

TREE PRESERVATION ORDER WORKS DECISION NOTICE

DETERMINATION OF APPLICATION FOR WORKS TO TREES PROTECTED BY A TREE PRESERVATION ORDER

Town and Country Planning Act 1990 (as amended)
Town and Country Planning (Trees) Regulations 1999

Application No:	PL/2022/00251/TPO
Case Officer:	Ruth Witherspoon
Date of Decision:	05.04.2022
Location:	123 Neville Road, Shirley, Solihull, B90 2QX
Proposed Development:	Reduce crown density by approximately 20-25% including the removal of a bough that crosses through the crown, on English oak tree (T1) (TPO 00638).
Date Registered:	9th February 2022
Applicant:	Mr John Rolls
Agent:	

The Solihull Metropolitan Borough Council as Local Planning Authority hereby **GRANTS**
CONSENT SUBJECT TO CONDITIONS for the works proposed to the tree(s) in your application
described and numbered as shown above. The conditions and reasons therefore are as follows:-

STANDARD CONDITIONS

1. Notwithstanding the submitted description of proposed works, the approved works shall not exceed the following:

The works to T1 Oak are restricted to no more than 20% crown reduction.

In order to minimise the impact of the works on the form, appearance and health of the tree in accordance with Policy P10 & P14.

2. The work hereby approved must be completed within two years of the application date.

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Economy & Infrastructure Directorate
Development Management
Planning Services, Solihull MBC
Council House, Manor Square
Solihull, B91 3QB
Telephone 0121 704 8008
planning@solihull.gov.uk

To comply with the MHCLG Planning Practice Guidance and Policy P10 and P14 of the adopted Solihull Local Plan (2013).

2. The work hereby approved must be carried out in accordance with current British Standard BS3998: Recommendations for Tree Work [2010] and industry best practice in relation to: the position of pruning cuts; the time of year in which pruning is undertaken and; the use of clean and sharp equipment.

To ensure that the works are carried out in a satisfactory manner and in the interests of the visual amenity of the area in accordance with Policy P10 and P14 of the Solihull Local Plan 2013.

Informatives

NOTE: For the avoidance of doubt the trees referred to in this decision notice are identified at section 7 of the application form received 09-02-2022 and tree location plan received 09/02/2022

NOTE: If it is essential to fell or lop any trees or part of the hedgerows, it should be ensured that this work does not disturb nesting birds, with work ideally being conducted outside the main breeding season (March-September). All nesting birds are protected from disturbance or injury under the 1981 Wildlife and Countryside Act. In addition, if mature trees are likely to be affected by the development, (e.g. by felling or lopping work), it is important to survey these trees for the presence of bats, prior to work commencing. Bats and their roost sites are protected under the 1981 Wildlife and Countryside Act and the Countryside and Rights of Way Act, and are also deemed a European Protected Species. Local Authorities are bound by the Conservation of Habitats and Species Regulations 2010 to have regard to the Habitats Directive when exercising their functions.

Signed

A handwritten signature in blue ink, appearing to read 'M. Andrews', on a light blue background.

Mark Andrews
Head of Planning, Design and Engagement
Services

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TOWN AND COUNTRY PLANNING ACT 1990

Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.

If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.

If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision of your application, then you must do so within: 28 days of the date of the service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.

If this is a decision to refuse planning permission for a householder application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.

If this is a decision to refuse planning permission for a minor commercial application, if you want to appeal against your local authority's decision then you must do so within 12 weeks of the date of this notice.

If this is a decision to refuse express consent for the display of an advertisement, if you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of this notice.

If this is a decision to refuse planning permission other than those specified above, if you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice,

If this is a decision to refuse permission for works to a TPO tree, if you want to appeal against your local authority's planning decision then you must do so within 28 days of the date of this notice.

Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at <https://www.gov.uk/appeal-planning-decision>.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of the appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

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