

Appendix 1



Appendix 1



Appendix 2

From: [REDACTED]
Sent: 26 July 2016 14:11
To: Rasma Su
Subject: your Ref : RS/IPO(12)2016

Good Afternoon,

I have been in receipt of recorded delivery reference a tree preservation order made on a tree on my property Chelworth Road, Kings Norton B38 0AE

Having recently made enquiries in reference to said tree (NGR 405889-278624) the front of property, I was advised by yourselves on the 6th June 2016 that there was in fact no preservation order. I have since sourced some quotes to both cut back/trim and also lop from just above fence height and indeed was close to going ahead with this within the last week.

Having spoke to neighbours regarding the cutting of the tree, I am guessing that maybe someone has complained that I would like to lop it from about 4 or 5 feet above fence height.

I have concerns about my childs health who has been sick on a number of occasions over the 18 months or so and been advised this could be due to the fact he plays in the garden a lot more now but unfortunately not only has he been directly messed on, on a couple of occasions but there is constant mess on my property from roosting pigeons and other birds. The sap from the trees also seems to be getting worse each year and everything is covered in the garden as well as the drive, cars etc.

I am not sure what the process is but would appreciate if someone could come out to view my property/tree to see the effect it has and what exactly I am able to do, many thanks

Kind Regards

Appendix 3

16th August

Dear Mrs Sultana,

Ref: Tree Preservation Order

Thank you for the letter dated 22 July 2016 concerning the Tree Preservation Orders obtained by the Council.

I was somewhat surprised to learn of these orders been granted due to the lack of consultation, however I do welcome the opportunity to provide some feedback at this juncture.

This is of particular interest to me as I reside at Heycott Grove where three of these trees are situated. I purchased the property approximately 5 years ago and have spent much of that time trying to identify the responsible authority for these trees.

All three are encroaching on my property and release sap during the summer months which literally destroys the paintwork of our vehicles and coats the entire patio and garden in the vicinity with a sticky layer.

I am also concerned that these trees are not and have not been maintained by the authority throughout this period of time. They are simply allowed to grow into and over my property and the main road (Bells Lane). From my layman's perspective, there is a clear health and safety risk. I have two small children and I dread to think of the damage any falling branches could have.

However, I support a clean and green agenda. Since moving in I have planted numerous trees in my garden and made a concerted effort as a young family to maintain a garden to be proud of. So I do understand the Tree Preservation approach. My concern is that the trees will continue to be ignored by the authority and that the trees will continue to cause us a nuisance. I will be powerless to do anything.

Ideally these three would be removed and 6 trees planted somewhere more suitable. At the very least I am seeking assurance that there is a maintenance programme. I'd also like to understand the rationale behind this blanket approach to the trees on the estate, have there been any visits to the locations or discussions with the local community?

I am happy to discuss this further.

Kind regards

Heycott Grove

Appendix 4

Gavin Boyes

Subject: FW: RS/TPO (12)2016
Attachments: Bromsgrove TPO App Form.pdf; Latest Guide to Tree Preservation Orders.pdf; tpo form guidance.pdf

From: Gavin Boyes
Sent: 15 December 2016 14:25
To: [REDACTED]
Cc: Rasma Sultana
Subject: FW: RS/TPO (12)2016

Dear [REDACTED], I am in the process of looking to confirm this order and having reviewed our previous correspondence on the matter did not wish to do so without touching base with you before doing so due to your past enquiry.

I have not been able to find any more information regarding the land ownership and wondered if you had any luck in doing so?

Therefore in the current situation it is my intension to confirm the order as it stands.

I appreciate your concerns regarding the TPO potentially restricting the option to be able to manage the trees. However I would just like to confirm that this is generally not the case all it means an application to do so would need to be made to us. My approach to application for permission to carry out work is that we will always look at issues raised and level of work requested as sympathetically as possible and although on some occasions we have to refuse requests, generally it is the case that a level of work is granted if not that which is applied for.

I would also like to confirm that if at some time in the future information came to light that confirmed we owned the land / trees I would ensure that we give full consideration to any issues you may wish us to look into in view of the management of the trees.

Best Regards
Gavin Boyes
Senior Tree Officer
Bromsgrove & Redditch Councils

From: Gavin Boyes
Sent: 07 November 2016 15:02
To: [REDACTED]
Subject: RE: RS/TPO (12)2016

Dear [REDACTED], as the owner of the trees or a party directly influenced by them you are able to make an application for permission to carryout works on the trees on the attached form.

As the owner of any trees covered under a tree preservation order the responsibility of management and liabilities associated with them is that of the owner of the trees.

We are the administrating authority over protected trees and you will need written consent from us before you are able to carry out any pruning of live wood from them.

I have attached the guidance notes on how TPO protection works and those that relate to the making of an application for consent to carryout work which I hope will help answer any further questions.

Best Regards
Gavin Boyes
Senior Tree Officer
Bromsgrove & Redditch Councils

From:
Sent: 01 November 2016 19:57
To: Gavin Boyes
Subject: Re: RS/TPO (12)2016

Sorry for delay in responding. where does this leave us with respect to the Tree Preservation order and maintenance of the trees then?

