



---

---

DEVELOPMENT CONTROL COMMITTEE: –

10<sup>TH</sup> SEPTEMBER 2009

REPORT OF THE HEAD OF REGENERATION – DEVELOPMENT AND DELIVERY

**CONFIRMATION OF TREE PRESERVATION ORDER 40 OF 2008 ON LAND AT 122 TO 158 THORNHILL ROAD, STREETLY**

**1. PURPOSE OF REPORT**

To seek the confirmation of the Tree Preservation Order No 40 of 2008 in a modified form.

**2. RECOMMENDATIONS**

The Committee is recommended to:

- (i) Confirm the Walsall Tree Preservation Order No 40 of 2008 in a modified form (see Report detail for information on the modifications). A plan showing the Tree Preservation Order is attached to this report.
- (ii) Support the reason for making the Tree Preservation Order set out in the report detail, paragraph 1.1 .
- (iii) Note that no representations have been received in respect of this Tree Preservation Order.

**3. FINANCIAL IMPLICATIONS**

Within budget, in general, new Tree Preservation Orders generate additional applications for consent and increase officers' workload.

**4. POLICY IMPLICATIONS**

Within Council policy – YES

**5. LEGAL IMPLICATIONS**

The owners and future owners of this site will be required to apply for Council permission if they wish to fell or prune any tree protected by the Tree Preservation Order. Failure to do this renders anyone carrying out unauthorised works to trees liable to criminal proceedings.

6. **EQUAL OPPORTUNITY IMPLICATIONS**

NOT APPLICABLE

7. **ENVIRONMENTAL IMPACT**

The management of Walsall's tree cover through the administration of the Tree Preservation Order system has positive implications in protecting trees for their visual and environmental benefits. Removal of protected trees is often necessary because trees have a finite lifespan and may also cause nuisance or damage. In these instances the Council has to decide whether the removal of protected trees is justified. In the event that felling a tree is permitted, the Council can secure replacement planting to maintain tree cover.

8. **WARD(S) AFFECTED**

The Tree Preservation Order 40 of 2008 is located within Streetly Ward.

9. **CONSULTEES**

Owners and near neighbours were sent copies of the Tree Preservation Order and invited to make representations to the Council in either opposition or support of this Tree Preservation Order. Any response is described within the report.

10. **CONTACT OFFICER**

Cameron Gibson - Extension: 2453

11. **BACKGROUND PAPERS**

File PD1/17/866 relating to Tree Preservation Order No 40 of 2008.

**Simon Tranter,**  
HEAD OF REGENERATION – DEVELOPMENT AND DELIVERY

## DEVELOPMENT CONTROL COMMITTEE: –

10 SEPTEMBER 2009

CONFIRMATION OF TREE PRESERVATION ORDER 40 OF 2008 ON LAND AT 122 TO 158 THORNHILL ROAD, STREETLY

### 1.0 **REPORT DETAIL.**

- 1.1 The Tree Preservation Order No 40 of 2008 was made on 25 November 2008. It is part of the Streetly Tree Preservation Order Review process approved by this committee on 18 July 2006. This Tree Preservation Order serves to replace and bring up to date the protection of amenity offered by elements of Tree Preservation Order 24 of 1981 and was made for the following reasons:
- There have been changes in legislation since the original Tree Preservation Order was created.
  - There have been changes to the tree population with a considerable loss of trees from the original Tree Preservation Order.
  - It has become expedient to remove some trees from the order, whilst other unprotected trees in the area merit inclusion to ensure the continuity of the areas leafy aspect.
  - The process of review and the creation of new Tree Preservation Orders seek to stem the loss of prominent and potentially valuable amenity trees, with a view to retaining a long-term tree population and the overall leafy aesthetic that makes Streetly distinctive within the Borough of Walsall.
- 1.2 The minimum six week period allowed for objection to the Order expired on 6 January 2009. No responses have been received.
- 1.3 It was later noted that three of the trees (T18, T19, T20) were recorded as being on land at the front of 140 Thornhill Road whereas they are situated on land at the front of 138 Thornhill Road. This anomaly appears to only affect the First Schedule of the Order as the location of the trees on the TPO Map appears correct. Therefore, a new First Schedule has been created and attached, together with the old First Schedule, to this report for information.
- 1.4 The Committee is therefore recommended to confirm Tree Preservation Order No 40 of 2008 in its modified form.

