early mature: tree at 2/3 to virtually full size, and halfway through its safe life.
M:	Mature: fully-grown tree with useful life expectancy.
Lm:	Late-mature: fully grown, of declining vigour, but still healthy.
Om:	Overmature tree: fully grown and starting to decline in health (but may still have years of safe life).
Vet:	Veteran: usually very old; of significant historic, habitat or cultural value.

Health & Structural condition:-

Self-explanatory:- **Good, Fair, Poor or Dead.**

Remaining Contribution, in years

Prediction of safe useful life in its location, estimated as:-
<10 years, >10 years, >20 years, >40 years.

Retention categories, based on BS 5837 Section 4.5, and shown in Appendix I, are:-

Retain:

A =	High quality or value >40yrs safe life:
B =	Moderate quality or value >20yrs safe life:
C =	Low quality or value >10yrs safe life or young trees <150mm stem diameter:

Light Green*

Mid Blue*

Grey*

Remove:

U =	<10yrs safe life or should be removed for sound arboricultural reasons:
------------	--

Dark Red*

(*Colour marking on relevant Tree plan).

Sub-category for retention:-

- 1 = Arboricultural Value
- 2 = Landscape Value
- 3 = Cultural and/or Habitat Conservation Value

BS 5837:2012 Root Protection Area:

The estimated area rootable soil required to sustain the tree, centred on the tree's trunk. The RPA can be a varied shape enclosing the correct rootable area: but usually shown as a circle for convenience, unless obvious constraints stop rooting.

Radius calculated as:-

Single-stem tree, radial distance = 12 x stem diameter at 1.5m ht.

Multi-stem trees 1-5 stems = Square root of (sum of individual stem diameters squared).
> 5 stems = Square root of (average dbh squared x number of stems).
(Area can be calculated by $\pi \times r^2$.)

- Denotes estimated stem diameter in mm at 1.5m height where measurement was not possible.

T = tree S = shrub H = hedge G = group HG = hedge group.

4.5.2 No.2 The Coppice - BS5837 front-garden Inspection - BJUFC – 6 th Sept 2024.																	
No.	Species	Dbh (stem diam @ 1.5m ht) cm.	-Total height. - Ht of lowest branch & direction. - Est Ht in 10 yrs. m.			Crown radii m.				Age class	Health	Structural Condition	Remaining contribution Years.	Comment (All are in average to good health and condition, unless stated otherwise.)	BS5837 Retention Category.	BS 5837 Root Protection Area Radius. m.	Recommended WORK excluding development.
						N	E	S	W								
T1	Cedar	105 basal	28	10	28	8	6	7	6	Lm	F	F	>20	Big, upright, twin stems. Braced.	B1	10.5	Recommend have the brace checked for strength and adjusting every five years.
Page 5 of 13	Cedar stump	65 basal												Stump felled <eight years ago.	U	6.5 in theory	
	Yew	25 basal	3	0	3	2	3.5	4	1	Sm	F	F	>20	Golden Irish yew ? Trimmed as topiary and hedge.	C2	2.5	Trim annually.
	T4	Beech stump	90 Basal											Felled 2024.	U	9.0 in theory	
T5	Holm oak	65, 70	22	8	22	9.5	3	11	10 Est.	M	F	P/F	>20	Off-site at No.1. Broad.	B2	11.5	

End of table.

4.5.3 Trees are listed in the table above, and coloured on the Tree Constraints Plans, to indicate their retention categories A,B,C,U: with the colours explained in the keys of the table (4.5.1) & plan, and Appendix I (A = best to U = remove).
This allows the site designer to plan around important trees, and ignore lesser trees.

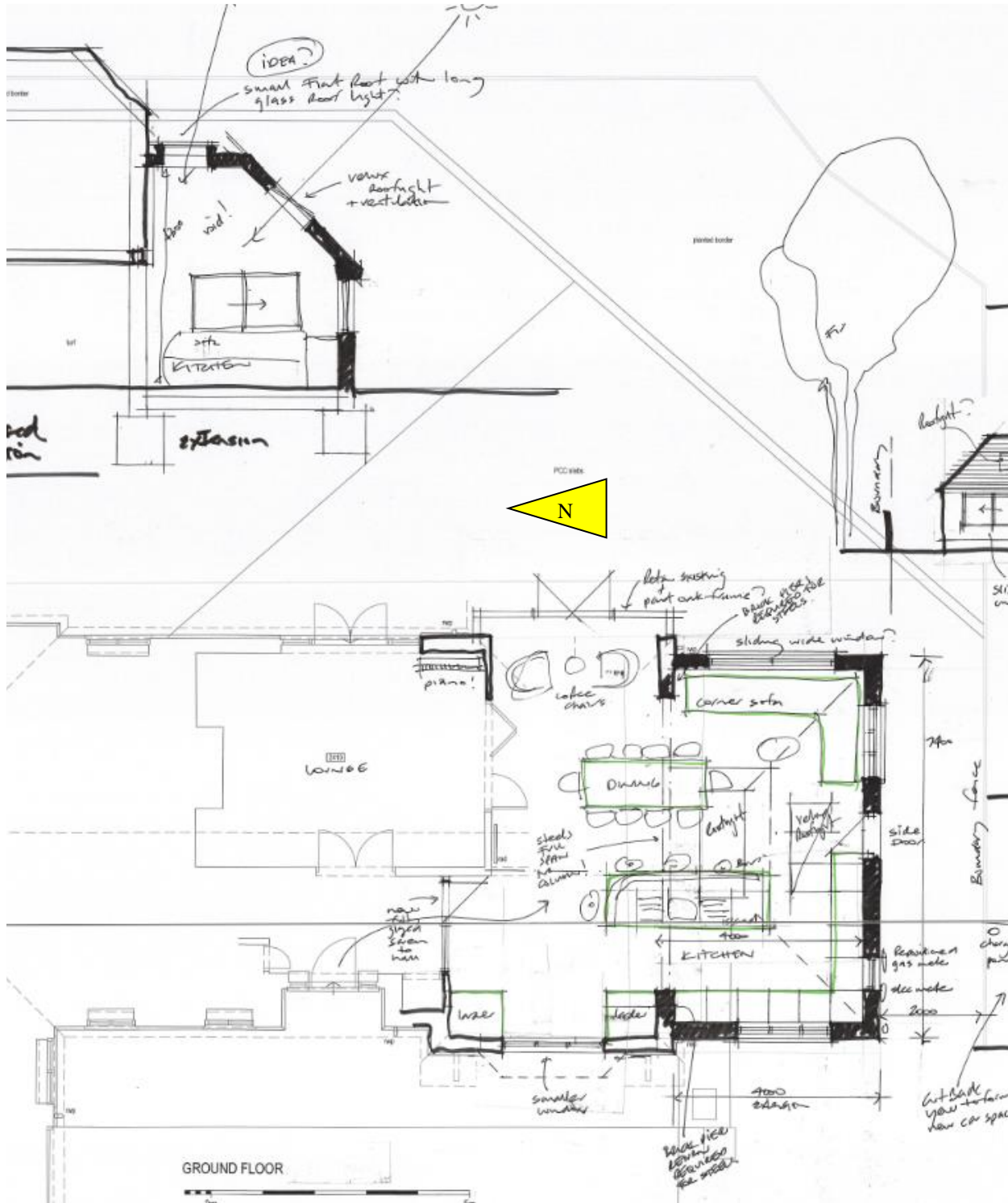
5. Proposed Development & Tree Impacts.

5.1 The proposal.

5.1.1 The proposal, **Taylor & Co 2265 Proposed Sketch Scheme Rev A of Aug 2024**, extract below, shows the development.

5.1.2 A 4m x 7.4m single-storey extension is added to the front of the house.

5.1.3 The drive and parking is unaltered.



5.2 Potential Tree Impacts (considered below).

5.2.1 There are six potential arboricultural impacts caused by development here:

- **physical contact above-ground,**
- **below-ground conflicts (roots),**
- **shading,**
- **over-bearing, and falling material,**
- **subsidence/heave, and damage from root growth,**
- **impact on amenity value.**

These are assessed below:

5.3 Physical contact with above-ground parts of trees.

5.3.1 General:-

Buildings, roads, paths and associated structures can replace trees or intrude into canopy zones. Tree removal and pruning is listed in table 6.2.3 below.

5.3.2 Specific above-ground impacts:-

- Topiary yew T3 is very close to the extension, so it might be best to remove it. Or it could be pruned hard and re-modelled to a slightly-different shape: worth a try?
- Stump T2 needs careful digging out and replacement soil adding.

5.4 Below-ground root spread.

5.4.1 General:-

BS5837 defines a tree's Root Protection Area as a circular area of 12 x stem diameter: required to maintain long-term health of a full-canopied tree. We show it as an idealised circle. Rooting areas are never symmetrical. At the discretion of an arboriculturist, where rooting is restricted on one side, the RPA can be offset to provide the same protection area. This is shown on the RPA plan.

Ground disturbance within the RPA zone should be avoided. But, the structural rootplate of a tree to resist windthrow is usually smaller than the RPA. Therefore tree stability should not be affected by some planned disturbance within the RPA.

5.4.2 Specific Rootzone Impacts:-

- The cedar's RPA is intruded by <13m² out of a theoretical total of 346m². But, the felled cedar T2 lies between the extension and T1. So it will be T2's roots under the extension, not T1. However, this is slightly countered by the presence of oak T5 just west of T1, which will have made T1 root to the east.
- Despite this minimal impact, I require hand severing of roots, see 6.6 below.

5.5 Light Interception & Shading.

5.5.1 General:-

The sun rises to about 60° at mid-day in mid-Summer when trees are in leaf (ratio of 16m vertical height to 10m horizontal distance).

The sun only rises to 12° in mid-Winter. However, in winter deciduous trees are leafless, so light interception is much reduced.

Theoretical shadows of arcs equal to estimated tree height in ten-years' time are illustrated on our Shading Plan. This is the shadow pattern for the period from May to September inclusive, from 10.00hrs to 18.00hrs daily.

5.5.2 Specific Shading Impacts:-

- No issues.

5.6 Over-bearing and Falling material.

5.6.1 General:-

Trees drop detritus in the form of flower parts, leaves, twigs, fruits or needles throughout the year. These can be an annoyance to persons living nearby.

Bird droppings and honeydew from aphids can be difficult to clean off, or can spoil car paintwork. Big trees make adjacent dwellers nervous.

5.6.2 Specific Impacts:-

- No issues.

5.7 Subsidence/heave & root growth.

5.7.1 Subsoil may be coarse-textured without volume-change potential.

5.7.2 This must be assessed by an engineer. Structures near trees will need foundations designing according to NHBC Chapter 4.2, or equivalent guidance.

5.8 Amenity impact.

5.8.1 Amenity can be *visual landscape, functional landscape, habitat or heritage/historic.*

- Loss or pruning of topiary yew T3 will widen the view into the front of the house. So try to keep it if possible to maintain screening.

6. Arboricultural Method Statement in sequential order for proposed development at No.2 The Coppice site.

6.1 Supervision

6.1.1 I recommend the following arboricultural supervision on this site:

- A **pre-start site meeting** between building contractor, ground worker, Tree Officer (if he/she chooses to attend) and retained arboriculturist, to agree tree retention, tree protection and working methods.
- **Checking installation of protection fencing and temporary ground protection.**

All these could be done on one visit.

6.1.2 All inspections to be followed with emailed supervision log with action points, copied to client and tree/landscape officer.

6.2 Tree Management

6.2.1 **Tree Work prior to ground work:-**

Detailed in table overleaf.

6.2.2 **Treework informatives, included for general information:-**

6.2.2.1 Disturbance to wildlife.

It is essential to check for nesting birds, bat roosts, badgers and hibernating animals such as hedgehogs under trees, before pruning or removing trees, as negligent disturbance is an offence under the EC Habitats Directive 92/43/EEC, Countryside and Rights of Way Act 2000, Protection of Badgers Act 1992. The Conservation (Natural Habitats, & C) (Amendment) Regulations 2007 make **any** damage or destruction of a breeding site or resting place of a European Protected species (mainly bats in a tree context) an offence.

In general, autumn tree work: **September, October and November** is least disruptive to bats and birds. Work on very ivy-clad trees may need a formal pre-start bat assessment by a trained bat worker.

6.2.2.2 Permission

Trees could be protected by TPO, but don't lie within a Conservation Area.

Trees may be owned by third-parties.

Trees may be protected by planning conditions.

Therefore, a contractor must satisfy himself that all necessary permissions from the local planning authority or tree owners are in place before touching trees.

A Felling Licence may be needed to clear non-domestic areas.

6.2.2.3 Quality of Tree Work

All off-ground tree work should be done by insured tree surgeon with certificates in aerial chainsaw use (new designations:- NPTC 020-04, 0020-05, 0020-07, 0021-01, 0021-07; LANTRA 600/5703/8, 600/5717/8, 600/5715/5, 600/5704/X, 600/5714/2), and working to BS3998:2010, and "*Treework at Height*", the Arboricultural Association's ICoP.

(Stumps can be left to shoot again, ground out, or grubbed out, or poisoned, depending on location.)

