



# Planning Committee

Thu 15 Aug  
2024  
7.00 pm

Oakenshaw Community  
Centre, Castleditch  
Lane, B98 7YB

**REDDITCH** BOROUGH COUNCIL

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a  
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**If you have any queries on this Agenda please contact**

**Gavin Day  
Democratic Services Officer**

**Town Hall, Walter Stranz Square, Redditch, B98 8AH  
Tel: (01527) 64252 (Ext. 3304)  
email: [gavin.day@bromsgroveandredditch.gov.uk](mailto:gavin.day@bromsgroveandredditch.gov.uk)**

# ***GUIDANCE ON FACE TO FACE MEETINGS***

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If you have any questions regarding the agenda or attached papers, please do not hesitate to contact Gavin Day ([gavin.day@bromsgroveandredditch.gov.uk](mailto:gavin.day@bromsgroveandredditch.gov.uk))

## **PUBLIC SPEAKING**

For this meeting the options to participate will be in person, by joining the meeting using a video link, or by submitting a statement to be read out by officers.

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:

in accordance with the running order detailed in this agenda and updated by the separate Update report:

- 1) Introduction of application by Chair
- 2) Officer presentation of the report.
- 3) Public Speaking - in the following order:-
  - a. Objectors to speak on the application;
  - b. Ward Councillors (in objection)
  - c. Supporters to speak on the application;
  - d. Ward Councillors (in support)
  - e. Applicant (or representative) to speak on the application.

Speakers will be called in the order they have notified their interest in speaking to the Democratic Services Team (by 12 noon on Tuesday 13<sup>th</sup> August 2024) and invited to the table or lectern.

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

Speakers will be called in the order they have notified their interest in speaking to the Democratic Services Team and invited to address the committee.

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

Each group of supporters or objectors with a common interest will have up to a maximum of 10 minutes to speak, subject to the discretion of the Chair.

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Notes:

- 1) Anyone wishing to address the Planning Committee on applications on this agenda must notify Gavin Day from the Democratic Services Team on 01527 64252 (Ex 3304) or by email at [gavin.day@bromsgroveandredditch.gov.uk](mailto:gavin.day@bromsgroveandredditch.gov.uk) before **12 noon on Tuesday 13<sup>th</sup> August 2024**
- 2) Advice and assistance will be provided to public speakers as to how to access the meeting and those using the video link will be provided with joining details for Microsoft Teams. Provision has been made in the amended Planning Committee procedure rules for public speakers who cannot access the meeting by 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 13<sup>th</sup> August 2024**.
- 3) Reports on all applications will include a summary of the responses received from consultees and third parties, an appraisal of the main planning issues and a recommendation. All submitted plans and documentation for each application, including consultee responses and third-party representations, re available to view in full via the Public Access facility on the Council's website [www.redditchbc.gov.uk](http://www.redditchbc.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 Borough of Redditch Local Plan No. 4 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.
- 6) Late circulation of additional papers is not advised and is subject to the Chair's agreement. The submission of any significant new information might lead to a delay in reaching a decision. The deadline for papers to be received by Planning Officers is 4.00 p.m. on the day of the meeting.

Further assistance:

If you require any further assistance prior to the meeting, please contact the Democratic Services Officer (indicated on the inside front cover), Head of Legal, Democratic and Property Services, or Planning Officers, at the same address.

At the meeting, these Officers will normally be seated either side of the Chair, who will be seated at the front left-hand corner of the Committee table as viewed from the Public Gallery.



