

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE PLANNING COMMITTEE

MONDAY, 6TH SEPTEMBER 2021, AT 6.00 P.M.

PRESENT: Councillors H. J. Jones (Chairman), P. J. Whittaker (Vice-Chairman), A. J. B. Beaumont, G. N. Denaro, S. P. Douglas, A. B. L. English, M. Glass (substitute Member for Councillor M. A. Sherrey), J. E. King, C. J. Spencer (substitute Member for Councillor S. G. Hession) and P.L. Thomas

Officers: Ms. C. Flanagan, Mr. D. M. Birch, Mr. G. Boyes, Mr. A. Sukvinder, Worcestershire County Council, Highways and Mrs. P. Ross

29/21

TO RECEIVE APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES

Apologies for absence were received from Councillor P. M. McDonald, Councillor S. G. Hession with Councillor C. J. Spencer in attendance as the substitute Member; and Councillor M. A. Sherrey with Councillor M. Glass in attendance as the substitute Member.

30/21

DECLARATIONS OF INTEREST

There were no declarations of interest.

31/21

MINUTES

The minutes of the Planning Committee meetings held on 5th July, 20th July and 2nd August 2021 were received.

RESOLVED that, the minutes of the Planning Committee meetings held on 5th July, 20th July and 2nd August 2021, be approved as correct records.

32/21

UPDATES TO PLANNING APPLICATIONS REPORTED AT THE MEETING

There were no Planning Committee updates.

33/21

TREE PRESERVATION ORDER (7) 2021 TREES ON LAND AT CHURCH VIEW, BEAR HILL, ALVECHURCH, B48 7JX

The Committee considered a report which detailed proposals to confirm, without modification, Tree Preservation Order (No.7) 2021, relating to trees on land at Church View, Bear Hill, Alvechurch, B48 7JX.

The Senior Arboricultural Officer provided a detailed presentation, and in doing so drew Members' attention to the recommendation, as detailed on page 29 of the main agenda report.

Officers further informed the Committee that the provisional order was raised on 31st March 2021, as detailed in Appendix 1 to the report. The order was raised following an enquiry made to the Council, requesting to know if T1 Beech tree (of the order) was under any level of formal protection, it was also indicated that consideration had potentially been given to remove this tree.

Officers drew Members' attention to the objection received from Mr. & Mrs. E. Steed, owners of Church View, Bear Hill, Alvechurch, B48 7JX, as detailed at Appendix 2 to the report; and the officer's comments in relation to the points raised, as detailed on pages 30 and 31 of the main agenda report.

Officers further drew Members' attention to the second objection received from Mr. & Mrs. Cooke, 10 School Lane, Alvechurch, B48 7SB, as detailed at Appendix 3 to the report; and the officer's comments in relation to the points raised, as detailed on page 31 of the main agenda report.

Officers concluded that T1 Beech tree offered quite a bit of amenity value, as detailed on page 31 'Amenity Value the tree provides'.

At the invitation of the Chairman, Mr. E. Steed, owner of Church View, Bear Hill, Alvechurch, B48 7JX, addressed the Committee, and in doing so, reiterated that he had no objections to a TPO on T2, Silver Birch. He was objecting to a TPO on T1, Beech.

Officers responded to questions and clarified that the developer had always intended to preserve these trees, having followed guidance issued under British Standards BS5837:2012 recommended Root Protection Area, throughout the development work as detailed on page 31 of the main agenda report.

Officers further confirmed that the trees lay within the curtilage of Church View and that the site was terraced prior to the development. The landscape had not changed after the development was completed. The estimated age of the tree (T1 Beech) was approximately 50/60 years and officers highlighted that the tree could easily reach 150 years.

With regard to T1 Beech, some Members commented that the tree was actually very prominent from St. Lawrence's Church yard and offered a lot of amenity value; whilst other Members commented that the tree was too large and noted the proximity of the tree to the bungalow, as detailed on page 39 of the main agenda report.

Following further debate an alternative recommendation was proposed and seconded that provisional Tree Preservation Order (7) 2021 trees on land at Church View, Bear Hill, Alvechurch, B48 7JX, be confirmed **with** modification, that T1 Beech be removed from the provisional TPO.

On being put to the vote, the alternative recommendation was lost.

RESOLVED that provisional Tree Preservation Order (7) 2021 trees on land at Church View, Bear Hill, Alvechurch, B48 7JX, be confirmed without modification as detailed in the provisional order as raised and shown at Appendix 1 to the report.