6.2.3 Treework for development at No.2 The Coppice:

Yew T3: Either remove, or prune hard to maintain screening from the road.

6.3 Tree Protection

6.3.1 Requirement

The most important tree-protection measure is effective protective fencing, erected as close as possible to the Root Protection Area (RPA) boundary before any other work starts on site including demolition in the vicinity of trees. It must be maintained until all work is completed, except final soft landscaping. Here tree protection is proposed for retained trees, and for areas of possible new planting where this is feasible: called **landscape protection zones**.

6.3.2 Vertical Tree Protection

6.3.2.1 Tree Protection fencing **locations** are shown on Tree Retention & Protection Plan (TRP) in Appendices.

6.3.2.2 Two **specifications** for suitable protective fencing are suggested in BS5837.

Specification for BS fencing is given in Appendix III.

6.3.2.3 Within the fenced off **CEZ** Construction Exclusion Zone: there must be:-

- no construction access,
- no storage of materials, including soil,
- no ground disturbance.

6.3.2.4 Tree protection measures will be erected **prior to commencement of any groundworks & development and any machinery brought onto site.**

Fences will be maintained throughout demolition & construction until the works are complete and the site is cleared from any machinery and equipment.

And removed only for final soft landscaping.

6.3.3 Temporary Ground Protection (TGP) within RPAs:-

6.3.3.1 IF work is required to be closer than the all-round protection zone, then the fenced off zone can be made smaller on that side, or entered temporarily, subject to permission from retained arboriculturist.

Within such zones, temporary horizontal ground protection plus temporary fencing would be essential.

6.3.3.2 TGP is needed on current proposal. See blue shading on TRP Plan.

Obvious options for temporary ground protection would be:-

- Butted scaffold boards or 22mm plyboard laid on bearers on 50mm depth woodchip or bark mulch (pedestrian access only).
- Temporary ground protection plates such as aluminium "Eve Trakway" or plastic interlocking-plate ground protection; both on 150mm depth of woodchip or bark mulch, as shown in Appendix IV.
- A layer of woven geo-textile under minimum 250mm depth of graded aggregate which is lifted after work.

6.4 Construction Access.

6.4.1 General points:-

- All access to use existing drive and parking.
- No pedestrian, vehicle, plant or machinery to enter RPAs without temporary ground protection, as detailed in para 6.3.3 above.

6.4.2 Site huts could be placed within RPA of trees and hedges; provided they stand elevated on stilt feet, no excavation is required for temporary services, and pedestrian and vehicle access is ground protected as detailed in 6.3.3 above.

6.5 Demolition / Excavation within RPAs:-

None needed.

6.6 Foundations within RPAs:-

6.6.1 See blue line on TRP Plan:

- Stand min-digger in extension footprint or on TGP.
- Dig towards outer edge.
- Stop 0.3m off final face and dig last 0.3m x 1m depth by hand.
- Sever roots with loppers or hand saw as exposed, to avoid ripping.
- Cover exposed face with damp hessian and sheet material immediately to prevent desiccation.
- Any deeper digging use machine as no significant roots.
- Install footings and backfill trench on tree side within two weeks of opening ground.

6.7 Drainage.

General tree protection principles must be followed.

6.7.1 Storm-water drainage: Any soak-away system must be designed to avoid significant increase and no decrease of ground water in trees' rooting zones. Divert into existing soakaways, outside RPAs, dissipate into landscaped areas, or store for greywater recycling.

6.7.2 Foul Drainage: avoid RPAs.

6.7.3 Sustainable Urban Drainage System: Any SUDS scheme, to reduce the load on local mains drainage, must not significantly add to, or reduce, the soil water in trees' root zones. Allow gradual percolation into landscaped areas ?

6.8 Service Trenches within RPAs.

6.8.1 Service trenches (electric lights, utilities, telecoms, drains etc) must be **designed** to run as far from trees as possible.

6.8.2 Trenches **within RPAs should be avoided.**

6.8.3 Any trenching within an RPA ideally uses a **trenchless boring** system.

6.8.4 OR, use this onerous **hand digging** method:-

- If soil is coarse-textured and friable use an air-spade to reveal roots (Appendix VI).
- No roots >25mm diameter or bundles of smaller roots must be exposed or severed without express written permission of local authority tree officer or retained arboriculturist.
- Retain roots >25mm diameter or bundles of smaller roots within service

trenches. Thread service / pipe underneath.

- Any pruning of smaller roots must use a sharp saw or loppers, and not ripped by mini-digger bucket.
- Any excavation within the RPA of a tree must be covered immediately after digging with damp hessian, topped by tarpaulin & plyboard, to prevent root desiccation.
- Hole must be backfilled within five days of opening.
- Wrap exposed roots >25mm or bundles of smaller roots with hessian, and surround by 50mm depth sand, as part of backfill medium.
- Tamp backfill material by hand thumper or whacker plate only.

6.9 Minimal-dig construction for new access drives, parking & paths

6.9.1 If roads, footpaths, cycle-ways, yards or parking are required near trees, they can be constructed in two ways:-

Conventional construction:- If outside a tree's RPA.

Minimal-dig construction:- If within a tree's RPA.

6.9.2 None needed.

6.9.3 Appendix V gives examples of materials for minimal-dig, porous, build-up, not needed on current proposal.

6.10 Tree work following construction.

6.10.1 Trees should be re-inspected at completion of construction and hard landscaping. This inspection would reveal the need for remedial tree work for the following reasons:-

- to rectify damage occurring during construction (regrettable but possible),
- to allow additional clearance.

-or complete tree removal if trees were considered too close for safe retention.

6.10.2 All additional work subject to further local authority agreement if trees are protected by planning conditions, TPO, or location within a Conservation Area.

6.11 New Planting.

6.11.1 The developed site contains trees. **New planting is not needed for this proposal, except to screen the extension from the road if the yew is removed.**

6.11.2 A useful web-based guide: *Tree Species Selection for Green Infrastructure – A guide for specifiers by Dr Andrew Hiron & Dr Henrik Sjoman Issue 1.3 of 2019*, advises on tree selection and size.

Any planting and maintenance must comply with: **BS 8545 “Trees: from nursery to independence in the landscape – Recommendations”**. BSI 2014.

6.11.3 Any planting must be provided with adequate long-term soil-moisture.

To remind architects and engineers, we reproduce below, Stockholm Tree Pits' (www.stockholmtreepits.co.uk) table of root volumes for a given final size of tree:

Table 1: Minimum requirements for tree pit specifications.

	Mature Size of Tree**				
	Very Small (<5m)	Small (5-10m)	Medium (10-15m)	Large (15-25m)	Massive (>25m)
Recommended minimum volume of uncompacted loam soil	6m³ (5m³ if shared)	12m³ (9.5m³ if shared)	20m³ (16m³ if shared)	28m³ (24m³ if shared)	36m³ (30m³ if shared)
Recommended minimum volume of stone-based structural soil	8m³ (6m³ if shared)	15m³ (12m³ if shared)	26m³ (20m³ if shared)	36m³ (28m³ if shared)	45m³ (35m³ if shared)
Recommended number of air/water inlets†	1 (0.5 if shared)	1 (0.5 if shared)	1	2 (1.5 if shared)	2

†Fastigate trees will require less rooting space than trees with wide canopy shapes. As a rule of thumb, one should assume that a tree with a narrow and columnar crown form would require half as much soil volume as a tree of the same height that has a wide crown.

‡Ideally the surface of the tree pit should be open, rough in texture, and protected from compaction. If there is hard surfacing above the tree pit designers must provide pathways for water ingress and gaseous exchange. This could be provided by a permeable surface over the whole of the tree pit or by using a non-permeable surface with specially designed inlets. Suitable inlets would be substantially larger than an irrigation tube and service the whole of the tree pit.

Author:

Jim Unwin

B J Unwin Forestry Consultancy.

References:

"The Body Language of Trees". Claus Mattheck and Helge Breloer. HMSO 1994.

"Principles of Tree Hazard Assessment and Management". David Lonsdale. HMSO 1999.

BS 3998: 2010 "British Standard Recommendations for Treework".

BS 5837: 2012 "Trees in Relation to Design, Demolition & Construction".

BS 8545 "Trees: from nursery to independence in the landscape – Recommendations". BSI 2014.

NJUG Volume 4 2007 "Guidelines for the Planning, Installation and Maintenance of Utility Services in Proximity to Trees". NJUG, 30 Millbank, London, SW1P 4RD.

"Trees and Development". Nelda Matheny and James R Clark. ISA. 1998.

BS 8206:1992 "Lighting for buildings".

BRE guide 209 (2002) "Site Layout planning for daylight and sunlight".

NHBC Chapter 4.2, Building Near Trees. National House Building Council, 2021.

"Tree Roots in the Built Environment". J Roberts, N Jackson & M Smith. R.A.T.8, TSO (The Stationary Office), London, 2006.

"Tree Species Selection for Green Infrastructure – A guide for specifiers" Dr Andrew Hirons & Dr Henrik Sjoman Issue 1.3 2019.

"Treework at Height" Industry Code of Practice. Arboricultural Association. 2020.

"The use of Cellular Confinement Systems near Trees". Practice Guidance Note 12. Arb Association. Sept 2020.

Appendix I
BS 5837 section 4.5 Tree Categorisation Method.
Table 1 overleaf:

Table 1 Cascade chart for tree quality assessment

Category and definition	Criteria (including subcategories where appropriate)	Identification on plan			
Trees unsuitable for retention (see Note)					
Category U Those in such a condition that they cannot realistically be retained as living trees in the context of the current land use for longer than 10 years	<ul style="list-style-type: none"> Trees that have a serious, irremediable, structural defect, such that their early loss is expected due to collapse, including those that will become unviable after removal of other category U trees (e.g. where, for whatever reason, the loss of companion shelter cannot be mitigated by pruning) Trees that are dead or are showing signs of significant, immediate, and irreversible overall decline Trees infected with pathogens of significance to the health and/or safety of other trees nearby, or very low quality trees suppressing adjacent trees of better quality <p><i>NOTE Category U trees can have existing or potential conservation value which it might be desirable to preserve; see 4.5.7.</i></p>	See Table 2			
<table> <tr> <th>1 Mainly arboricultural qualities</th><th>2 Mainly landscape qualities</th><th>3 Mainly cultural values, including conservation</th></tr> </table>			1 Mainly arboricultural qualities	2 Mainly landscape qualities	3 Mainly cultural values, including conservation
1 Mainly arboricultural qualities	2 Mainly landscape qualities	3 Mainly cultural values, including conservation			
Trees to be considered for retention					
Category A Trees of high quality with an estimated remaining life expectancy of at least 40 years	Trees that are particularly good examples of their species, especially if rare or unusual; or those that are essential components of groups or formal or semi-formal arboricultural features (e.g. the dominant and/or principal trees within an avenue)	Trees, groups or woodlands of significant conservation, historical, commemorative or other value (e.g. veteran trees or wood-pasture)			
Category B Trees of moderate quality with an estimated remaining life expectancy of at least 20 years	Trees that might be included in category A, but are downgraded because of impaired condition (e.g. presence of significant though remediable defects, including unsympathetic past management and storm damage), such that they are unlikely to be suitable for retention for beyond 40 years; or trees lacking the special quality necessary to merit the category A designation	Trees with material conservation or other cultural value			
Category C Trees of low quality with an estimated remaining life expectancy of at least 10 years, or young trees with a stem diameter below 150 mm	Unremarkable trees of very limited merit or such impaired condition that they do not qualify in higher categories	Trees with no material conservation or other cultural value			

Appendix II

Site location, shows local roads and public rights of way.



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Google Earth aerial. Taken April 2021.

N:



Appendix III

Vertical Tree Protection Fencing, from BS5837.