# Planning

Thursday, 15th August, 2024

7.00 pm

Oakenshaw Community  
Centre - Oakenshaw  
Community Centre

## Agenda

### Membership:

Cllrs:	Andrew Fry (Chair)	Bill Hartnett
	William Boyd (Vice-Chair)	David Munro
	Juma Begum	Jen Snape
	Brandon Clayton	Gemma Monaco
	James Fardoe	

### 1. Apologies

### 2. Declarations of Interest

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

### 3. Update Reports

To note Update Reports (if any) for the Planning Applications to be considered at the meeting (circulated prior to the commencement of the meeting)

### 4. Tree Preservation Order (214) 2024 Tree on Land At 83 Parsons Road, Southcrest, Redditch, B98 7EG (Pages 7 - 24)

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**PLANNING  
COMMITTEE**15<sup>th</sup> August 2024**Tree Preservation Order (214) 2024 Tree on Land At 83 Parsons Road,  
Southcrest, Redditch, B98 7EG**

Relevant Portfolio Holder	Cllr Sid Khan
Portfolio Holder Consulted	No
Relevant Head of Service	Head of Planning and Environmental Services
Ward(s) Affected	Central
Ward Councillor(s) Consulted	No
Non-Key Decision	

**1. SUMMARY OF PROPOSALS**

- 1.1 The Committee is asked to consider the confirmation of Tree Preservation Order (214) 2024, relating to tree on land at 83 Parsons Road, Southcrest, Redditch, B98 7EG

**2. RECOMMENDATIONS**

- 1.2 It is recommended that the provisional Tree Preservation Order (214) 2024 is confirmed without modification as in the provisional order as 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 26<sup>th</sup> February 2024 following on from an enquiry that was made in late 2023 regarding an Oak tree within the rear garden at 83 Parsons Road regarding the TPO status of the tree. I contacted the resident to investigate the matter and to inform to them that the tree was not currently under the protection of any TPO.

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The resident informed me they would like the tree removed. Upon visiting the site to view and assess the tree, it was apparent that the tree is clearly visible from the surrounding roads and footpaths as well as the public car park to the north of the property.

The tree in question is a fully mature Oak and forms part of a continuous line of mature trees to the rear of properties. The tree is visually in good vitality with only minor deadwoods present within the crown with no major structural defects noted.

The tree has been previously managed to reduce the entire crown, to which the tree has responded well; with regrowth approaching 3m in length. It is accepted that further crown management will be warranted at some point in the future and could be agreed on an application.

It was therefore deemed prudent to raise an order on the site, to include the Oak tree due to the threat of removal levied against the tree.

3.5 One objection have been received in respect of the Provisional TPO having been raised:

- A letter from Mrs Maryam Shakeel, dated 29<sup>th</sup> February 2024 (Appendix 2)

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

**Public Amenity Value:**

The National Planning Policy Framework states in relation to amenity value:

*“Amenity’ is not defined in law, so authorities need to exercise judgment when deciding whether it is within their powers to make an Order.*

*Orders should be used to protect selected trees and woodlands if their removal would have a significant negative impact on the local environment and its enjoyment by the public. Before authorities make or confirm an Order, they should be able to show that protection would bring a reasonable degree of public benefit in the present or future.”*

The tree stands within the rear of the 83 Parsons Road but is clearly visible from the public highway (Parsons Road and Tunnel Drive) as shown in photos 1 - 3 (Appendix 3). In addition, a TEMPO evaluation has been undertaken



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(see Appendix 4) and the tree has been scored 20, where 16+ definitely warrants TPO protection.

**Health and Safety:**

As mentioned above the tree appears in good vitality with no major, structural defects noted and with only minor deadwood present.

**General Debris 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. It is felt that this is an acceptable nuisance, in view of the level of influence the tree has on the property and the quality of the tree and the value it offers to the landscape and character of the area.

**Size:**

The tree sits at the rear of the garden and has had previous works carried out on the crown to manage the size and spread. Further works could be agreed to manage the tree through the TPO application process.

**Potential development:**

Any potential development would be considered under the normal planning system within which the relevance and status of any protection on the tree would be considered. Any potential threat of permitted development influencing the tree would be considered under TPO legislation and agreed via the normal application process.

- 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.

**PLANNING  
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- 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) Letter of Objection from Mrs Maryam Shakeel of 83 Parsons Road, dated 29<sup>th</sup> February 2024  
Appendix (3) Photographs of the subject trees, taken from the public highway.  
Appendix (4) TEMPO assessment

**6. BACKGROUND PAPERS**

None

**7. KEY**

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

**7.1 Conclusion and recommendations:**

The Oak tree included within the order offers a high level of public visual amenity value being, clearly visible from the local public road network and pathways as well as adding considerably to the character of the estate and landscaping of the area. The tree has a considerable future life span and although it may need periodic future management, it is sustainable in the longer term within the boundaries of the property.

