

**PLANNING CONTROL COMMITTEE
3:00 PM, WEDNESDAY 13 MAY, 2020**

**PROPOSED TREE PRESERVATION ORDER at 329 Longford Road, Cannock,
WS11 1NF - TPO NO. 2019/08**

Please find attached an emergency item that will be considered at the Planning Control Committee on 13 May, 2020. The reason this needs to be considered urgently is because the TPO will expire if not confirmed before the next meeting is due to be held.

Item 5.1 – 5.4 plus attachments refers.

Kind regards,

Democratic Services

PROPOSED TREE PRESERVATION ORDER at 329 Longford Road,
Cannock, WS11 1NF,
TPO NO. 2019/08

1. Purpose of Report

- 1.1 To seek Members approval to confirm Tree Preservation Order No. 2019/02

2. Background

- 2.1 An application was received to building a two storey extension, covert the existing garage, and install a new detached garage to the front of the building. The application was refused but the amended resubmission has been approved.
- 2.2 When assessing the site it was noted that several trees had already been removed and as the site is within a leafy suburb, this was considered to have a detrimental impact on the visual amenity of the surrounding area.
- 2.3 In order to prevent further erosion of the urban forest, an emergency TPO was produced to protect the remaining tree.
- 2.4 The production of the TPO does not prevent the development of the land but does ensure that the tree is considered as part of the planning process.

3. Objection to TPO and Officer Response

- 3.1 An objection to the TPO is made on the following grounds:
- 3.2 Objection 1 – Highway safety, the tree overhangs the footway.

Response – The tree does not significantly overhang the footway and there is more than sufficient space for pedestrians to pass beneath without being impeded by the tree. If the tree does develop a canopy that prevents the passage foot traffic beneath then an application for crown lifting could be submitted.

- 3.3 Objection 2 – Adequacy of parking, limited space for turning vehicles and having to reverse onto the highway.

Response – The driveway measures approximately 188m² and has more than sufficient space for the turning of vehicles. See below aerial image which shows the space available in comparison with the size of a car.



3.4 Objection 3 – Visual limitations, difficult manoeuvre vehicle around the tree.

Response – See response to objection 2.

4. **Human Rights Implications**

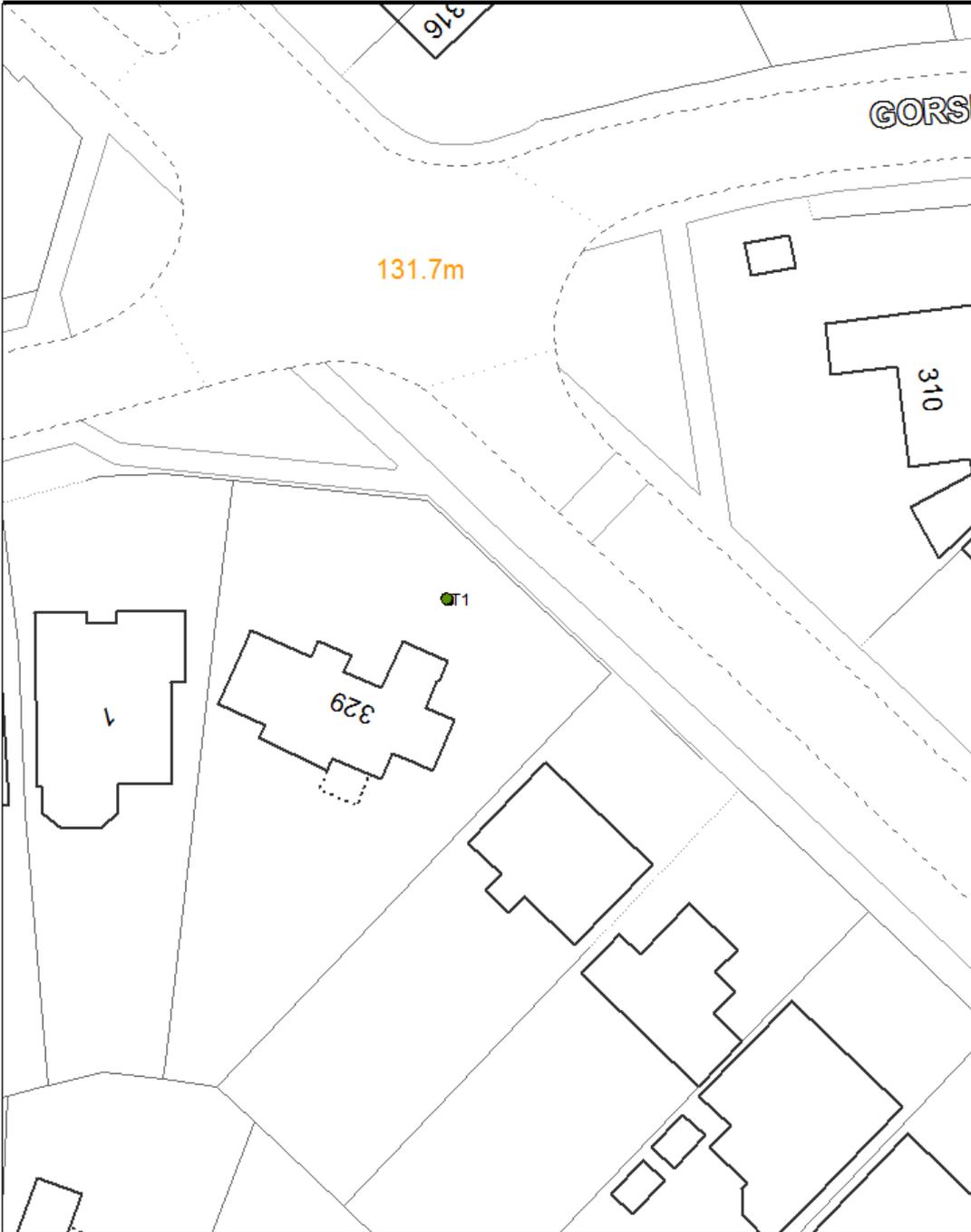
4.1 The proposals set out in this report are considered to be compatible with the Human Rights Act 1998. The recommendation to confirm the order is considered to be expedient in the interest of amenity as required by S198 of the Town and Country Act 1990. This potential interference with rights under Article 8 and 1 of the First Protocol have been considered in reaching this decision. The objector has a right to make an application to fell or do works to the tree which if refused can be appealed to the Secretary of State for Local Government, Transport and the Regions.