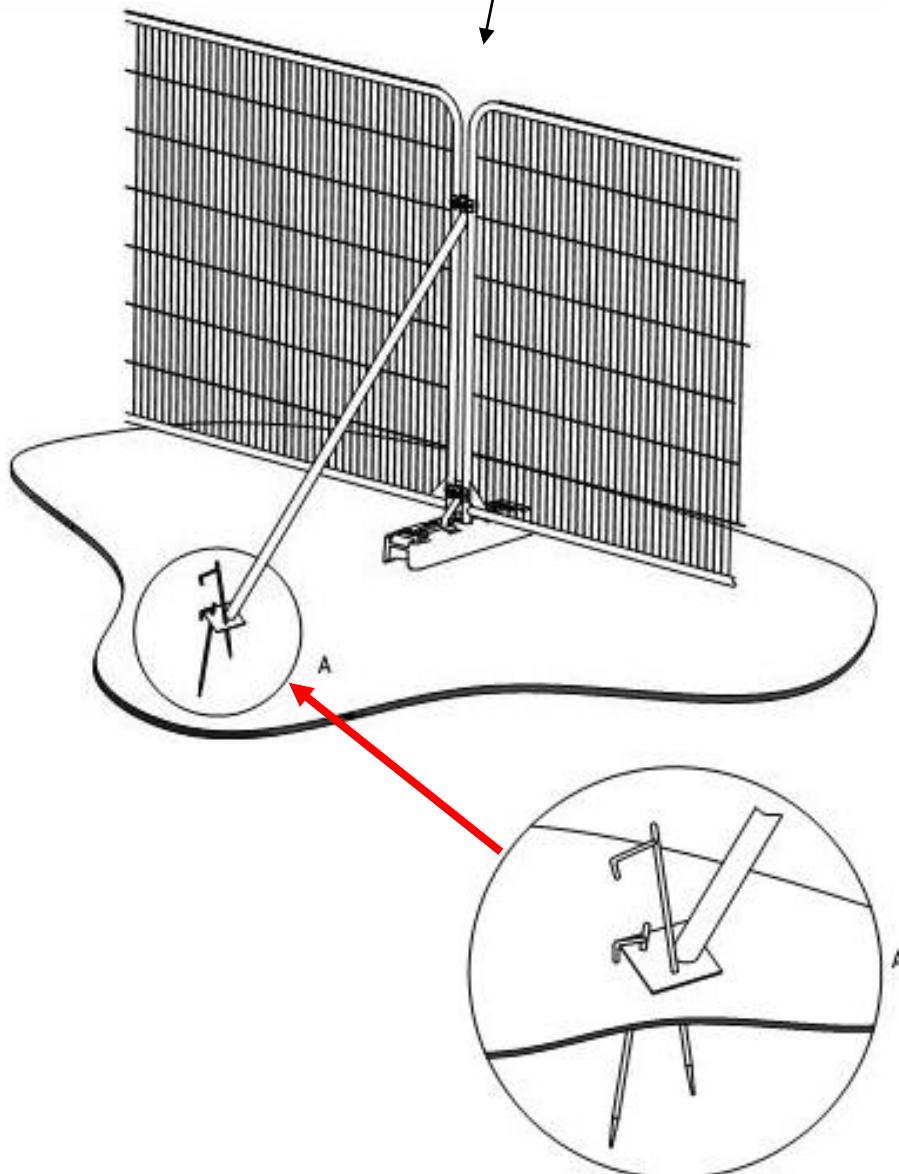
Vertical protective fence: location on plan:

Lightweight: in situ for < 3 months or constrained site-

Heras panels joined by two clamps, on feet, with pegged strut on each panel.


Apply signs at maxm 20m spacing:

**TREE PROTECTION -
Construction Exclusion
Zone.
NO ACCESS**



Example of Barrier stakes & heavy-duty tape, use three strands, for tree protection on a modest site. **Not needed here.**

[Quote Request](#) | [Contact Us](#) | [Catalogue Quick Order](#) | [0800 316 6933](#)



Signs, Labels & Solutions for a Safer Workplace

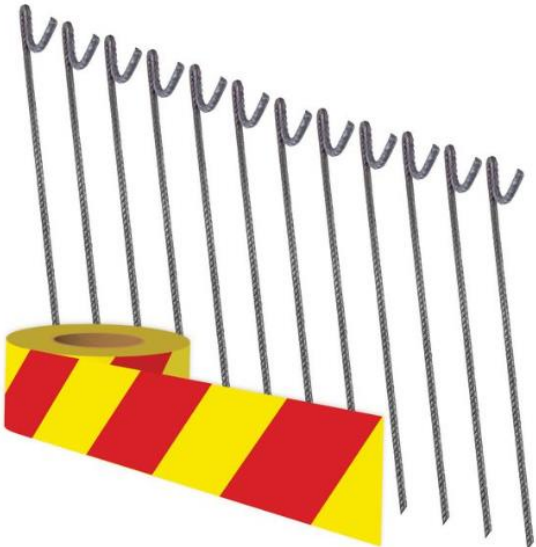
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Barrier Tape & Fence Pins Kit

Heavy duty, practical solution to temporary hazard barriers

- Highly visible tape with UV coating and scratch resistant ink
- Durable fence pins hold your barrier in place outdoors
- Non-adhesive tapes come in a variety of colours

[View full product information](#)

Description

Red/Yellow stripe extra strong tape & pins kit

[View all available options \(7\)](#)

Appendix IV

Horizontal Ground Protection x 2 examples

Example of aluminium temporary ground protection.

EVE TRAKWAY



Roadways - Medium Duty Trakpanel

The Medium Duty Trakpanel, or 'Box' panel, is ideal for where both pedestrian and vehicle access is required. This versatile panel can be laid with either a smooth or corrugated surface uppermost. The smoother surface finish provides excellent support underfoot, whilst the construction of the panel maintains a high load bearing capacity. Due to the way these panels fit together, a smooth joint is created therefore reducing trip hazards.

The Benefits:-

- Pedestrian friendly upper surface
- Suitable for heavy vehicles Ideal for where both pedestrians and vehicles require safe passage.

Technical Specifications	
Dimensions	2.5 x 3m (when installed 2.44m x 3m due to overlap)
Weight	274.7 kg
Carrying Capacity	A more pedestrian friendly roadway, this system is capable of taking any road going loads.

The following Roadways are available.
Please select an item to view more information:

- Other Roadways products:-
- Heavy Duty Trakpanel-
 - LD20-
 - Roadway Ramps-
 - Multi-Directional Trakpanel

Example of plastic temporary ground protection.

Ground-Guards Tree Root Protection

Tree root protection for construction projects

Planning Departments may often need to stipulate that site access roads will not involve any excavation because of the proximity of tree roots on the site. Furthermore, that they will also provide additional ground cushioning when passing over the immediate areas where there are tree roots beneath. This is very important to prevent compaction of the ground, and long-term damage to the soil structure, the tree roots, and ultimately, to the health of the trees themselves.

An effective means of protecting tree roots is to use a double layer of Ground-Guards. Panels with 150mm of wood chips sandwiched in-between which creates a suitably cushioned roadway for this purpose.

The Ground-Guards system is so durable and versatile that whatever your need, the team will be delighted to work with you to provide an effective solution. Please just call our team on 0113 267 6000 for friendly advice on any difficult site conditions that you need assistance with.



Appendix V

Two Examples of 3-dimensional cellular confinement build up for minimal-dig roading or parking.

Cellweb® TRP is a 3D cellular confinement tree root protection system. The system provides a 'no dig' solution for the construction of new hard surfaces within root protection areas (RPAs). Cellweb® TRP has been designed and independently tested to comply with recommendations made in Arboricultural Practice Note 12 and BS 5837 2012 – Trees in relation to design, demolition and construction.



Cellweb® TRP Key Functions

Cellweb® is a 'no dig' solution which is constructed directly on the existing ground surface. This eliminates the requirement for excavation, preventing root severance.

Cellweb® is a completely porous system allowing continued water permeation and gas exchange between the rooting environment and atmosphere.

Cellweb® spreads point loads, minimising increases in soil compaction within the rooting environment. This maintains an open graded soil structure allowing continued root growth, water, gas and nutrient migration.

The Cellweb® TRP system comprises the following three components

Treetex™ Geotextile. Following minimal ground preparation the Treetex™ is laid onto the existing ground and top soil. This acts as a separation layer, separating the system above from the soil and rooting environment below. Treetex™ performs as a hydrocarbon pollution control measure in accordance with BS5837, holding 1.7lt of oil per square meter.

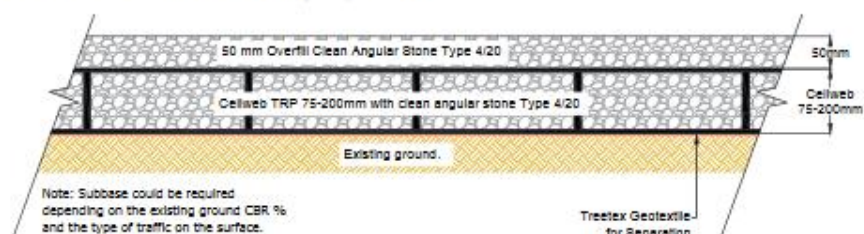
Cellweb® 3D Cellular Confinement. The Cellweb® is installed on top of the Treetex™ layer. This is fixed to the ground using ten steel J pins per panel. The panels can be cut to the required shape and adjoining panels can be connected using heavy duty staples or cell ties.

4-20mm Clean Angular Stone. The expanded Cellweb® is infilled with a 4-20mm clean angular stone. The confined angular stone locks together to produce a rigid stone mattress, while maintaining air pockets for continued water permeation and gas exchange. The low fines content of the stone prevents the Treetex™ layer from becoming blocked over time.

Which depth of Cellweb® TRP?

The Cellweb® System is provided in four different depths; 200mm, 150mm, 100mm and 75mm. The depth required is determined by the proposed traffic loadings and the site ground conditions. Geosynthetics in house engineering department can provide a free site specific technical recommendation. For free technical and engineering support please contact Geosynthetics Ltd 01455 617139 or the full installation guide can be found on our website www.geosyn.co.uk.

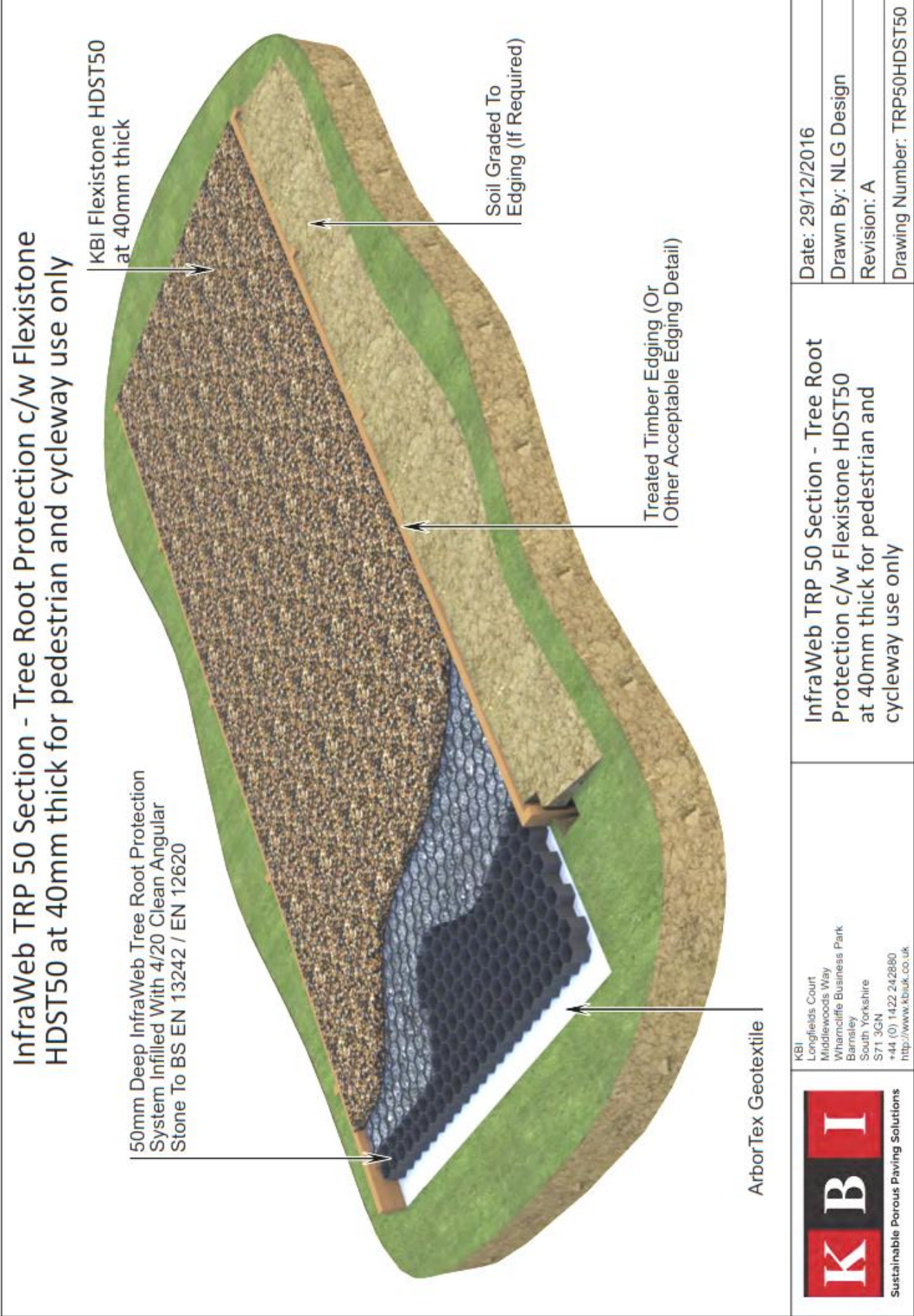
Indicative Cellweb with overfill



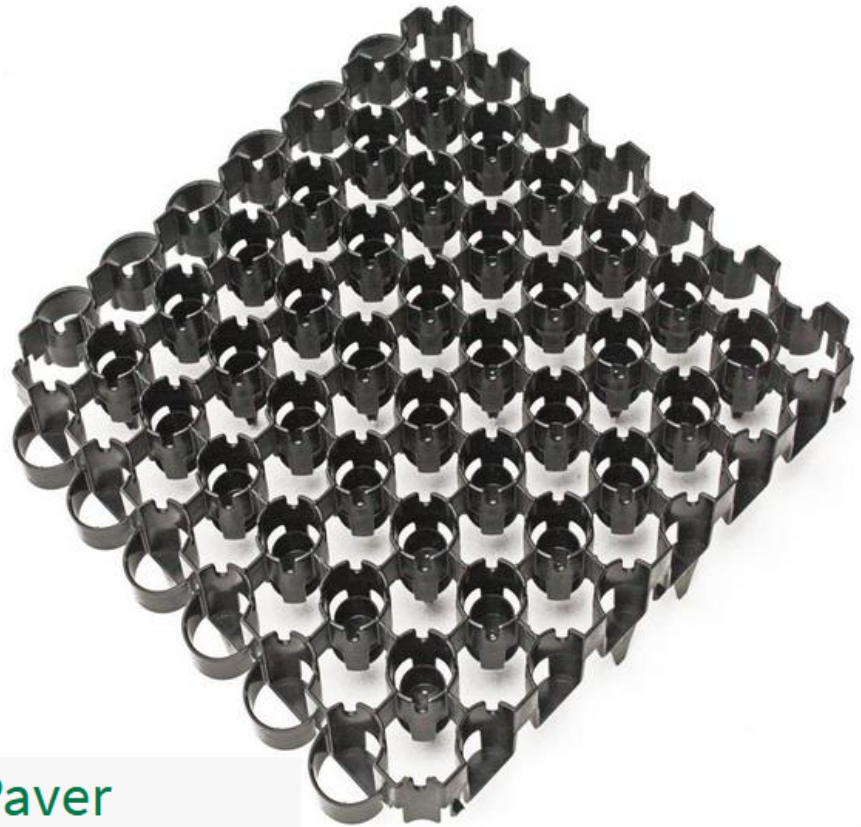
Web: www.geosyn.co.uk | Tel: 01455 617139
Fax: 01455 617140 | Email: Sales@geosyn.co.uk