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Therefore, I recommend to the committee that Tree Preservation Order (214) 2024 is confirmed and made permanent without modification as shown in appendix (1) of this report.

**AUTHOR OF REPORT**

Name: Andrew White / Tarek Ball

Email: Andrew.White@BromsgroveandRedditch.gov.uk

Tel: 01527 64252 Ext. 3123

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

**Redditch Borough Council Tree Preservation Order No.214 (2024)**  
**Tree/s on land at 83 Parsons Road, Redditch, Worcestershire, B98 7EJ,**

Redditch Borough 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 No.214 (2024)**

**Interpretation**

- 2.— (1) In this Order “the authority” means Redditch Borough 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**

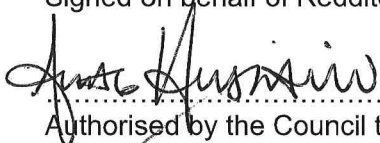
- 3.— (1) Subject to article 4, this Order takes effect provisionally on the date on which it is made.
- (2) Without prejudice to subsection (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners) and, subject to 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 *26th day of February 2024*

Signed on behalf of Redditch Borough 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	Oak	404322, 266924	Oak tree located in rear garden of 83 Parsons Road, Redditch

**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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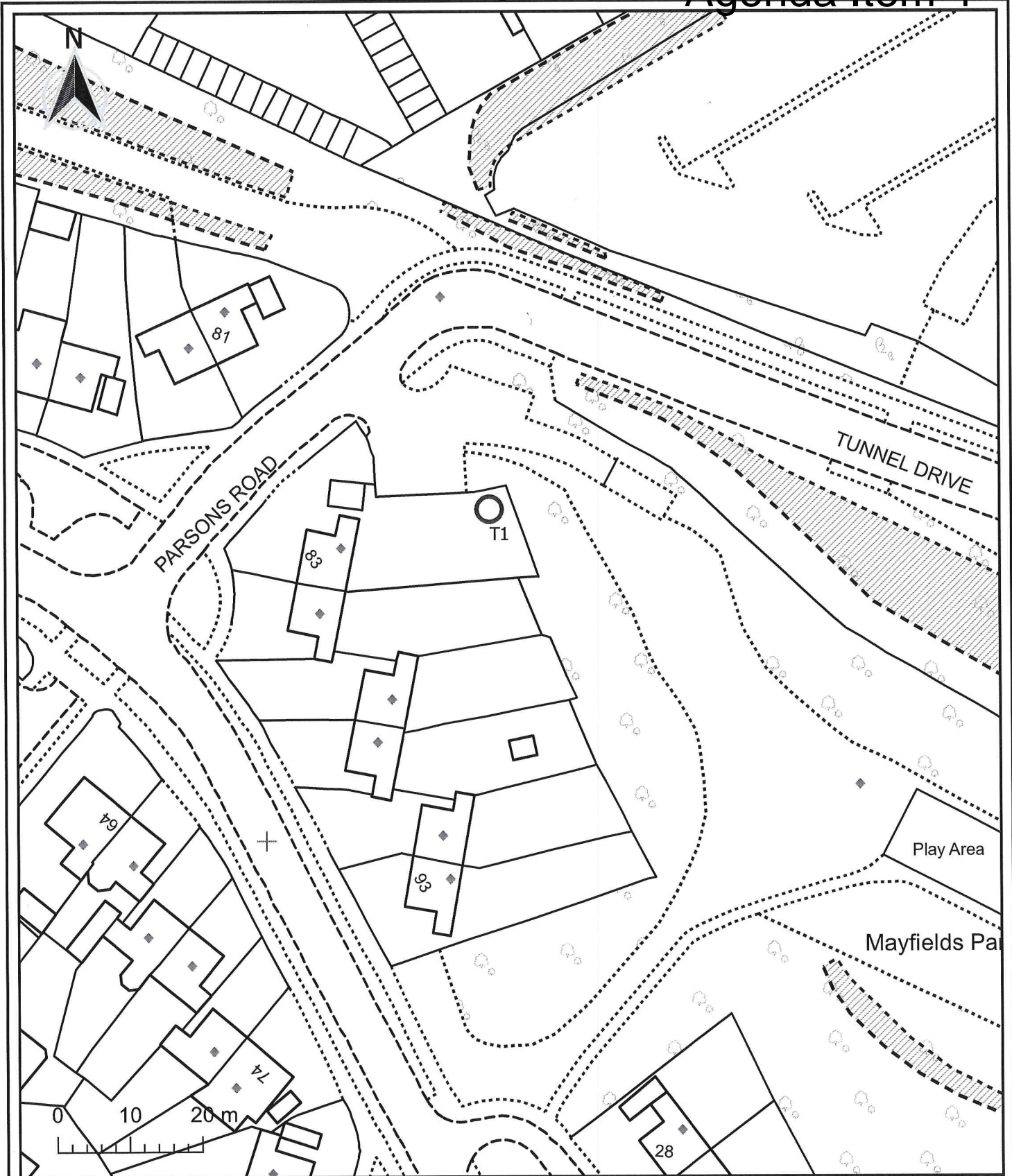
NONE