Sent from my Samsung Galaxy S6 Edge - powered by Three

----- Original message -----

From: Gavin Boyes <Gavin.Boyes@bromsgroveandredditch.gov.uk>
Date: 10/10/2016 16:39 (GMT+00:00)
To:
Subject: RE: RS/TPO (12)2016

Dear thank you for the information attached which confirms what I viewed on the Land Registry web site. Unfortunately other than cross referencing this information with your own deed packet information I am not aware of any other avenue of enquiry that would be available to check land ownership details.

Best Regards
Gavin Boyes
Senior Tree Officer
Bromsgrove & Redditch Councils

Fro
Sent: 09 October 2016 21:44
To: Gavin Boyes
Cc: Rasma Sultana
Subject: Re: RS/TPO (12)2016

Dear Gavin,

Thank you very much for the below e-mail, which I found extremely useful and interesting.

I've paid for the Land Registry check, although the result is somewhat disappointing. It appears that the boundary line does coincide with the existing wall alongside Bells Lane.

Attached is a copy of the Title Plan, albeit it is rather basic and maybe not conclusive?

If there is a different search that I can conduct and pay for on Land Registry, then I'd appreciate it if you could please point me in the right direction?

Thank you

From: Gavin Boyes <Gavin.Boyes@bromsgroveandredditch.gov.uk>
Sent: 28 September 2016 09:33
To:
Cc: Rasma Sultana
Subject: FW: RS/TPO (12)2016

Dear [redacted], thank you for contacting us regarding the raising of this Tree Preservation Order. Just to clarify the order is not of an "Area" designation but covers specific individual trees. It was raised due to a threat of potential heavy mismanagement of a couple of the trees on the order.

There are three trees within the order that are local to your property T8, T9, & T10.

I have carried out a Land Registry check on the internet to the level of identifying the boundaries of the registered land parcels within Heycott Grove. The boundary of the land shown parcel shown to your address has two registration numbers and includes an the area containing as least T8 and T9 and arguably T10 also.

Therefore from this information it would appear that you may be the owner of these trees.

I would suggest therefore that you perhaps either carry out a full Land Registry Search yourself as I cannot pass on the information directly due to copy right restrictions or check your property boundary / landownership details on your own deed packet.

I appreciate that the trees stand on land clearly outside of your boundary fence so can understand any confusion the above information may cause which hopefully a full land registry check would resolve.

If the trees do turn out to be under your control I would be more than willing to accept an application requesting permission to manage them in a suitable manner to address the issue you have raised below on the form attached.

Best Regards
Gavin Boyes
Senior Tree Officer
Bromsgrove & Redditch Councils

From: Rasma Sultana
Sent: 23 September 2016 09:54
To: Gavin Boyes; Andrew Bucklitch; James White
Subject: RE: RS/TPO (12)2016

Hi All

Please can someone contact [redacted] to discuss the points raised below.

Thanks

Rash

----- Original message -----

From:
Date: 16/08/2016 20:17 (GMT+00:00)
To: r.sultana@bromsgroveandredditch.gov.uk
Subject: RS/TPO (12)2016

Dear Mrs Sultana,

Ref: Tree Preservation Order

Thank you for the letter dated 22 July 2016 concerning the Tree Preservation Orders obtained by the Council.

I was somewhat surprised to learn of these orders been granted due to the lack of consultation, however I do welcome the opportunity to provide some feedback at this juncture.

This is of particular interest to me as I reside at Heycott Grove where three of these trees are situated. I purchased the property approximately 5 years ago and have spent much of that time trying to identify the responsible authority for these trees.

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However, I support a clean and green agenda. Since moving in I have planted numerous trees in my garden and made a concerted effort as a young family to maintain a garden to be proud of. So I do understand the Tree Preservation approach. My concern is that the trees will continue to be ignored by the authority and that the trees will continue to cause us a nuisance. I will be powerless to do anything.

Ideally these three would be removed and 6 trees planted somewhere more suitable. At the very least I am seeking assurance that there is a maintenance programme. I'd also like to understand the rationale behind this blanket approach to the trees on the estate, have there been any visits to the locations or discussions with the local community?

I am happy to discuss this further.