Geosynthetics
Engineered Solutions



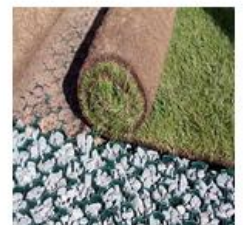
**Trays for strengthening gravelled or grassed areas over tree roots.
Or for surfacing porous, minimal-dig, build-up.
GOPLPA 40mm thick or 85mm thick Bodpave, below.**



Bodpave 85 Plastic Paver

PRODUCT CODE: 150WW4080-PRO

Bodpave® 85 porous pavers can be installed with either a grass or gravel filled surface. Bodpave® 85 pavers/grids are strong interlocking 100% recycled cellular porous plastic paving grid systems for grass reinforcement, ground stabilisation and gravel retention for regular trafficked surfaces (pedestrian and vehicles). BodPave® 85 permeable pavers are manufactured in the UK from UV Stabilised 100% recycled HDPE and are very strong, chemically inert and non-toxic. Bodpave® 85 porous paving provides a durable, safe and environmentally friendly surface for trafficked areas with a very low carbon footprint. BodPave® 85 is a cost effective solution to worn and rutted grassed areas, displaced gravel and for source control of surface water run-off. Bodpave® 85 offers a load bearing capacity of up to 400t/m², will cope with static axle loads up to 60kN.



Appendix VI

Example of Air-spade.

Courtesy of Ruskins Trees & Landscapes



Appendix VII

- B J UNWIN FORESTRY CONSULTANCY Ltd. -

Head office: **Parsonage Farm, Longdon, Tewkesbury, Gloucestershire. GL20 6BD.**

Tel / Fax: 01684 833538. Home Tel: 01684 833795. Mob: 07860376527. E-mail: Jim@bjunwin.co.uk

Satellite Offices: - Haley Ridge, Highcliffe, **Nr. Wadebridge, Cornwall**, PL27 6TN.

-105 Charfield Court, 2 Shirland Road, **London**, W9 2JR.

Principal: **Jim Unwin BScFor, MICFor, FArborA, CEnv.**

Chartered Forester - ICF Registered Consultant -

Fellow of the Arboricultural Association - Chartered Environmentalist.

<i>From:</i>	Jim Unwin	<i>To:</i>	Prospective Client
<i>Date:</i>	Sept 2024	<i>No. of pages:</i>	2
<i>Subject:</i>	Professional CV		

Below are set out **B J Unwin Forestry Consultancy's** competences and experience.

Insurance:-

£5m Public Liability & £2m Professional Indemnity (renewed June).

Personnel:-

B J Unwin (born 1956) started his forestry career as a tree surgeon and landscape contractor in 1975. He studied forestry at Aberdeen University from 1977 to 1981, worked for Unilever as a Forestry Manager in the Solomon Islands from 1981 to 1983. Since then he has been based in Gloucestershire assisting clients to manage their woodland, trees and vegetation throughout Southern Britain, and occasionally in northern England, Scotland and Northern Ireland.

In the mid-1980s to mid-1990s for a period of about ten years he taught chainsaw, tree felling and tree surgery courses at Worcestershire Agricultural College on a part-time basis. He was assessed and passed as a LANTRA **Assessor** in these skills, and held NPTC certificates of competence in chainsaw use on the ground and up trees.

He now works as a tree consultant / adviser to a range of clients listed below.

For tree decay testing we have a **PICUS II ULTRASOUND** tomograph with electronic callipers and a **RESISTOGRAPH-R400** micro-drill.

A secretary/ plan technician assists; plus calling in extra help as required (eg ecologist or arboricultural assistant). On bigger projects he regularly works as a part of a multi-disciplinary team.

Current BJUFC qualifications are:-

BSc Forestry Hons 1st Class, Aberdeen 1981.

Chartered Forester No. 0330064, 1986.

Fellow of the Arboricultural Association, 1995.

Licensed Subsidence Risk Assessor, 1997-2001 (scheme closed in 2001).

Completed Training in September 2002 to Prepare Native Woodland Plans for CCW and FC in Wales.

Arboricultural Association Registered Consultant No. 42, from 2004 to May 2021.

LANTRA certificate for Arboriculture and Bats, BJU in 2005.

Examined and approved to submit Welsh WGS as Management Planner and PAWS Assessor, 2006.

Joined Utilities Vendor DataBase, Supplier No: 88101 in Feb 2006 (left 2010).

Training and Certification in basic CAD operation 2006.

Chartered Environmentalist April 2008.

Woodfuel Production and Supply : LANTRA Certificate of Training Dec 2008.

Training in CAVAT amenity tree asset valuation October 2010.

Company Safety Policy:- We were successfully assessed by Safety Management Advisory Services (SMAS) for many years as meeting CDM Regs 2015 Core Criteria Stage 1, as a **Worksafe Consultant No. 75950**. expired 09/2020. Not renewed.

CITB *Health, Safety & Environment Test for Managers & Professionals* passed 22/01/2015.

First-aid at work June 2013.

DBS Basic Certificate P0003GX9B7C dated 28th Nov 2022 Certificate 001100238741.

ROSPA Routine Playground Inspection Certificate valid from 20/10/2022 to 20/10/2025.

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Current clients and typical work include:-

Varied private, corporate, local authority etc clients, with some specific examples below.	I do most types of tree consultancy, often safety related. Some trees I have inspected over nearly 50 years ! Plus I can draw on decades of woodland management (silvicultural) experience, which gives me a holistic approach, particularly in urban forestry situations.
English Heritage	Tree safety inspection contract 2007-2013 for East Midlands, East Anglia, London and SE England. Tree safety inspection contract for West of England & Midlands 2008 - 2021.
Planning Inspectorate (PINS) & Dept for Communities and Local Government. 2000-2017.	Arboricultural Inspecting Officer in South-West England, South East England, West Midlands and East Midlands; advising the First Secretary of State on TPO appeals since 2000. Contract with DCLG expired April 2008 when transferred to PINS. Contract continued with PINS, as Non-Salaried Arboricultural Inspector, determining TPO appeals and High Hedge appeals. All non-salaried inspectors released in 2017.
Architects / Developers / Planning Appeals	Complete Tree Constraints, Impact Assessment & Tree Protection advice for planning, working with other professionals to input arboriculture into more complex development schemes. Recent assignments in Liverpool to Cornwall, Kent, Norfolk & London. All using BS5837:2012. FULL CAD CAPABILITY.
Amey Mouchel Ltd	Overseeing Amey Tree Officer on motorway and trunkroad tree inspections throughout Midlands and Marches to 2012. Amey Mouchel are agents for Highways Agency.
CRH Tarmac Ltd, + Midland Quarry Products + Quarryplan (in Northern Ireland).	Since 1990 working with Estates staff, quarry managers and Landscape / ecological consultancies organising and managing contracts for tree and woodland planting both pre- and post- quarrying. Also preparing landscape restoration schemes for straightforward sites plus landscape management on sites throughout southern England, East Anglia and south and south-west Wales. (Commendations for Land Restoration and Environmental improvements from Spelthorne Borough Council 2003.) Also in England & Northern Ireland ongoing tree consultancy for Quarryplan.
Land Agents	Assisting Bruton Knowles clients' with woodland management and other tree issues since 1984. We also assist clients of Fisher German and Savills on a regular basis.
Tarmac Central now CRH Tarmac Ltd.	1988-2018 woodland management of Hopwas Hays Wood, Tamworth.
Rural estates in Herefordshire, Worcestershire and Gloucestershire, plus private woodland owners in southern England and Wales.	Since 1983 woodland management, tree management, hedgerow management. Many are Ancient woodlands and SSSI's requiring detailed ecological management plans produced in consultation with ecologists. About forty Farm Woodland Premium Schemes and about twenty Native Woodland Plans prepared to date in England and Wales. On-going EWGS grant applications. Input into Tir Gofal (and its successor) and Stewardship schemes. Better Woods for Wales (BWW) applications.
British Waterways	Ten-year Tree and Vegetation Management Plans along canals and around reservoirs in London, Hertfordshire, Berkshire, Birmingham, Staffordshire, Worcestershire, Gloucestershire, Shropshire, Llangollen Canal, etc: plus help in dispute with riparian owners. This work ceased around 2011.
Stroud District Council	Management of 49Ha woodland since 1989 on FC schemes plus grassland on DEFRA Stewardship Schemes, including HLS. Retired Nov07.
One-off clients	Since 1983 assisting tree owners, developers, lawyers etc throughout southern or midland Britain, including Wales, on a wide range of tree-related issues including planning, planning appeals, subsidence, health & safety, disputes, vegetation control, expert witness, valuation of woodlands, standing and felled timber, Christmas trees etc, and tree and landscape planting schemes. High Hedge issues and BS5837 are topics.
Malvern Hills District Council. South Oxfordshire District Council	BJU Stand-in part-time Consultant Tree Officer Summer 2003. JF-D stand in Consultant Tree Officer summer 2009 to spring 2010.
Golf course & leisure facilities	Assistance with development of Carden Park golf course in Cheshire. Management advice for trees on other golf courses: Eg Ross Golf Club, Swindon Golf Club .
Farm management	Management of own 95Ha farmland since 1985.

Please do not hesitate to ask for further information. B J Unwin END.

Appendix VIII

Constraints plan:-

- **Tree Crowns**

Retention categories, based on BS 5837 Table 1:-

A = High quality & Value (>40yrs life): Green.

B = Moderate quality & Value (>20yrs life): Blue.

****C = Low quality & Value (>10yrs life): Grey.**

U = Trees to be removed (<10yrs life): Red.

****PLEASE NOTE. FOR CLARITY, C-CATEGORY TREES MAY NOT BE COLOURED.**

and

- **Root Protection Areas**

RPA = circles.