**SCHEDULE 1****SPECIFICATION OF TREES**

**Trees specified individually**  
(encircled in black on the map)

Reference on map	Description	Situation
T1	Oak	On the plot of land at the front of No 158 Thornhill Road.
T2	Cherry	On the plot of land at the front of No 156 Thornhill Road.
T3	Magnolia	On the plot of land at the front of No 156 Thornhill Road.
T4	Oak	On the plot of land at the front of No 156 Thornhill Road.
T5	Birch	On the plot of land at the front of No 154 Thornhill Road.
T6	Robinia	On the plot of land at the rear of No 154 Thornhill Road.
T7	Robinia	On the plot of land at the rear of No 152 Thornhill Road.
T8	Robinia	On the plot of land at the rear of No 152 Thornhill Road.
T9	Robinia	On the plot of land at the rear of No 152 Thornhill Road.
T10	Fir	On the plot of land at the rear of No 152 Thornhill Road.
T11	Oak	On the roadside boundary of the plot of land at the front of 148 Thornhill Road.
T12	Horse chestnut	On the boundary and at the extreme north east corner of the plot of land at the front of 148 Thornhill Road.
T13	Sycamore	On the south boundary of the plot of land at the south side of the junction of Thornhill Road and Millcroft Road.
T14	Oak	On the roadside boundary of the plot of land at the front of 142 Thornhill Road.
T15	False cypress	On the roadside boundary of the plot of land at the front of 140 Thornhill Road.
T16	Oak	On the plot of land at the front of 140 Thornhill Road.
T17	Horse chestnut	On the plot of land at the front of 138 Thornhill Road - at the south east corner, of the roadside boundary.
T18	Lawson cypress	Western most tree of three mature Lawson cypresses in a row on the plot of land at the front of 138 Thornhill Road.
T19	Lawson cypress	Middle tree of three mature Lawson cypresses in a row on the plot of land at the front of 138 Thornhill Road.

**First Schedule - Correct**

**Trees specified individually (Continued)**

(encircled in black on the map)

Reference on map	Description	Situation
T20	Lawson cypress	East most tree of three mature Lawson cypresses in a row on the plot of land at the front of 138 Thornhill Road.
T21	Weeping willow	On the southern boundary of the plot of land at the back 136 Thornhill Rd.
T22	Birch	On the plot of land at the rear of 136 Thornhill Road, and alongside the boundary with 134 Thornhill Rd.
T23	Birch	On the plot of land at the rear of 136 Thornhill Road, and alongside the boundary with 134 Thornhill Rd.
T24	Birch	On the roadside boundary of the plot of land at the front of No 134 Thornhill Road.
T25	Rowan	On the plot of land at the front of 130 Thornhill Road.
T26	Oak	On the plot of land at the front of 130 Thornhill Road.
T27	Cherry	On the north boundary of the plot of land at the north side of No 130 Thornhill Road.
T28	Cherry	On the north boundary of the plot of land at the north side of No 130 Thornhill Road.
T29	Oak	A large mature oak on the plot of land at the rear of 130 Thornhill Road.
T30	Oak	On the roadside boundary of the plot of land at the north side of No 130 Thornhill Road and opposite No 6 Thornhill Park.
T31	Oak	On the plot of land at the front of 122 Thornhill Road.
T32	Ash	By the western boundary of the plot of land at the rear of 122 Thornhill Road.
T33	Weeping Ash	By the western boundary of the plot of land at the rear of 122 Thornhill Road.