**Woodlands**

(within a continuous black line on the map)

<u>No. on Map</u>	<u>Description</u>	<u>NGR</u>	<u>Situation</u>
-------------------	--------------------	------------	------------------

NONE



 <p><b>Bromsgrove District Council</b> www.bromsgrove.gov.uk</p>  <p><b>REDDITCH BOROUGH COUNCIL</b></p>  <p><b>making a difference</b> www.redditchbc.gov.uk</p>	Project: TPO No. 214 (2024)	Drawn: Andrew White	<p><b>Environmental Services</b> Town Hall Walter Stranz Square Redditch Worcs B98 8AH</p> <p><i>Andrew White</i> 26/2/2024 AUTHORISED SIGNATURE</p>
	Drawing: 83 Parsons Road Redditch Worcestershire B98 7EJ	Scale: 1:700 @ A4	
	Drawing No.: 1 of 1	Date: 2.2024	
© Crown copyright and database rights 2023 Ordnance Survey 100023252			

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Mrs Maryam Shakeel

83 Parsons Road

Redditch

B98 7EJ

Mobile:

Email

Mr Andrew White

Environmental Services,

Redditch Borough Council,

Crossgate House,

Crossgate Road,

Redditch,

Worcestershire,

B98 7SN

Date: 29<sup>th</sup> February 2024

**RE: TPO No. 214 (2024) on 83 Parsons Road Garden**

Dear Mr White,

I would like to raise objection to a tree being subject to a TPO in my garden.

You have stated that the reason for the council making a TPO is because, the tree provides special amenity value, however the tree is in my garden, and I do not believe that it does provide any special amenity value, it does not contribute to the attractiveness of the area, if anything because it is so large and spread out, it is blocking light from entering the home, and very hard to upkeep.

Further reason as to why I object to this, is because back in 2020, when I called you to check if it did have a TPO, you advised that you think it does, as it is an oak tree, you sent me a TPO application form. I advised that at the time there were a few storms and our neighbour's had a tree at the end of their garden (out of boundary), which the council came and cut down majority of the branches as they had fell into their garden (destroying a fence on the other side). My reason for calling you at the time was concerns that the tree in my garden was an even larger tree, and I have small children who play in the garden, who could be injured if any branches were to fall on them. In addition, due to the tree being so large and covering majority of the garden, it is hard to upkeep maintenance in the Autumn months. I am sure that my neighbours would also object to the TPO, as in severe storm it also risks their garden, in case any large branches or the tree falls, it would not only damage my fence/property but also the neighbours. I would be happy for you to replant a tree outside of my boundary if this would help remove the TPO on this tree.