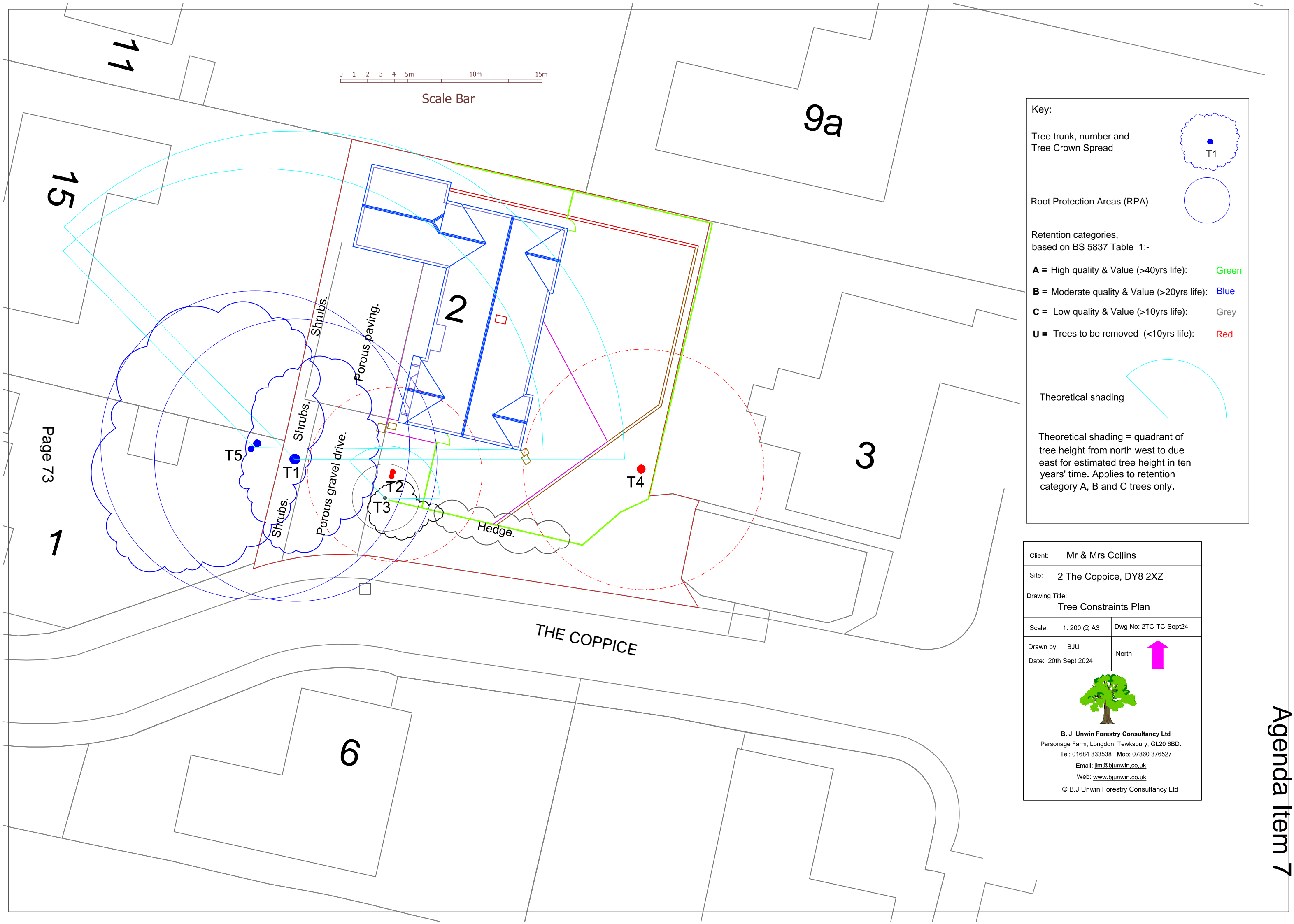
See Tree Table for dimensions.

and

- **Theoretical Shading**

= quadrant of tree height in ten years' time from north west
(mid-morning) to due east (evening).

This is a shadow pattern for 1 x tree height
from 10.00-18.00hrs from May to September.



Key:

Tree trunk, number and Tree Crown Spread

Root Protection Areas (RPA)

Retention categories, based on BS 5837 Table 1:-

A = High quality & Value (>40yrs life): **Green**



B = Moderate quality & Value (>20yrs life): **Blue**

C = Low quality & Value (>10yrs life): **Grey**

U = Trees to be removed (<10yrs life): **Red**

Theoretical shading

Theoretical shading = quadrant of tree height from north west to due east for estimated tree height in ten years' time. Applies to retention category A, B and C trees only.

Client: Mr & Mrs Collins	
Site: 2 The Coppice, DY8 2XZ	
Drawing Title: Tree Constraints Plan	
Scale: 1: 200 @ A3	Dwg No: 2TC-TC-Sept24
Drawn by: BJU	North 
Date: 20th Sept 2024	
	
B. J. Unwin Forestry Consultancy Ltd Parsonage Farm, Longdon, Tewksbury, GL20 6BD. Tel: 01684 833538 Mob: 07860 376527 Email: jim@bjunwin.co.uk Web: www.bjunwin.co.uk © B.J.Unwin Forestry Consultancy Ltd	

Appendix IX

Tree retention & Tree Protection Plan. (TRP)



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2

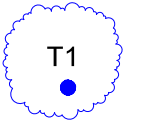
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6

THE COPPICE

Key:

Tree trunk, number and
Tree Crown Spread



Tree Protection Fence



Construction exclusion zone

CEZ

Root Protection Areas



Trees removal for safety



Trees removed for development



Hand sever roots



Minimal dig



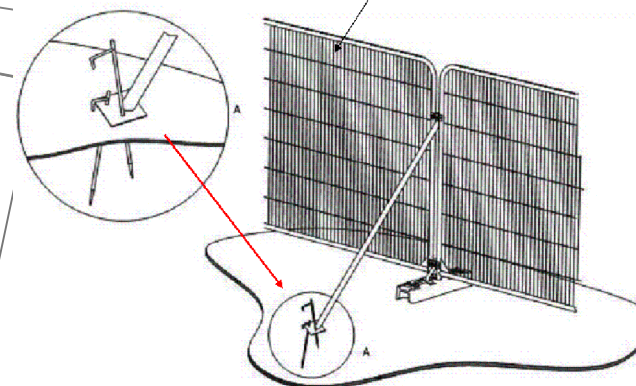
Temporary ground protection



Note: New underground services may require changes to this tree retention & protection plan.



Vertical Tree Protection Fencing, from BS5837.
Vertical protective fence: location on plan:
Lightweight: in situ for < 3 months or constrained site.
Heras panels joined by two clamps, on feet, with pegged strut on each panel.

Apply signs at maxm 20m spacing:



Temporary ground protection.
See 6.3.3 of tree report.

Hand sever roots.
See 6.6 of tree report.

Client:	Mr & Mrs Collins		
Site:	2 The Coppice, DY8 2XZ		
Drawing Title:	Tree Constraints Plan		
Scale:	1: 200 @ A3	Dwg No:	2TC-TC-Sept24
Drawn by:	BJU	North	
Date:	20th Sept 2024		
			
B. J. Unwin Forestry Consultancy Ltd Parsonage Farm, Longdon, Tewksbury, GL20 6BD. Tel: 01684 833538 Mob: 07860 376527 Email: jim@bjunwin.co.uk Web: www.bjunwin.co.uk © B.J.Unwin Forestry Consultancy Ltd			

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END.

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mr Anthony Borton	Installation of 40 solar panels on 5 ground mounted frames (Resubmission of application 24/00192/FUL) Crossbrook House, Dusthouse Lane, Finstall, Worcestershire, B60 3AE	06.06.2025	24/00816/FUL

Councillor Whittaker has requested that this application be considered by Planning Committee rather than being determined under delegated powers.

RECOMMENDATION: That planning permission be **REFUSED**.

Consultations

Worcestershire Highways - Bromsgrove

- No objection.

North Worcestershire Water Management

- No objection.

WRS - Noise

- No objection.

Arboricultural Officer

- It is understood that there is already a suitable main power cable installed from the house to a point approximately 130 metres from the proposed position of the panels. Therefore, there will be no influence on any trees within the formal garden area of the site. The route shown for the cable from this point across the remaining section of the formal garden area and the adjoining field does not affect any trees.
- There is a mature Beech and Oak tree standing within the field to the north of the property off to the southwestern side of the proposed position of the panels. These trees will potentially shade the panels late in the evening but not to a degree that would be anticipated to influence the viability of the panels. No objection to the proposed scheme in view of any tree or hedge related issues.

Conservation Officer

No objection.

Finstall Parish Council

No objection to the proposal as presented, as long as approval does not mean any incursion into, or reduction of, the Green Belt status.

24/00816/FUL

Publicity

Site Notice posted 25.11.2024, expired 19.12.2024.
No comments received.

Cllr Whittaker

Please can you register my right to call the application in if you are minded to refuse it.

Relevant Policies

Bromsgrove District Plan

BDP1 Sustainable Development Principles

BDP4 Green Belt

BDP15 Rural Renaissance

BDP20 Managing the Historic Environment

BDP22 Climate Change

Others

Bromsgrove High Quality Design SPD

National Planning Policy Framework (2024)

Relevant Planning History

24/00192/FUL	Installation of 40 solar panels on 5 ground mounted frames	Withdrawn	18.07.2024
--------------	--	-----------	------------

Assessment of Proposal

Site Description

The application site comprises an area of open, elevated agricultural land to the north of Crossbrook House, a large, detached house dating from 1898, constructed from brick/render under a slate roof. The house would be regarded as a non-designated Heritage Asset. The house is surrounded by a large garden which is landscaped and wooded in part. The closest public footpath would be to the west of Walnut Lane (FS-504) which would not be directly visible from the site. There appears to be an existing stable building on the opposite side of the boundary from the site and residential development at Penmanor, Finstall is located further to the north. The site is located in the Green Belt.

Proposal

The proposal relates to the installation of 40 solar panels on 5 ground mounted frames on land to the north of the dwellinghouse. The panels would be sited approximately 180m away from the house on agricultural land and would be connected via an underground cable. The total height of the panels would be 1.9m from ground level supported on metal frames approx 2sqm in area. The total area covered by the panels would extend to approx. 72sqm. The proposal would utilise a ground anchor system to fold the metal frames which are removable with no concrete required for installation. The panels would have the capacity to be manually tilted from near vertical to near horizontal positions, depending on the season and approximately 16kW would be generated. The proposal is

accompanied by a Planning Statement, House Shading Assessment, Performance Estimate (Proposed Sites in Field and Garden), and an Overarching Solar Panel Shading Map.

Principle – Green Belt

In respect of Green Belt policy, it has been established through case law that the list of exceptions for 'appropriate development' set out in policy BDP4 of the Bromsgrove District Plan (BDP) and the National Planning Policy Framework (the Framework) amounts to a closed list. Thereby, proposals not included on the list are regarded as 'prima facie' inappropriate development.

Paragraph 153 of the Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 154 of the Framework states that certain other forms of development are not inappropriate including engineering operations. The proposal would involve underground cabling to connect the panels to the dwellinghouse and these elements would not amount to inappropriate development and would have minimal impact on the openness of the site.

Paragraph 160 of the Framework, in relation to renewable energy installations in Green Belts, states that 'elements of renewable energy projects will comprise inappropriate development. In such cases, development will need to demonstrate very special circumstances if projects are to proceed. Such very special circumstances may include the wider environmental benefits associated with increased energy production from renewable sources. Policy BDP15 of the BDP states that the Council will support proposals that satisfy the social and economic needs of rural communities by encouraging k) Small scale renewable energy projects, excluding wind energy developments, and businesses to serve the industry with the caveat that within the Green Belt, inappropriate development which is otherwise acceptable within the terms of this policy will still need to be justified by very special circumstances. Policy BDP22 of the Bromsgrove District Plan (BDP) supports zero or low carbon energy generation schemes when adverse impacts are addressed satisfactorily. In terms of the scale of the harm to openness, the installation would have a substantial, though localised impact, having a footprint of approximately 72sqm and a max height of 1.9m. It is noted that there is a level of enclosure on the northern boundary of the site but the array would be elevated with respect of the land to the south with some visibility from Dusthouse Lane.

The applicant has put forward the following considerations in support of the proposal:

- *Energy production* - The proposal would enable the property to function off-grid in terms of electricity requirements and would generate surplus electricity which will be fed back into the grid. (approximately 2.7kW of the 16kW generated)
- *Removal of reliance on fossil fuels* - The development, which has limited impact and if necessary is fully reversible, would allow the Applicant to remove any need to take energy from the grid, thus reducing the reliance on fossil fuels. More importantly, given the size and age of the property such a development would provide significant CO2 savings and albeit in a small part help address the Council's Climate Emergency.

- *Green Belt impact:* In terms of openness of the Green Belt and its visual impact, the development will not be a publicly visible or a prominent feature in the landscape.
- *Non-designated heritage impact* - The existing dwelling dates from 1898 and is of an age/architectural character that could be classified as a non-designated heritage asset. The insertion of solar panels across the varying roof lines and/or within its landscaped grounds, would detract from the properties historic and architectural character.
- The agricultural use of the land would continue.

The preparation of the scheme by NPES Solar has sought to identify the most viable solution to both meeting energy demands whilst minimising any impact. All options in respect of exercising permitted development rights in the curtilage have been exhausted.

Shading - The solar company (NPES Solar) have undertaken detailed assessments, as part of a 'sequential location style test', to try and establish the best possible solution, with the least amount of harm. The following locations have been considered:

- On the roof of the existing house;
- On the roof and part within the grounds of the house;
- Within the grounds of the house; and
- 3 x field locations including that of the proposed siting.

The shading assessments that accompany the application outline that the only viable and feasible option is the site as proposed, with the other sites being discounted for a number of reasons including shading. In terms of the dwelling, the roof slope orientation/roof design and numerous high chimneys means that the roof of the property is both impractical and causes far too much shading to make them viable and/or feasible (Planning Statement - Appendix 1)

The use of the Applicant's garden and in particular the area of land to the north of the main house adjacent to the woodland has been assessed (Planning Statement - Appendix 2) This siting has been discounted due to the orientation, proximity and height of the adjoining woodland. Photographs are attached at Appendix 3. There is also the visual impact and loss of the Applicants residential amenity land to consider as part of the wider impact. Whilst a hybrid solution of roof panels and ground mounted array in the garden could be considered, the visual impact and heritage harm are more than sufficient to discount such a scheme.

