



Walsall Metropolitan Borough Council

DEVELOPMENT CONTROL COMMITTEE: –

19th April 2005.

REPORT OF ASSISTANT DIRECTOR FOR URBAN REGENERATION

CONFIRMATION OF TREE PRESERVATION ORDER 5 OF 2004 ON 238 TO 248 CHESTER ROAD, STREETLY

1. PURPOSE OF REPORT

To seek the confirmation of the Tree Preservation Order No 5 of 2004.

2. RECOMMENDATIONS

The Committee is recommended to:

- (i) Confirm the Walsall Tree Preservation Order No 1 of 2004 in unmodified form. 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 paragraph 1.2.
- (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 5 of 2004 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 both opposition and support of this Tree Preservation Order. Any response is described within the report.

10. **CONTACT OFFICER**

Ian McDermott - Extension: 2447

11. **BACKGROUND PAPERS**

File PD1/17/662 relating to Tree Preservation Order No 5 of 2004.

Tim Johnson,
ASSISTANT DIRECTOR FOR URBAN REGENERATION

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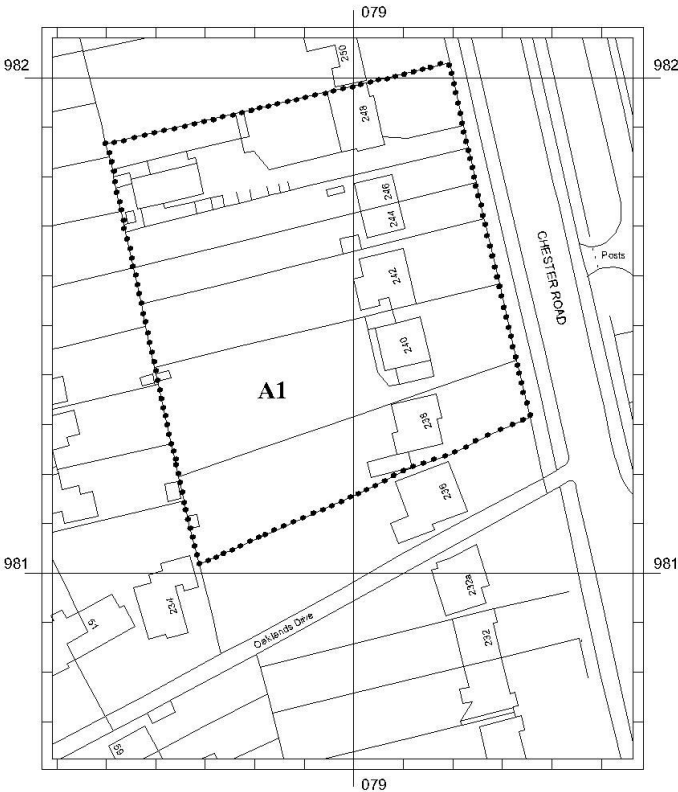
CONFIRMATION OF TREE PRESERVATION ORDER 5 OF 2004 ON 238 TO 248 CHESTER ROAD, STREETLY

1.0 **REPORT DETAIL.**

- 1.1 Under delegated powers officers were authorised to make and serve a Tree Preservation Order to protect all the trees on this site, which has been the subject of developer interest to purchase. In order to ensure that some trees are retained the Council considered it expedient to make an emergency order. No details of tree condition have been received from the prospective developer.
- 1.2 The Tree Preservation Order No5 of 2004 was made on 12th October 2004. The reason given for the making of the Tree Preservation Order was as follows:

‘The trees included in the Tree Preservation Order are visually prominent and there continued retention is desirable for the visual and environmental benefits they provide’.
- 1.3 The minimum six week period allowed for objection to the Order expired on 23rd November 2004. One letter of objection was received from the Resident of 242 Chester Road. The objection specified the need for individual trees to be identified and expresses concern of the possibility of future damage to infrastructure, drains and services. No evidence was supplied to support this conjecture and it is the opinion of the Council that trees will not damage sound drains and services.
- 1.4 The Committee is therefore recommended to confirm Tree Preservation Order No 5 of 2004 in unmodified form.

TREE PRESERVATION ORDER No. 5 OF 2004
SITE OF 238-248 (even),
CHESTER ROAD, STREETLY.



NOTATION

TREES SPECIFIED INDIVIDUALLY

(Encircled in black on the map)

No. Description Situation

NONE

TREES SPECIFIED BY REFERENCE TO AN AREA

(Within a dotted black line on the map)

A1 Trees (of whatever species) within the area marked A1 on the map The plots of land known as the garden areas of the properties 238 to 248 (even), Chester Road, Streetly.

GROUPS OF TREES

(Within a broken black line on the map)

NONE

WOODLANDS

(Within a continuous black line on the map)

NONE

ORDNANCE SURVEY SHEET NO: SP0798SE
(1250 SERIES)

WALSLEY METROPOLITAN BOROUGH COUNCIL
LANDSCAPE & CONSERVATION SERVICES
LICENCE NO: 1000/0028

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Drawing No: SP0798SE
Date: 11 October 2001
Drawn by: C. S. S. S.
Scale: 1:500