Finally, as stated previously in our correspondence, I am considering getting my garden done in the next few years and would like to remove the tree/s from the garden to make it more open for the children, as well as let more light into the rooms. I would also, pending financial situation, think about an extension in the future and, the tree would then make it too close to the home, therefore affecting insurance as well as the dangers of having such a large tree too close to home.

I would like to strongly urge you to reconsider your decision to place a TPO on the tree for safety reasons as well as taking into consideration my future for my home. I understand you have the authority to place a TPO on private land, however I as the homeowner, do not wish for this tree to remain in my garden, and if you had told me earlier that there was no TPO on this tree, I would have had it cut down a long time ago, as I had initially contacted you in 2020.

Please take into consideration my wishes and feelings, as well as the safety aspects that I have raised in order to make a decision to remove the TPO on the tree in the garden of 83 Parsons Road.

Kind Regards,

Maryam Shakeel

T1 Looking from West





T1 Looking from East



T1 Looking from car park adjacent to property.



**TREE EVALUATION METHOD FOR PRESERVATION ORDERS (TEMPO):**

## SURVEY DATE SHEET AND DECISION GUIDE

Date: 30<sup>th</sup> July 2024

Surveyor: Andrew White

**Tree details**

TPO Ref.: TPO (214) 2024

Tree/Group No: T1

Species: Oak

Owner (if known):

Location: 83 Parsons Road, Southcrest, Redditch

**Part 1: Amenity assessment****a) Condition & Suitability for TPO:**

Refer to Guidance Note for definitions

- |           |                         |
|-----------|-------------------------|
| 5) Good   | Highly suitable         |
| 3) Fair   | Suitable                |
| 1) Poor   | Unlikely to be suitable |
| 0) Unsafe | Unsuitable              |
| 0) Dead   | Unsuitable              |

**Score & Notes 3****b) Remaining longevity (in years) & suitability for TPO:**

Refer to 'Species Guide' section in Guidance Note

- |             |                 |
|-------------|-----------------|
| 5) 100+     | Highly suitable |
| 4) 40 – 100 | Very suitable   |
| 2) 20 – 40  | Suitable        |
| 1) 10 – 20  | Just suitable   |
| 0) <10      | Unsuitable      |

**Score & Notes 4****c) Relative public visibility & suitability for TPO:**

Consider realistic potential for future visibility with changed land use; refer to Guidance Note

- |   |                         |
|---|-------------------------|
| 5) Very large trees, or large trees that are prominent landscape features | Highly suitable         |
| 4) Large trees, or medium trees clearly visible to the public             | Suitable                |
| 3) Medium trees, or larger trees with limited view only                   | Just suitable           |
| 2) Small trees, or larger trees visible only with difficulty              | Unlikely to be suitable |
| 1) Young, v.small, or trees not visible to the public, regardless of size | Probably unsuitable     |

**Score & Notes 4****d) Other factors**

Trees must have accrued 7 or more points (with no zero score) to qualify

- |  |
|--|
| 5) Principal components of arboricultural features, or veteran trees |
| 4) Members of groups of trees that are important for their cohesion  |
| 3) Trees with significant historical or commemorative importance     |
| 2) Trees of particularly good form, especially if rare or unusual    |
| 1) Trees with none of the above additional redeeming features        |

**Score & Notes 4****Part 2: Expediency assessment**

Trees must have accrued 9 or more points to qualify; refer to Guidance Notes

- |  |
|--|
| 5) Known threat to tree                    |
| 3) Foreseeable threat to tree              |
| 2) Perceived threat to tree                |
| 1) Precautionary only                      |
| 0) Tree known to be an actionable nuisance |

**Score & Notes 5****Part 3: Decision guide**

- |         |                       |
|---------|-----------------------|
| Any 0   | Do not apply TPO      |
| 1 – 6   | TPO indefensible      |
| 7 – 11  | Does not merit TPO    |
| 12 – 15 | Possibly merits TPO   |
| 16+     | Definitely merits TPO |

**Add Scores for Total: 20****Decision: Raise TPO**

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