34/21

TREE PRESERVATION ORDER (8) 2021 TREE ON LAND AT 4 MERRIEMONT DRIVE, BARNT GREEN, BIRMINGHAM, B45 8QZ

The Committee considered a report which detailed proposals to confirm, without modification, Tree Preservation Order (No.8) 2021, tree on land at 4 Merriemont Drive, Barnt Green, Birmingham, B45 8QZ.

The Senior Arboricultural Officer informed the Committee, that the ward area was Lickey Hills and not Barnt Green, as detailed on page 55 of the main agenda report,

The Senior Arboricultural Officer continued and provided a detailed presentation, and in doing so drew Members' attention to the recommendation, as detailed on page 55 of the main agenda report.

Officers further informed the Committee that the provisional order was raised on 1st April 2021, as detailed in Appendix 1 to the report. The order was raised following an enquiry which requested advice on the status of the tree in view of the potential to remove the cedar tree T1, as shown on page 66 of the main agenda report.

Officers drew Members' attention to the two objections received from Mr. & Mrs. Moody, owners of 4 Merriemont Drive, Barnt Green, Birmingham, B45 8QZ, as detailed at Appendix 2 to the report and Mr. & Mrs Colemeadow, 5 Merriemont Drive, as detailed at Appendix 3 to the report; and the officer's comments in relation to the points raised, as detailed on pages 56 and 57 of the main agenda report.

Having been notified and with the agreement of the Chairman, officers read out the written statement received from Mr. & Mrs. Moody, 4 Merriemont Drive, Barnt Green, Birmingham, B45 8QZ, who had been unable to attend the meeting.

Officers responded to questions from Members with regards to the objections received, which highlighted that the tree could not be seen from a public road, so offered no amenity value.

Officers explained that the road had not been adopted by Worcestershire County Council (WCC) Highways and was therefore not maintained by WCC Highways. However, the road was not gated or signed as a private road and there was no restricted access to the public.

The tree was not visible from Twatling Road which fed into Merriemont Drive, however, as highlighted above, the carriageway of Merriemont Drive was not gated or restricted and therefore could be accessed by the public. The tree was highly prominent to the front of the property to users of the lower section of Merriemont Drive and therefore offered visual amenity value to any visitors to the site.

Members raised some concerns and noted the objections raised, in that the tree was sited on a private road and was not visible from a public road, so had no public amenity value. Although the road may not be gated or restricted and had no public footpath, Members commented that it would mainly be used by those residents living in the area.

Members further commented that if the tree was removed there would not be a significant impact. Members also noted the comments made by Mr. & Mrs. Moody in respect of the needles falling from the tree making it impossible to keep clear and neighbours complaining about the damage caused by the needles.

Therefore, Members were not in agreement with officers regards Tree Preservation Order (8) 2021.

RESOLVED that provisional Tree Preservation Order (8) 2021 tree on land at 4 Merriemont Drive, Barnt Green, Birmingham, B45 8QZ, not be confirmed.

35/21

21/00540/FUL - PROPOSED DWELLING - REAR OF 182 AND 184 STOURBRIDGE ROAD, BROMSGROVE, WORCESTERSHIRE, B61 0AR - MR. W. BULLOCK

Officers clarified that the Application had been brought to the Planning Committee for consideration at the request of Councillor R. J. Laight, Ward Councillor.

Officers presented the report and in doing so drew Members' attention to the presentation slides, as detailed on pages 76 to 85 of the main agenda report. The proposal was for a single dwelling which would be accessed from Pennine Road.

Officers further drew Members' attention to the separation distance and the Council's guidance on garden depth in the High Quality Design SPD, as detailed on page 70 of the main agenda report.

No objections had been received from any of the consultees, which included Worcestershire County Council (WCC), Highways.

At the invitation of the Chairman, Mr. A. Kilgallon and Mr. G. Cotterill, addressed the Committee in objection to the Application. Councillor R. J. Laight, Ward Councillor, also addressed the Committee.

In response to comments made by the public speakers, officers reminded the Committee that the value of properties and disruption during construction were not material planning considerations. With regard to highways safety and severe harm to the highways network, as stated earlier, no objections had been raised from WCC, Highways.

The Committee then considered the Application, which officers had recommended for approval.

The Highways officers responded to questions from Members with regard to the highways concerns raised, namely parking and also clarified that there were double yellow lines on both sides of the road in question.

Officers further responded to questions from Members with regard to separation distance and commented that officers had considered any topographical changes and that officers were satisfied with the separation distances. Officers were of the view that the application was acceptable in terms of residential amenity.

RESOLVED that Planning Permission be Granted, subject to the Conditions, as detailed on pages 71 to 73 of the main agenda report.

The meeting closed at 7.08 p.m.

Chairman