Kind regards

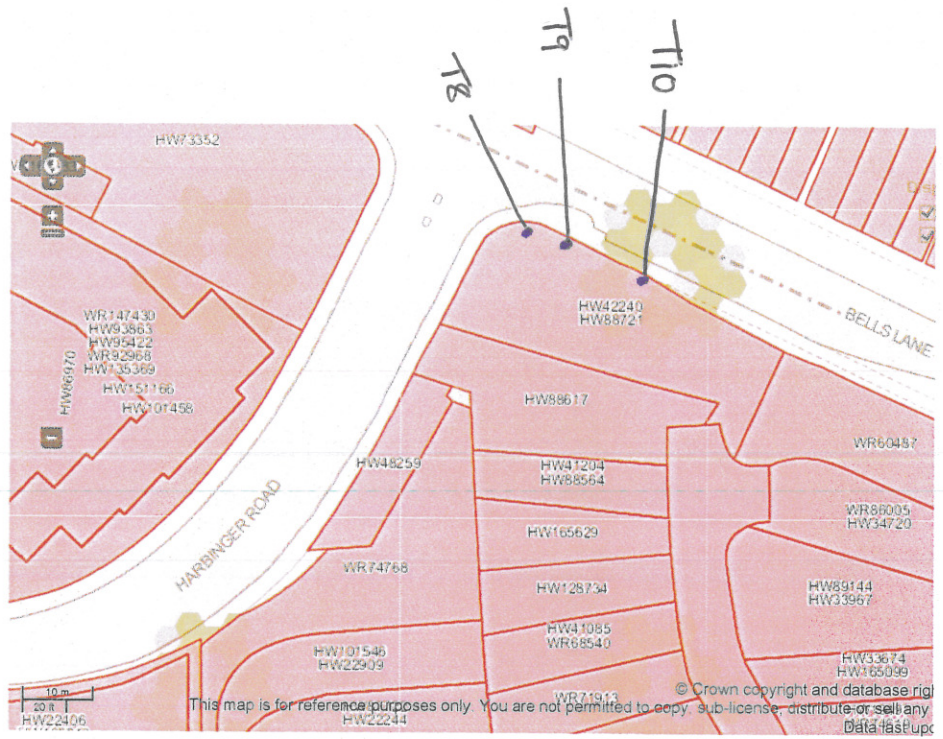
Heycott Grove

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Submit Query

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- [Freedom of information](#)
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Land registry search results showing approximate locations of trees added.

Appendix (5)

Town and Country Planning (Tree Preservation) (England) Regulations 2012

Town and Country Planning Act 1990

Tree Preservation Order (12) 2016

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 (12) 2016

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,

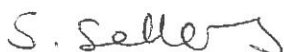
any tree specified in the Schedule to this Order except with the written consent of the authority in accordance with regulations 16 and 17, or of the Secretary of State in accordance with regulation 23, and, where such consent is given subject to conditions, in accordance with those conditions.

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 22nd July 2016

Signed on behalf of Bromsgrove District Council



SARAH SELLERS
PRINCIPAL SOLICITOR

Authorised by the Council to sign in that behalf

SCHEDULE

Trees specified individually
(encircled in black on the map)

<u>No. on Map</u>	<u>Description</u>	<u>NGR</u>	<u>Situation</u>
T1	Oak	405889 – 278624	Front 58 Chelworth Road
T2	Oak	405909-278621	Rear 58 Chelworth Road
T3	Oak	405944-278674	Rear 16 Lindford Way
T4	Oak	405949-278699	Rear 9 Hayle Close
T5	Oak	405951-278711	Rear 11 Hayle Close
T6	Oak	405955-278755	Rear Harbinger Court
T7	Oak	405961-278791	Rear Harbinger Court
T8	Oak	406043-278784	Side 37 Heycott Close
T9	Oak	406052-278781	Side 37 Heycott Close
T10	Oak	406067-278775	Front / side Heycott Close
T11	Oak	406161-278731	Side 24 Heycott Close
T12	Oak	406165-278723	Side 24 Heycott Close
T13	Oak	406177-278690	Side 16 Barford Close
T14	Oak	406181-278681	Front 16 Barford Close
T15	Oak	406183-278675	Front 16 Barford Close
T16	Oak	406193-278653	Side 14 Barford Close
T17	Oak	406201-278635	Side 2 Chelworth Road
T18	Oak	406198-278578	Rear 1 Chelworth Road
T19	Oak	406190-278577	Rear 3 Chelworth Road
T20	Oak	406150-278576	Rear 11 Chelworth Road
T21	Oak	406092-278568	Rear 5 Swansbrook Gardens
T22	Oak	406093-278547	Rear 25 Swansbrook Gardens
T23	Oak	406094-278538	Rear 9 Hilaire Close
T24	Oak	406097-278513	Rear 28 Hilaire Close
T25	Oak	406097-278509	Rear 28 Hilaire Close
T26	Oak	40600-278613	Rear 3 Lindford Way

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

Area	Use	Subst.

Project:
BROMSGROVE DISTRICT COUNCIL
TREE PRESERVATION ORDER
(12) 2016

Drawing:
CHELWORTH ROAD
(AND ADJOINING CLOSES)
WALKERS HEATH
BIRMINGHAM B38

Drawn: G.J. **Scale:** 1/1100
Surveyed: A.A. **Date:** 22/07/2016
Drawing No: P000010

Landscape and Grounds
Maintenance
 Town Hall
 Walker Stranz Square
 Redditch
 Worcestershire B4H



Bromsgrove
District Council
www.bromsgrove.gov.uk

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 Ordnance Survey 100024362



S. Sellers AMED: 22nd July 2016.

Appendix (7)

T1 Oak front 58 Chelworth Rd

T2 Oak



Oak trees T5 & T4



Oak T7

Oak T6



Oak T7



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Oak T8



Oak T10



Oak T11



Oak T12



Oak T17



T18 oak



T19 oak



O

WORTH ROAD
WORTH ROAD
WORTH ROAD
WORTH ROAD
WORTH ROAD





Oak T22



Oak T26



0

