

# Appendix (1)

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

### Tree Preservation Order (7) 2019

#### Tree/s on land at RUSHLEIGH ROAD, MAJORS GREEN, B90 1DH

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

#### **Citation**

1. This Order may be cited as **Tree Preservation Order (7) 2019**

#### **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**

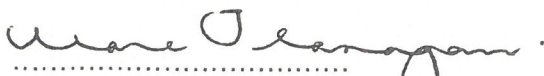
- 3.— (1) Subject to article 4, this Order takes effect provisionally on the date on which it is made.
- (2) Without prejudice to subsection (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners) and, subject to 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 5th November 2019

Signed on behalf of Bromsgrove District Council



Authorised by the Council to sign in that behalf

(5) 21/05/96

**First Schedule**

**Trees specified individually**

(encircled in black on the map)

<u>No. on Map</u>	<u>Description</u>	<u>NGR</u>	<u>Situation</u>
T1	Oak	410164 - 277495	Rear hedge line boundary between 36 Rushleigh Road and 40 Fords Road
T2	Oak	410160 - 277508	Rear garden of 34 Rushleigh Road
T3	Oak	410157 - 277515	Rear hedge line boundary between 32 Rushleigh Road and 48 Fords Road

**Trees specified by reference to an area**

(within a dotted black line on the map)

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

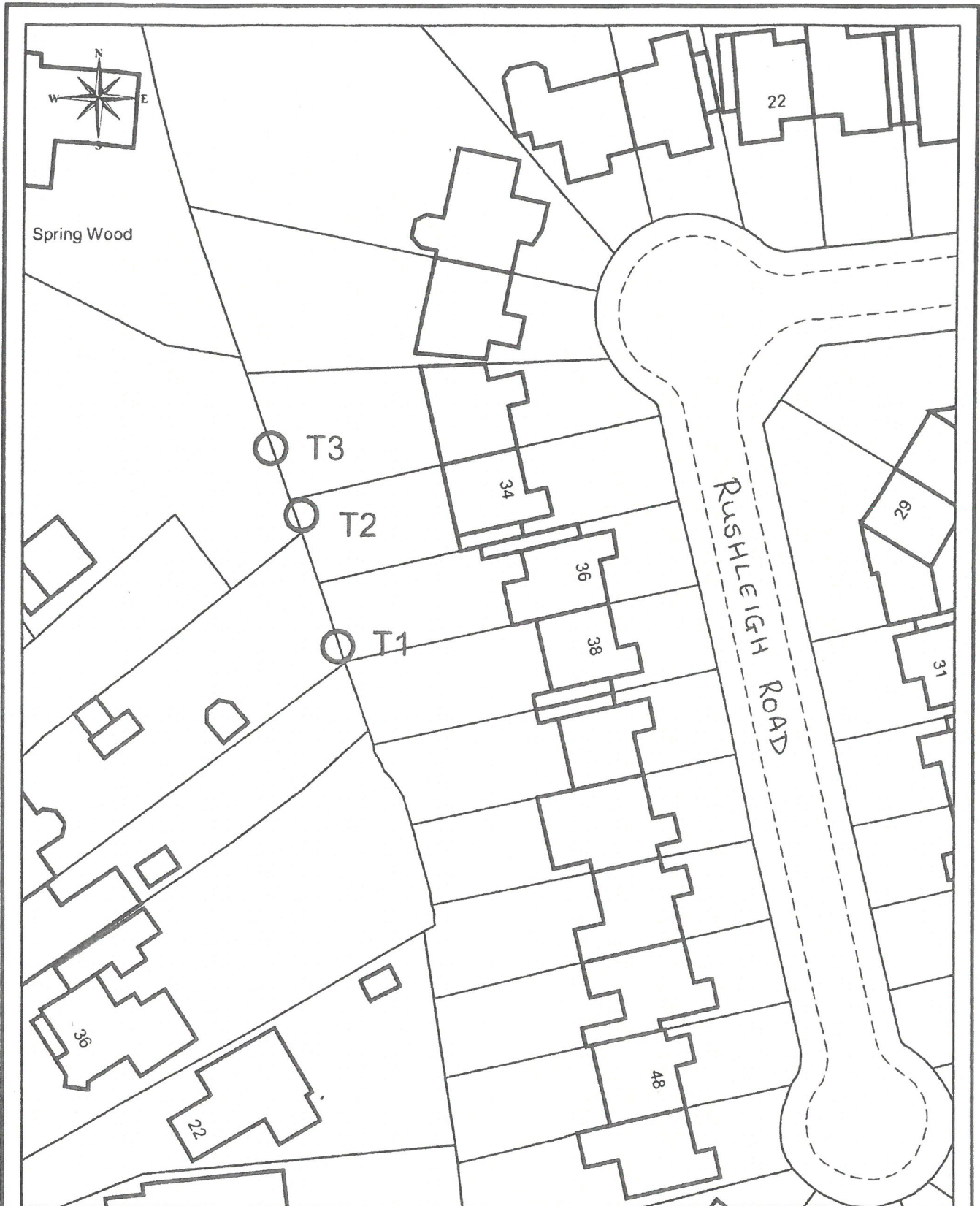
**Woodlands**


(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

*Wendy Morgan*



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# Appendix (2)