**Trees specified by reference to an area**

(within a dotted black line on the map)

Reference on map	Description	Situation
None		

**Groups of trees**

(within a broken black line on the map)

Reference on map	Description	Situation
None		

**First Schedule - Correct**

**Woodlands**

(within a continuous black line on the map)

Reference on map	Description	Situation
None		

**SCHEDULE 1**

**SPECIFICATION OF TREES**

**Trees specified individually**  
(encircled in black on the map)

Reference on map	Description	Situation
T1	Oak	On the plot of land at the front of No 158 Thornhill Road.
T2	Cherry	On the plot of land at the front of No 156 Thornhill Road.
T3	Magnolia	On the plot of land at the front of No 156 Thornhill Road.
T4	Oak	On the plot of land at the front of No 156 Thornhill Road.
T5	Birch	On the plot of land at the front of No 154 Thornhill Road.
T6	Robinia	On the plot of land at the rear of No 154 Thornhill Road.
T7	Robinia	On the plot of land at the rear of No 152 Thornhill Road.
T8	Robinia	On the plot of land at the rear of No 152 Thornhill Road.
T9	Robinia	On the plot of land at the rear of No 152 Thornhill Road.
T10	Fir	On the plot of land at the rear of No 152 Thornhill Road.
T11	Oak	On the roadside boundary of the plot of land at the front of 148 Thornhill Road.
T12	Horse chestnut	On the boundary and at the extreme north east corner of the plot of land at the front of 148 Thornhill Road.
T13	Sycamore	On the south boundary of the plot of land at the south side of the junction of Thornhill Road and Millcroft Road.
T14	Oak	On the roadside boundary of the plot of land at the front of 142 Thornhill Road.
T15	False cypress	On the roadside boundary of the plot of land at the front of 140 Thornhill Road.
T16	Oak	On the plot of land at the front of 140 Thornhill Road.
T17	Horse chestnut	On the plot of land at the front of 138 Thornhill Road - at the south east corner, of the roadside boundary.
T18	Lawson cypress	Western most tree of three mature Lawson cypresses in a row on the plot of land at the front of 140 Thornhill Road.
T19	Lawson cypress	Middle tree of three mature Lawson cypresses in a row on the plot of land at the front of 140 Thornhill Road.

**First Schedule - Incorrect**

**Trees specified individually (Continued)**

(encircled in black on the map)

Reference on map	Description	Situation
T20	Lawson cypress	East most tree of three mature Lawson cypresses in a row on the plot of land at the front of 140 Thornhill Road.
T21	Weeping willow	On the southern boundary of the plot of land at the back 136 Thornhill Rd.
T22	Birch	On the plot of land at the rear of 136 Thornhill Road, and alongside the boundary with 134 Thornhill Rd.
T23	Birch	On the plot of land at the rear of 136 Thornhill Road, and alongside the boundary with 134 Thornhill Rd.
T24	Birch	On the roadside boundary of the plot of land at the front of No 134 Thornhill Road.
T25	Rowan	On the plot of land at the front of 130 Thornhill Road.
T26	Oak	On the plot of land at the front of 130 Thornhill Road.
T27	Cherry	On the north boundary of the plot of land at the north side of No 130 Thornhill Road.
T28	Cherry	On the north boundary of the plot of land at the north side of No 130 Thornhill Road.
T29	Oak	A large mature oak on the plot of land at the rear of 130 Thornhill Road.
T30	Oak	On the roadside boundary of the plot of land at the north side of No 130 Thornhill Road and opposite No 6 Thornhill Park.
T31	Oak	On the plot of land at the front of 122 Thornhill Road.
T32	Ash	By the western boundary of the plot of land at the rear of 122 Thornhill Road.
T33	Weeping Ash	By the western boundary of the plot of land at the rear of 122 Thornhill Road.