Officer Response

The evidence put forward by the applicant in support of the proposal has been carefully considered. The requirement to reduce carbon emissions and improve the resilience of the energy supply are relevant considerations. The Council declared a Climate Emergency in 2019 and the and the importance of seeking opportunities to facilitate renewable energy provision are matters which are accorded moderate weight in favour of the proposal. There is agreement in relation to the matters of energy production, resilience and carbon off setting as put forward by the applicant and the Council

endeavours to facilitate renewable energy generation, where possible. However, the area of dispute relates to the siting of the panels which would be located on an elevated, isolated field to the rear of the property, some 180m away. The isolated siting would have a far greater impact on the openness of the Green Belt compared with siting the panels within the grounds of the property. Crossbrook House benefits from substantial gardens and external amenity spaces ranging from vegetable gardens furthest to the west of the house to landscaped lawned areas closer to the property. There is also an area falling within the residential curtilage which is located to the north of the house which is in an elevated sunny position suitable for the proposed panels.

The reasons put forward in relation to why alternative siting locations have been discounted relate to the issue of shading and the impact of an alternative siting in respect of the character of the dwelling/curtilage.

Shading

The Shading Assessments have been considered. In terms of the alternative options, it is accepted on the basis of site observation and all available evidence that the dwellinghouse is heavily shaded with an associated impact on the potential productivity of the panels. The layout and design of the house would also require panels to be located on multiple roof slopes.

The hybrid solution of roof panels and (potentially smaller) ground mounted array in the garden has been discounted by the applicant due to shading, heritage harm and the cost of running numerous systems. However, the Shading Assessment does show that there is a south facing roof slope with good solar potential. This, combined with a position the garden further to the east as shown in the Solar Panel Location Shading Plan would be a potentially viable option and there appears to be more limited justification as to why this option was discounted.

The siting of the panels within the grounds of the house was similarly discounted due to shading, heritage impact and amenity. This solution has been carefully considered by Officers and whilst there are areas of the grounds where the level of shading would be at an unacceptable level, it is considered that the land within the grounds to the north of the house is elevated, south facing and would be a viable location. The stand of mature deciduous trees to the west of this site is noted but there would be sufficient clearance from the trees to enable a reasonable position for the panels, the layout of which could be amended to ensure efficiency.

It is agreed that the locations selected outside of the grounds are not preferred locations in planning terms and the impact of the siting to the east of the site from Dusthouse Lane would be considerable. In terms of heritage impact, whilst it should be noted that the dwelling would be regarded as a Non Designated Heritage Asset (NDNA), this would not remove permitted development rights in relation to the siting of panels on the roof or within the grounds of the dwelling. Officers consider that siting the panels within the grounds to the north of the dwelling would have limited impact upon its character and architectural interest.

In summary, renewable energy generation is supported in principle. However, in this case, it is not considered that there is sufficient justification for the siting of the panels within the Green Belt, a considerable distance from the house. The issues of shading and

character put forward have been carefully considered and would not collectively rule out a siting closer to the dwellinghouse. In balancing the benefits of renewable energy generation in this case, the domestic benefits and modest contribution to the national grid are not considered to outweigh the identified harm to the Green Belt arising from the siting of the panels.

Ecology

The application is accompanied by a small sites Biodiversity Net Gain Matrix, a plan showing on-site habitat and a proposed BNG Plan, which demonstrates that the statutory 10% enhancement is achievable through grassland enhancement/wildflower planting within an area to the east of the application site on land within the ownership of the applicant.

Other matters

There are no objections from Worcestershire Highways, the Councils Conservation Officer, Tree Officer or North Worcestershire Water Management. Finstall Parish Council have stated that no objection to the proposal as presented, as long as approval does not mean any incursion into, or reduction of, the Green Belt status. The matter of incursion into the Green Belt has been covered above in some detail and the matter has been fully taken into account in the assessment.

RECOMMENDATION: That planning permission be **REFUSED**.

The proposed solar array, by virtue of its position, would have a detrimental Impact on the openness and purposes of the Green Belt. The information put forward is insufficient to demonstrate that an alternative, less intrusive siting within the domestic curtilage would not be feasible. Thereby, the proposal amounts to inappropriate development, which is, by definition harmful and should only be approved in very special circumstances. No very special circumstances have been put forward or exist to outweigh the harm caused. Thereby, the proposal would be contrary to policy BDP4 of the Bromsgrove District Plan (2017) and paragraph 160 of the NPPF.

Case Officer: David Kelly Tel: 01527 881666
Email: david.kelly@bromsgroveandredditch.gov.uk

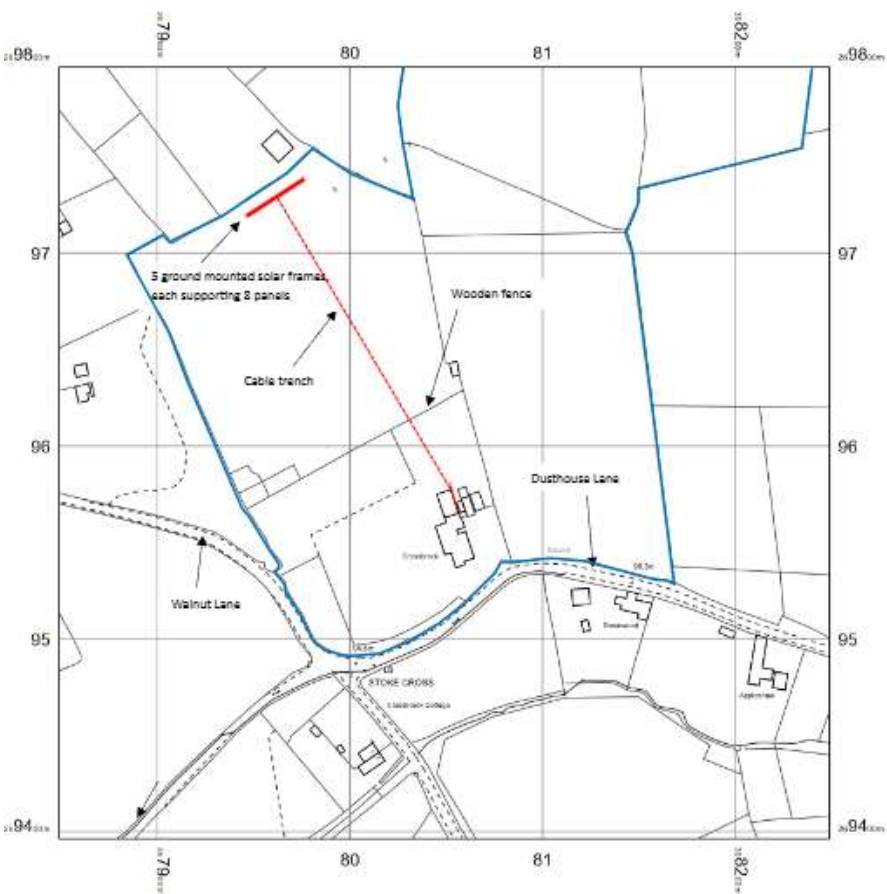
24/00816/FUL

Crossbrook House, Dusthouse Lane, Finstall, B60 3AE

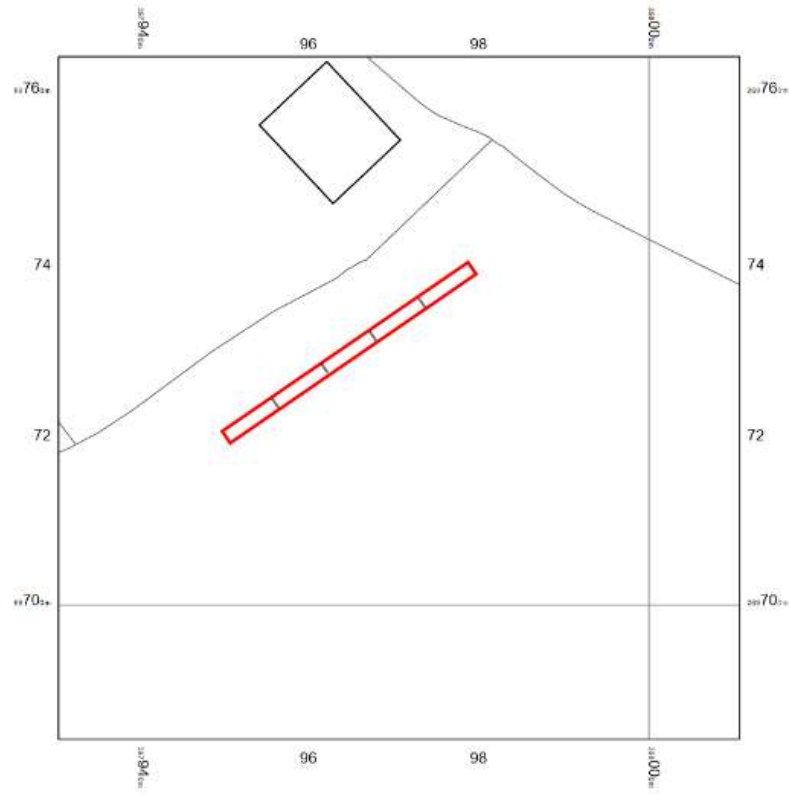
Installation of 40 solar panels on 5 ground mounted frames
(Resubmission of application 24/00192/FUL)

Recommendation: Refuse

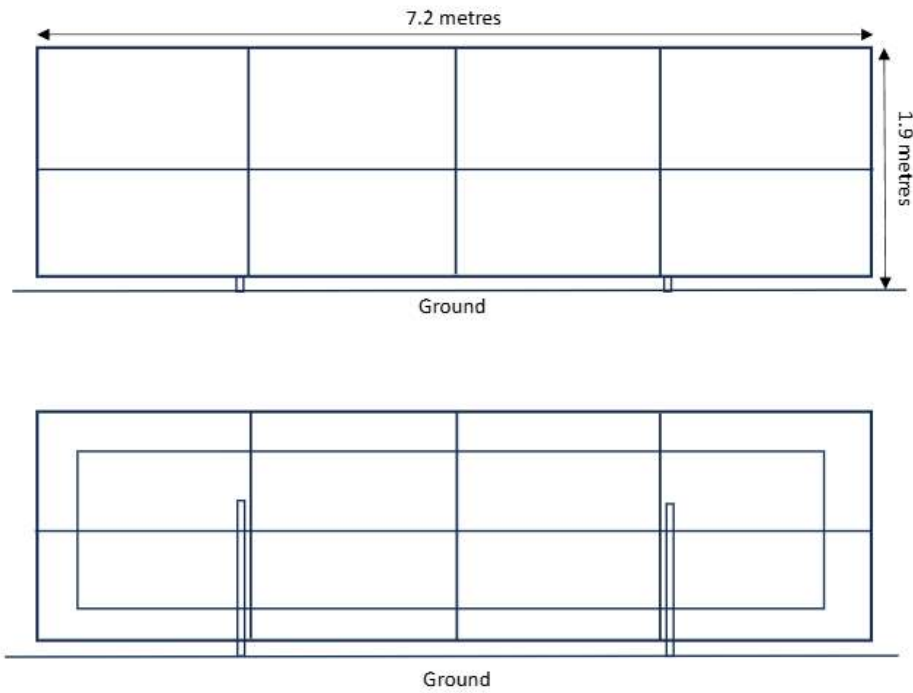
SITE LOCATION PLAN



PROPOSED BLCOK PLAN



Proposed Plans



Proposed Sections

2

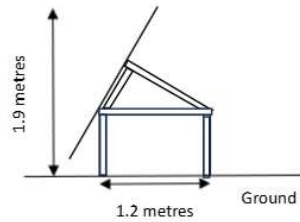


Figure 3
East/Side Elevation

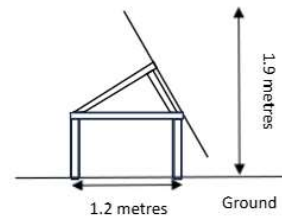
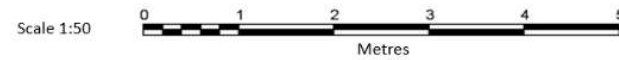


Figure 4
West/Side Elevation



Page Size: A4

Drawing number: ROCKER8-DL-E1W1

Solar Frames South West

Shading Assessment – Dwellinghouse



Photographs – House Curtilage

Appendix 3 – Photographs showing generally the overshadowing from trees within Applicant's property compared to proposed field location.



OVERARCHING SOLAR PANEL SHADING MAP



Site Photographs

- Application site from the South
- Curtilage looking West
- Curtilage looking East



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Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mrs Claire Jones	First floor rear extension and annex with ancillary use to the existing dwelling in the rear garden 47 Lodge Crescent, Hagley, Worcestershire, DY9 0ND	23.05.2025	25/00106/FUL

Councillor Lambert has requested that this application is considered by Planning Committee rather than being determined under delegated powers

RECOMMENDATION: That planning permission be **GRANTED**

Consultations

Worcestershire Highways - Bromsgrove

Objection:

- Proposal does not comply with the Streetscape Design Guide in terms of parking provision. Due to the under-provision of 1 car parking the displacement of a vehicle onto the highway would not be acceptable.
- Cars being displaced to the highway would compromise highway safety or would be an inconvenience for road users. It is noted no parking restrictions are in force in the vicinity which in turn would not deter on-street parking. Displaced vehicles onto unsuitable locations and the surrounding road network will impede traffic flow and increase congestion and be detrimental to highway users.