**Gavin Boyes**

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**From:** Tree Enquiries  
**Sent:** 18 April 2019 10:18  
**To:** Gavin Boyes; Tarek Ball  
**Subject:** FW: 34 Rushleigh Road Solihull B90 1H - URGENT

Hi – this is logged under 66189

Thanks

**Support Service Officer, Bromsgrove District and Redditch Borough Councils**

Tel: 01527 881188

Email: [bsu@bromsgroveandredditch.gov.uk](mailto:bsu@bromsgroveandredditch.gov.uk)

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Redditch,

Worcestershire B98 8AH

[www.redditchbc.gov.uk](http://www.redditchbc.gov.uk)



[Bromsgrove residents press here](#) [Redditch residents press here](#)

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**From:** [REDACTED]  
**Sent:** 18 April 2019 09:14  
**To:** Tree Enquiries  
**Subject:** 34 Rushleigh Road Solihull B90 1H - URGENT

**This email originated from outside of the Organisation**

**STOP:** Were you expecting this Email? Does it look genuine?

**THINK:** Before you **CLICK** on links or **OPEN** any attachments.

Good Morning,

I have previously rang in about this enquiry I spoke to Angela on the main helpline on 12th April, she advised me she would ask the tree officer to look into my query and he would be in touch.

Nobody has contacted me – hence my email today.

Could you please advise if there is any tree protection orders at 34 Rushleigh Road. The householder has requested for an oak tree to be removed.

I look forward to your reply as soon as possible.

Thanks

# APPENDIX (3)

Gavin Boyes

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**From:** [REDACTED]  
**Sent:** 14 November 2019 21:14  
**To:** Gavin Boyes  
**Cc:** Ryep  
**Subject:** GB/TPO(07)2019

**This email originated from outside of the Organisation**  
**STOP: Were you expecting this Email? Does it look genuine?**  
**THINK: Before you CLICK on links or OPEN any attachments.**

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Ref – GB/TPO( 7 )2019

Good evening Gavin,

I am writing to you in reference to the letter we have received from yourself. I have provided the reference above for your ease.

Firstly, I would like to mention I have previously spoken with you and received Tree surgeons approved by the council. So, upon receipt of this TPO we have become confused why we were provided with approved Tree surgeons to have the tree reduced in size. We have taken our time to meet tree surgeons and understand the work required on our site. we have also appointed a tree surgeon to have our work started and this was scheduled according to both the tree surgeons availability and our availability.

The work we were to carry out was going to consider the neighbours privacy and grounds. With a new fence being erected and the tree being reduced in size I believe that not only myself but the neighbours will benefit from a new safe boundary and once the tree surgeon removed the ivy and reduced the tree we would benefit from more light. Being a considerate resident, I mentioned to my neighbour which would have been affected by the work that my tree surgeon will be protecting their grounds and garden whilst the work is to be carried out. Once the work was completed the employed tree surgeon was to clear any fallings from the tree felling.

We have decided to reduce the Tree you have proposed a TPO on hence our initial contact with yourself. I have listed below the reasons why we have accessed our garden and why we decided to have a tree surgeon.

- As we are replacing the fencing. The area in which the tree stands we are unable to gain access and replace the currently poorly standing boundary fence.
- The tree overhangs not only my garden but over the neighbours too.
- The Tree is laced with Ivy and this has been confirmed by a tree surgeon.
- Natural light for us and surrounding area is currently reduced due to the size of the tree
- We have had a rear extension put onto our home and now lack natural day light in our main living space.

- During seasonal fall due to extent of how far the tree overhangs the gutters to our rear property. Due to position of the tree we are required to cover costs of our gutters being cleared to reduce the probability of drains/gutters becoming blocked.
- We wish to reduce the weight of the tree limbs as it is now spreading over neighbouring gardens and our garden. Our vision was to reduce the size so we can make our garden an enjoyable family garden where we can safely use the space and maximise the use of the space we have. Right now, we are unable to do so as the tree overhangs, is laced with ivy, during good weather we have very little sunshine and the roots are raised.

If you wish I can provide you with images of the tree and we are more than happy to meet with you to discuss what it is we was proposing to do. I have provided my personal mobile number and can contacted on this number if you wish to visit the site or discuss this TPO. Thank you for taking your time to read our objection to the TPO we have been served.

Kind regards