**Trees specified by reference to an area**

(within a dotted black line on the map)

Reference on map	Description	Situation
None		

**Groups of trees**

(within a broken black line on the map)

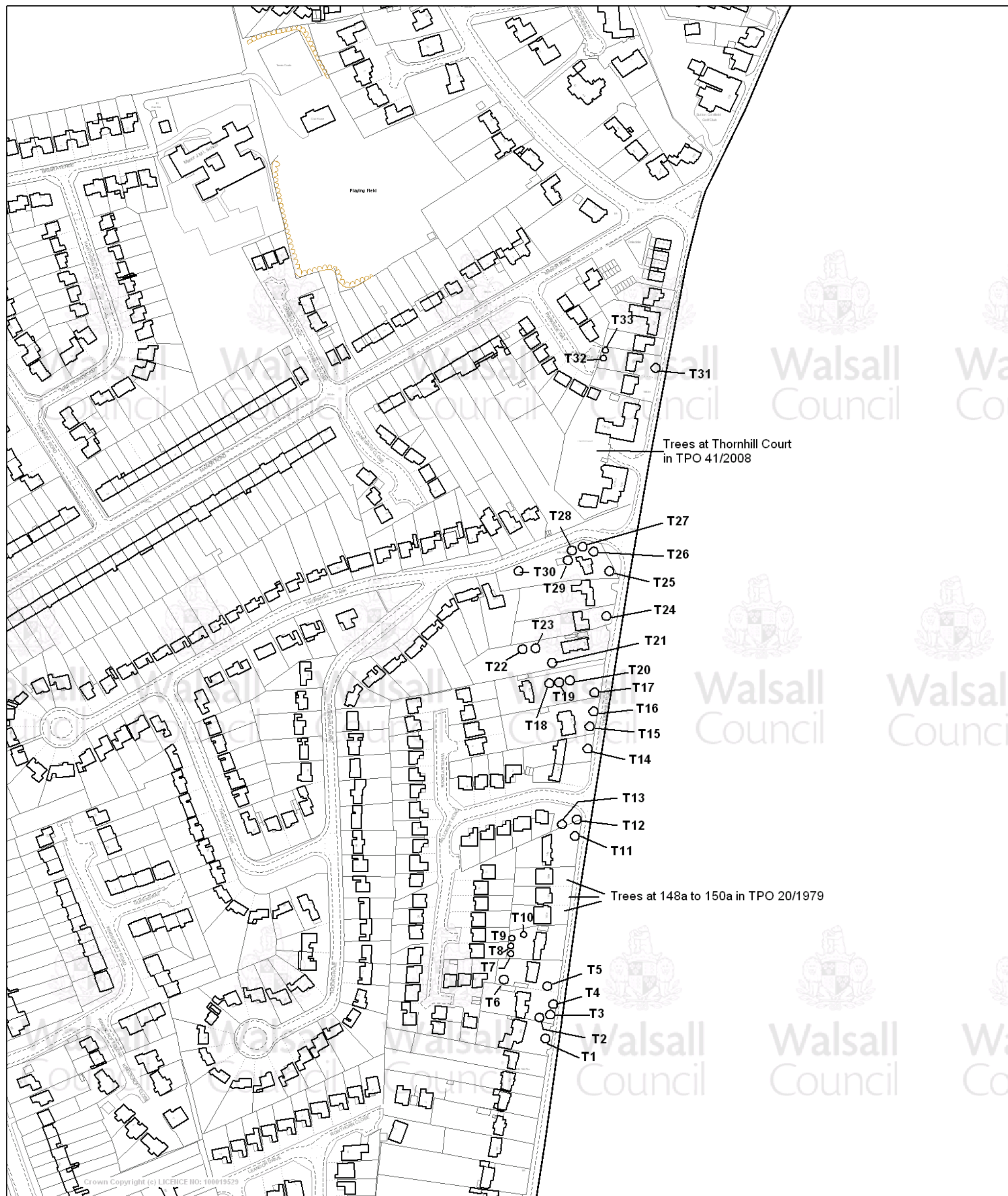
Reference on map	Description	Situation
None		



**Woodlands**

(within a continuous black line on the map)

Reference on map	Description	Situation
None		



Scale 1/2500

Date 13/11/2008

Centre = 408377 E 297820 N

DRP



**Walsall Council**

Reproduced from the Ordnance Survey mapping with the permission of Her Majesty's Stationery Office. Crown Copyright Reserved. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. LICENCE NO: 100019529