Hagley Parish Council

Objection:

Comments summarised as follows:

- Infilling the step down from dormer in roof void to single storey first floor, it becomes overbearing, and out of keeping with the character of the building.
- The ancillary building, with the addition of a microwave oven, or free-standing electric hob, could easily be a fully self-contained unit.

Public Consultation

4 letters sent 26 February 2025 (expire 22 March 2025)

8 letters sent 1 April 2025 to all contributors following the submission of amended plans (expire 18 April 2025)

8 letters received objecting on the following principal grounds:

- Design – disproportionate and out of character
- Parking
- Noise and privacy issues
- Location of trees
- Potential loss of light to neighbouring properties

A number of issues have been raised which are not material planning considerations and therefore have not been reported to Members.

Councillor Ruth Lambert

I raise several concerns with regard to this application:

- Lack of parking
- Poor design
- Potential noise disturbance to neighbours by occupants of the annex
- Breach of 45-degree code
- Overdevelopment
- Does existing dormer have planning permission as materials do not match the house?
- Overlooking
- Out of character with the local area

Relevant Policies

Bromsgrove District Plan

BDP1 Sustainable Development Principles

BDP19 High Quality Design

Others

Bromsgrove High Quality Design SPD

National Planning Policy Framework (2024)

Relevant Planning History

None

Site Description

47 Lodge Crescent is a semi-detached property located within a residential area within Hagley. Lodge Crescent has no parking restrictions and is within half a mile of Hagley Train Station.

Proposal

The proposal relates to two elements:

- First floor rear extension
- A detached outbuilding in the rear garden for use as an annex with ancillary use to the existing dwelling

The first-floor extension would extend 3.06 metres from the rear wall of the existing dwelling. The additional room created would be an en-suite bedroom, bringing the total number of bedrooms in the property up from the current 4 to 6 (including the proposed en-suite located in the annex). It is proposed to clad the extension in brick slips to match the existing dwelling.

The annex would have a dual-pitch roof with a maximum height of 3 metres and the exterior walls would be timber clad. The proposal outlines that the annex would consist of an en-suite bedroom and a lounge area. I am therefore satisfied that use of such an annex would indeed be ancillary to the main dwelling as cooking and cleaning facilities would depend on the host dwelling.

No trees are proposed to be removed as part of the scheme.

Assessment of Proposal

By its nature as a rear extension, the proposal would not be visible from the street scene and therefore will not impact upon the character of Lodge Crescent. I am content that the proposal is compliant with the 45 degree guidelines set out in the Council's adopted High Quality SPD.

The Highways Officer has raised an objection to the proposal, citing the WCC Streetscape Design Guide's requirement for provision of 4 parking spaces for a dwelling which has 6 or more bedrooms. The existing driveway is 9.6 metres in width and can currently be used to park 3 cars. Lodge Crescent itself has no parking restrictions and thus an additional car could be parked on the street without any restriction. This would not equate to a severe impact on the highway network. Whilst I note the comments of the Highway Officer, I am thus of the view that the application should not be refused on this issue alone.

The host dwelling at 47 Lodge Crescent benefits from extant Permitted Development (PD) Rights under the General Permitted Development Order (GPDO) 2015. The provisions of Schedule 2, Part 1, Class E of the GPDO allows:

The provision within the curtilage of the dwellinghouse of—

(a) any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse.

Stating that such a building would not be permitted development if:

(e) the height of the building, enclosure or container would exceed—

(ii) 2.5 metres in the case of a building, enclosure or container within 2 metres of the boundary of the curtilage of the dwellinghouse.

Therefore, a building of the type and location of the proposed annex could be constructed, to a height of 2.5m without the need for an application for planning permission. The Officer therefore concludes that the additional 0.5m in height would not have a material impact upon the proposal. Whilst I note the views of Hagley Parish Council, the use of this structure is considered acceptable.

Eight objections were received during the consultation period from neighbours. I will first summarise and then address the concerns of the objections:

- Design – disproportionate and out of character
- Parking
- Noise and privacy issues
- Location of trees
- Potential loss of light to neighbouring properties

I will now address each point in turn:

I am content that the design of the annex and the first floor extension are proportionate and are not out of keeping with the area. Neither element proposed would be visible from the front of the property and therefore would have no effect on the street scene.

I am content that three cars can park on the drive as existing. An extra vehicle could park on the unrestricted road to the front of the property. I do not believe that this situation would cause a highway safety issue.

I am content that any potential overlooking would not materially exceed that which currently exists given the existing windows to the first floor of the rear elevation. The dwelling is set in an established residential area where a degree of overlooking is to be expected. The proposals would not lead to undue noise matters given the domestic occupation of the dwelling.

I am also content that material loss of light to neighbouring properties, including number 45 Lodge Crescent would be limited in nature and thus not represent material harm to neighbouring amenity. Gardens in this area of Lodge Crescent are south facing and therefore there is considered to be minimal loss of light during the majority of daylight hours.

No trees would be removed in order for the proposal to be achieved. No protected trees exist within the curtilage of the host dwelling.

Conclusion

Notwithstanding the views of the Parish Council, the Ward Member and Highways Officer, the application is considered to be in compliance with Policy BDP.19 of the Bromsgrove District Plan and any approval would not result in harm to the visual amenities of the area.

Similarly, I am satisfied that the proposals would not result in harm to residential amenity.

RECOMMENDATION: That planning permission be **GRANTED**

Conditions:

- 1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of the grant of this permission.

Reason: In accordance with the requirements of Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2) The development hereby approved shall be carried out in accordance with the following plans and drawings:

A101e Site Plan - dated 1 April 2025

A102h Plans – dated 12th of May 2025

A104d Annex / Ancillary - dated 1 April 2025

External Facing Materials shall comprise those shown in the plans and drawings.

Reason: To provide certainty to the extent of the development hereby approved in the interests of proper planning.

Case Officer: Chad Perkins Tel: 01527 881257

Email: chad.perkins@bromsgroveandredditch.gov.uk

25/00106/FUL

47 Lodge Crescent
Hagley
Worcestershire
DY9 0ND

First Floor Rear Extension and Annex with ancillary use
to the existing dwelling in the rear garden

Recommendation: Approval

Site Location Plan



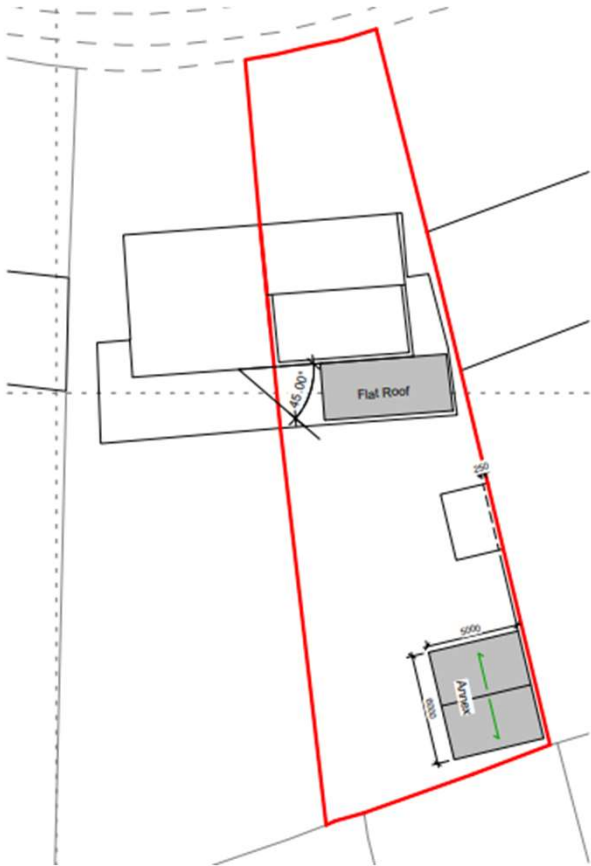
Aerial Photograph of Site



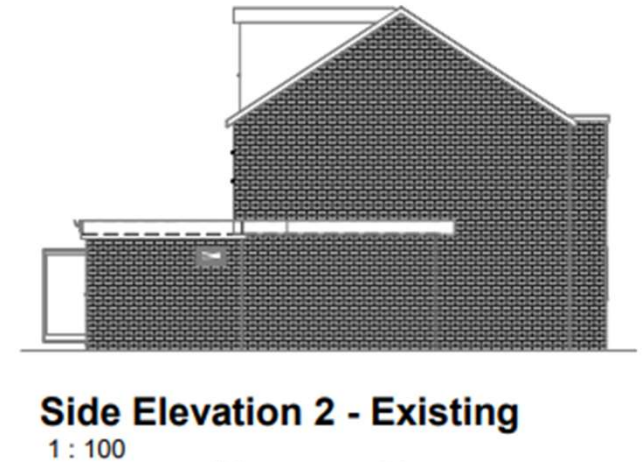
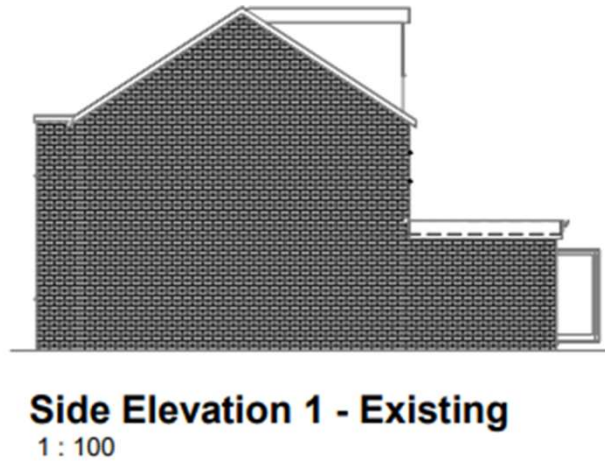
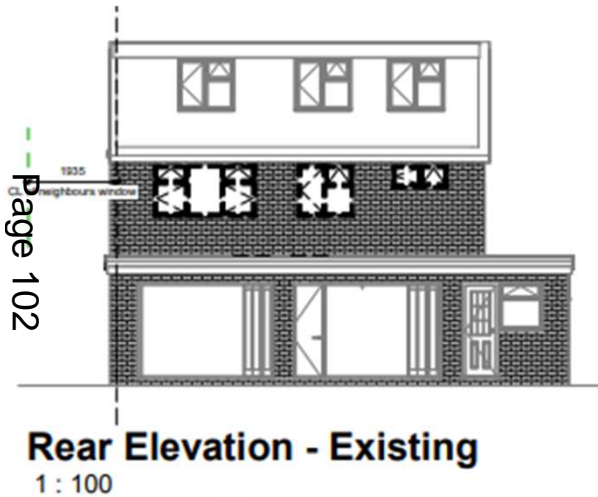
Street View



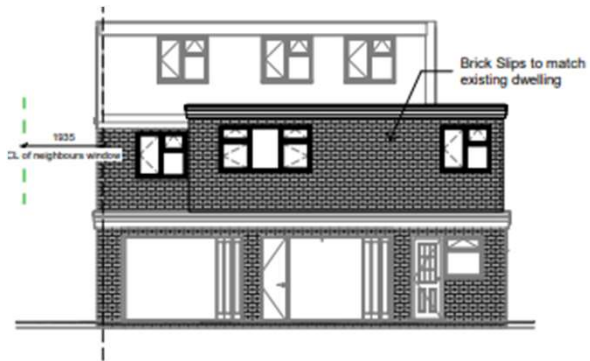
Proposed Block Plan



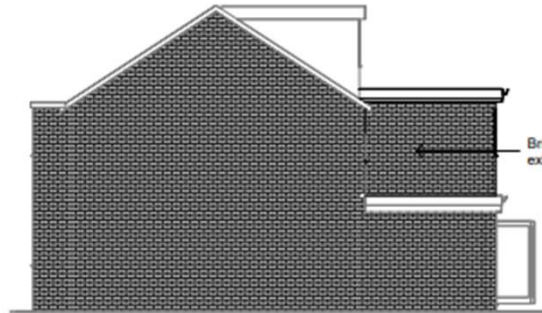
Existing Elevations



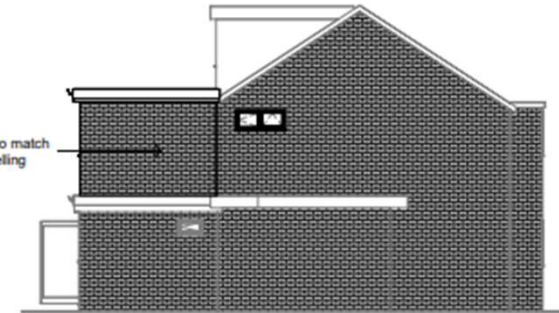
Proposed Elevations



Rear Elevation - Proposed
1 : 100



Side Elevation 1 - Proposed
1 : 100



Side Elevation 2 - Proposed
1 : 100

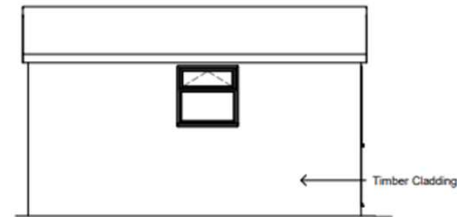
Proposed Annex



Annex_Front Elevation

1 : 50

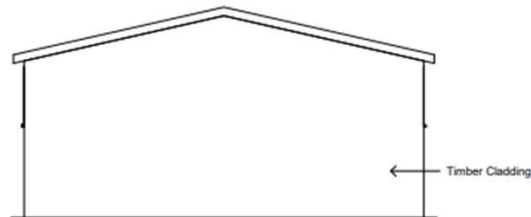
Facing Side Garden



Annex_Side 1 Elevation

1 : 50

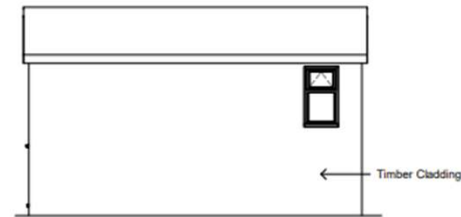
Facing House



Annex_Rear Elevation

1 : 50

Facing Fence



Annex_Side 2 Elevation

1 : 50

Facing Back of Garden

Planning Performance Information Quarter Four (1 January 2025 – 31 March 2025)

Responsible Portfolio Holder	Councillor Kit Taylor
Responsible Assistant Director	Ruth Bamford

1.0 Purpose of Report

- 1.1 To receive an item of information in relation to planning performance and the outcomes of recent planning appeal decisions and planning appeal cost awards. Officers will answer any related questions at the meeting as necessary.

2.0 Recommendation

- 2.1 The Committee is asked to **RESOLVE** that this item of information is noted.

3.0 Report

- 3.1 This report provides details on the determination timescales for planning applications and planning appeals at Bromsgrove District Council when tested against the Government set timescales. This paper seeks to provide Members with a quarterly breakdown where applicable. Appendix One to this report contains a list of planning appeals determined in the relevant quarter. Appendix Two to this report contains a list of recent cost award outcomes relating to planning appeals.

4.0 Planning Statistics

- 4.1 On a quarterly basis, Local Planning Authorities supply information to the Ministry of Housing, Communities and Local Government (MHCLG) on planning application type, volume, the speed of determination and other matters such as the number of planning Enforcement Notices, Breach of Condition Notices, Certificates of Lawfulness and Notification applications. The Government then use this information to publish planning performance data for each Local Authority that assesses the speed of decision making and the quality of decision making for major and non-major applications.
- 4.2 The Ministry of Housing, Communities and Local Government publishes the document 'Improving Planning Performance'. This sets out that a local planning authorities' performance is based on two measures, that of the speed and the quality of their decisions on planning applications for major and non-major development. The document sets out the relevant performance targets and the concept of being designated if targets are not met.

5.0 Speed of Decision-Making

- 5.1 Planning performance is based on a one-year rolling assessment period and measures the speed of decision-making.
 - 5.2 Speed of decision-making is measured by the proportion of applications that are decided within the statutory determination period (8 weeks for non-major applications and 13 weeks for major applications), or an agreed extended period of time.
 - 5.3 The Government requires a minimum of **60%** of major and **70%** of non-major applications to be determined in time, or within an agreed extension of time.
 - 5.4 Underperformance for speed of decision-making is when a Local Planning Authority determines a lesser proportion of applications in time compared to the required threshold.
-

6.0 Bromsgrove District Council Speed of Decision-Making Figures

- Speed of decision-making for major applications over the rolling one-year period = **84.6%**
- Speed of decision-making for non-major applications over the rolling one-year period = **87.2%**

NB: The Government requires a minimum of **60%** of major applications and **70%** of non-major applications to be determined in time, or within an agreed extension of time.

Source: These are internal Officer level calculations.

7.0 Quality of Decision-Making

- 7.1 The information on the quality of decision making looks at the Local Planning Authority's performance over a two-year period. The performance data looks at the number of major and non-major applications determined by the District Council, how many have been refused, how many decisions have been appealed and how many appeals have been allowed. It then expresses the result of a percentage of the total applications in those categories.
- 7.2 Quality of decision-making is measured by the proportion of total decisions, or non-determinations, that are allowed at appeal. Fundamentally the performance measure is assessing how many applications the Authority has refused that have gone to appeal and the decision has been overturned by the Planning Inspectorate. The Government have set the maximum threshold that no Authority should exceed **10%** of decisions overturned at appeal.
- 7.3 The data is intentionally nine months behind the date of publication to allow a time lag for appeals in the pipeline to be determined.

- 7.4 Underperformance for quality of decision-making (represented by the proportion of applications that are subsequently overturned at appeal) is when an Authority achieves a higher proportion of applications overturned at appeal compared to the required threshold.
-

8.0 Bromsgrove District Council Quality of Decision-Making Figures

- Quality of decision-making for major applications for the most recent period available (April 2022 – March 2024) = **8.1%**
- Quality of decision-making for non-major applications for the most recent period available (April 2022 – March 2024) = **2.4%**

NB: The Government requires that no Local Planning Authority should exceed 10% of decisions overturned at appeal.

Source: Table 152a and 154 [Live tables on planning application statistics - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/statistics/live-tables-on-planning-application-statistics)

9.0 Further Statistical Information

- 9.1 Members can access further information relating specifically to applications received and determined, application types, outcomes and those relating to a particular geographical area of the District, by using the Public Access advanced search and completing the relevant drop-down options. Guidance on how to use the advanced search function of Public Access can be found in the Public Access User Guide.
- 9.2 Planning Application statistics for all Local Planning Authorities across England are also published on a quarterly basis by MHCLG. Information on planning application statistical performance is available on the GOV.UK live tables. The tables can be accessed here: [Live tables on planning application statistics - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/statistics/live-tables-on-planning-application-statistics).
- 9.3 The Planning Inspectorate also publishes statistics in relation to their timeliness with planning appeals, which can be accessed here: [Statistics at The Planning Inspectorate - Planning Inspectorate - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/statistics/statistics-at-the-planning-inspectorate)
- 9.4 The Government is also promoting the 'Planning Performance Dashboard' [Planning Performance Dashboard Table Final.xlsx](#) which shows the proportion of decisions made by a local planning authority with, and without, the use of Extension of Time agreements. The Government considers providing this level of information enhances the transparency of planning performance data.
-

10.0 Bromsgrove District Council Appeal Decisions

- Number of major appeals allowed in Quarter 4 and dismissed in Quarter 4:

Allowed = 0
Dismissed = 1

- Number of non-major appeals allowed in Quarter 4 and dismissed in Quarter 4:

Allowed = 5
Dismissed = 3

- 10.1 A list of appeal decisions received in Quarter 4 are provided in Appendix One attached to this report.
-

11.0 Planning Appeal Cost Awards

- 11.1 A list of cost award outcomes relating to planning appeals are provided in Appendix Two attached to this report. All outcomes reported in Appendix Two relate to costs awarded against the District Council.
- 11.2 For the reference of Members, a cost award is akin to a civil debt, for which the limitation period to claim is six years from the date of the cost award decision.
-

12.0 Financial, Legal, Policy and Risk Implications

- 12.1 It is important to manage and monitor the speed of decision-making, the quality of decision-making and cost awards.
-

13.0 Consultation

- 13.1 There has been no consultation other than with relevant District Council Officers.
-

14.0 Author of Report

- 14.1 The author of this report is Dale Birch (Development Management Manager) who can be contacted on 01527 881341 or d.birch@bromsgroveandredditch.gov.uk for more information.

14.2 Date of Report

13 May 2025

15.0 Appendices

- 15.1 Appendix One

Appeal Decisions: Quarter Four

15.2 Appendix Two
Recent Cost Award Outcomes

Appendix One Appeal Decisions: Quarter Four

Major Appeal Decisions Quarter 4 (1)

Application Reference	23/00577/FUL
Decision Status	Committee
Appeal Reference	APP/P1805/W/24/3346123
Site	43A Barkers Lane, Wythall
Proposal	Demolition of an existing dwelling and the buildings associated with the caravan storage and kennels. Erection of 27 dwellings with associated road, landscaping, infrastructure and external works.
Inspectorate Decision	Dismissed
Date of Decision	4 February 2025

Non-Major Appeal Decisions Quarter 4 (8)

Application Reference	23/01400/FUL
Decision Status	Committee
Appeal Reference	APP/P1805/W/24/3348078
Site	Rear 17-19 Willow Gardens, Bromsgrove
Proposal	Demolition of existing garages and erection of new build dwelling including associated access and landscaping
Inspectorate Decision	Allowed with costs against the Council
Date of Decision	29 January 2025

Application Reference	23/01401/FUL
Decision Status	Committee
Appeal Reference	APP/P1805/W/24/3348079
Site	Rear 8-14 Willow Gardens, Bromsgrove
Proposal	Demolition of existing garages and erection of new build dwelling including associated access and landscaping
Inspectorate Decision	Allowed with costs against the Council
Date of Decision	29 January 2025

Application Reference	24/00267/FUL
Decision Status	Delegated
Appeal Reference	APP/P1805/D/24/3348253
Site	Fockbury Mill Farm, Fockbury Mill Lane, Dodford
Proposal	Outbuilding
Inspectorate Decision	Allowed
Date of Decision	3 February 2025

Application Reference	21/00271/CPE
Decision Status	Delegated
Appeal Reference	APP/P1805/X/22/3310781
Site	The Old Barn, Chapel Lane, Alvechurch
Proposal	Certificate of Lawfulness of Existing Use for - Use of land as domestic garden forming part of the extended residential curtilage
Inspectorate Decision	Dismissed
Date of Decision	7 March 2025

Application Reference	24/00384/HHPRIO
Decision Status	Delegated
Appeal Reference	APP/P1805/D/24/3345292
Site	Sugarbrook nurseries, Sugar Brook Lane, Bromsgrove
Proposal	Rear enlargement not exceeding 8m projection
Inspectorate Decision	Dismissed
Date of Decision	7 March 2025

Application Reference	23/01081/FUL
Decision Status	Delegated
Appeal Reference	APP/P1805/W/24/3348541
Site	Millbarn, Bromsgrove Road, Hunnington
Proposal	Conversion and extension of double garage to dwellinghouse
Inspectorate Decision	Allowed
Date of Decision	7 March 2025

Application Reference	24/00002/FUL
Decision Status	Delegated
Appeal Reference	APP/P1805/D/24/3350725
Site	55 Belbroughton Road, Clent
Proposal	Two-storey side extension
Inspectorate Decision	Dismissed
Date of Decision	18 March 2025

Application Reference	23/01090/ENFGA
Decision Status	Delegated
Appeal Reference	APP/P1805/C/23/3327300
Site	Holt Farm, Naylor's Barn, Holt Lane, Romsley
Proposal	Enforcement Appeal: Without planning permission, the carrying out of operational development on the Land comprising:

Inspectorate Decision Date of Decision	(i) the construction of a stable block (ii) the installation of hardstanding and (iii) the installation of hardstanding and gates Allowed 25 March 2025
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Appendix Two Recent Cost Award Outcomes

Application Reference	17/01290/OUT
Decision Status	Committee
Appeal Reference	APP/P1805/W/19/3230823
Site	Land rear 1-6 Smedley Crooke Place, Redditch Road, Hopwood
Proposal	Outline application (matters of access and scale to be considered) for the development of up to 10 two storey dwellings and alterations of existing access
Inspectorate Decision	Dismissed
Date of Appeal Decision	16 December 2019
Date of Cost Decision	16 December 2019
Cost Decision Type	Partial
Date Cost Award Lodged	23 September 2024
Date Cost Award Agreed	14 November 2024
Cost Award Settlement	£2880:00
Application Reference	22/00469/FUL
Decision Status	Committee
Appeal Reference	APP/P1805/W/23/3334752
Site	Land at Dale Lane, Lickey End, Bromsgrove
Proposal	Mixed use application for the stationing of caravans for residential use and the keeping of horses, with dayrooms and existing stable ancillary to that use
Inspectorate Decision	Allowed
Date of Appeal Decision	10 September 2024
Date of Cost Decision	10 September 2024
Cost Decision Type	Partial
Date Cost Award Lodged	23 September 2024
Date Cost Award Agreed	27 January 2025
Cost Award Settlement	£8940:00
Application Reference	23/01400/FUL
Decision Status	Committee
Appeal Reference	APP/P1805/W/24/3348078
Site	Rear of 17-19 Willow Gardens, Bromsgrove
Proposal	Demolition of existing garages and erection of new build dwelling including associated access and landscaping
Inspectorate Decision	Allowed
Date of Appeal Decision	29 January 2025
Date of Cost Decision	29 January 2025
Cost Decision Type	Full
Date Cost Award Lodged	30 January 2025

Date Cost Award Agreed	6 March 2025
Cost Award Settlement	£10,500:00

Application Reference	23/01401/FUL
Decision Status	Committee
Appeal Reference	APP/P1805/W/24/3348079
Site	Rear of 8-14 Willow Gardens, Bromsgrove
Proposal	Demolition of existing garages and erection of new build dwelling including associated access and landscaping
Inspectorate Decision	Allowed
Date of Appeal Decision	29 January 2025
Date of Cost Decision	29 January 2025
Cost Decision Type	Full
Date Cost Award Lodged	30 January 2025
Date Cost Award Agreed	6 March 2025
Cost Award Settlement	£10,500:00