5. **Recommendation**

5.1 That TPO 2019/08 should be confirmed with the following modification:

The plan should read 2019/08, not 2019/02.

	TPO 2019/02 329 Longford Road, Cannock, WS11 1NF	
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Tree Evaluation Method for Preservation Orders					
(TEMPO)					
Surveyor:-	CG	Date:-	Nov-19	Species:-	Cedar
Location:-	329 Longford Road, Cannock, WS11 1NF				
TPO Ref:-	2019-02	Tree/Group No:-	T1	Owner:-	As above
Part 1:- Amenity Assessment					
a) Condition and Suitability for TPO.					
5	5) Good - Highly Suitable 3) Fair - Suitable 1) Poor - Unlikely to be Suitable 0) Dead, Dying or Dangerous - Unsuitable *				Notes:- No significant defects
* Relates to existing context and is intended to apply to severe irremediable defects only					
b) Retention Span (in years) and Suitability for TPO.					
4	5) 100+ Highly Suitable 4) 40 - 100 Very Suitable 2) 20 - 40 Suitable 1) 10 - 20 Just Suitable 0) <10 * Unsuitable				Notes:- Early mature with no obvious health issues
* Includes trees which are existing or are near future nuisance, including those clearly outgrowing their context, or are significantly negating the potential of other trees of better quality					
c) Relative Public Visibility and Suitability for TPO. Consider realistic potential for future visibility with changed land					
4	5) Very large trees with some visibility, or prominent trees 4) Large trees, or medium trees clearly visible to the public 3) Medium trees, or large trees with limited view only 2) Young, small, or medium/large trees visible only with difficulty 1) Trees not visible to the public regardless of size				Notes:- Tree is growing within the front garden in full view of the public highway
d) Other Factors. Must have accrued 7 points or more (with no zeros) to qualify					
1	5) Principle components of arboricultural features, or veteran trees 4) Tree groups, or members of groups important for their cohesion 3) Trees with identifiable historic, commemorative or habitat importance 2) Tree of particularly good form, especially if rare or unusual 1) Trees with none of the above redeeming features (inc. those with indifferent form)				Notes:- N/A
Part 2:- Expediency Assessment (Must have accrued 10 points or more to qualify)					
3	5) Immediate threat to tree 3) Foreseeable threat to tree 2) Perceived threat to tree 1) Precautionary only				Notes:- Several other trees have been removed recently on this site
Part 3:- Decision Guide					
Any 0 scores - do not apply TPO		1 - 6 = TPO indefensible		7 - 11 = Does not merit TPO	
12 - 15 = TPO defensible		16+ = Definitely merits TPO			
TOTAL SCORE:-	17	DECISION:-	TPO Required		



TOWN AND COUNTRY PLANNING ACT 1990

Town and Country Planning (Tree Preservation) (England) Regulations 2012

The Cannock Chase District Council

TREE PRESERVATION ORDER 2019/08

(329 Longford Road, Cannock, WS1 1NF)

The Cannock Chase District Council, in exercise of the powers conferred on them by section 198 of the Town and Country Planning Act 1990 hereby make the following Order -

Citation

1. This Order may be cited as the Cannock Chase District Council Tree Preservation Order No. 2019/08.

Interpretation

2. (1) In this Order "the authority" means the Cannock Chase District 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, 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 22nd day of November 2019.

The Common Seal of Cannock Chase District Council
was affixed to this Order in the presence of -

S. Baddley
Authorised Signatory



CONFIRMATION OF ORDER

This Order was confirmed by the Cannock Chase District Council without modification on the
day of 20

OR

This Order was confirmed by the Cannock Chase District Council, subject to the modifications
indicated by
on the day of 20

.....
Authorised by the Council to sign in that behalf

DECISION NOT TO CONFIRM ORDER

A decision not to confirm this Order was taken by the Cannock Chase District Council on the
day of 20

.....
Authorised by the Council to sign in that behalf

VARIATION OF ORDER

This Order was varied by the Cannock Chase District Council on the day of
20 by a variation order under reference number....., a copy of
which is attached

.....
Authorised by the Council to sign in that behalf

REVOCATION OF ORDER

This Order was revoked by the Cannock Chase District Council on the day of
20

.....
Authorised by the Council to sign in that behalf

SCHEDULE

SPECIFICATION OF TREES

Trees specified individually (encircled in black on the map)

Reference on map	Description	Situation
T1	Deodar	Within front garden

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	

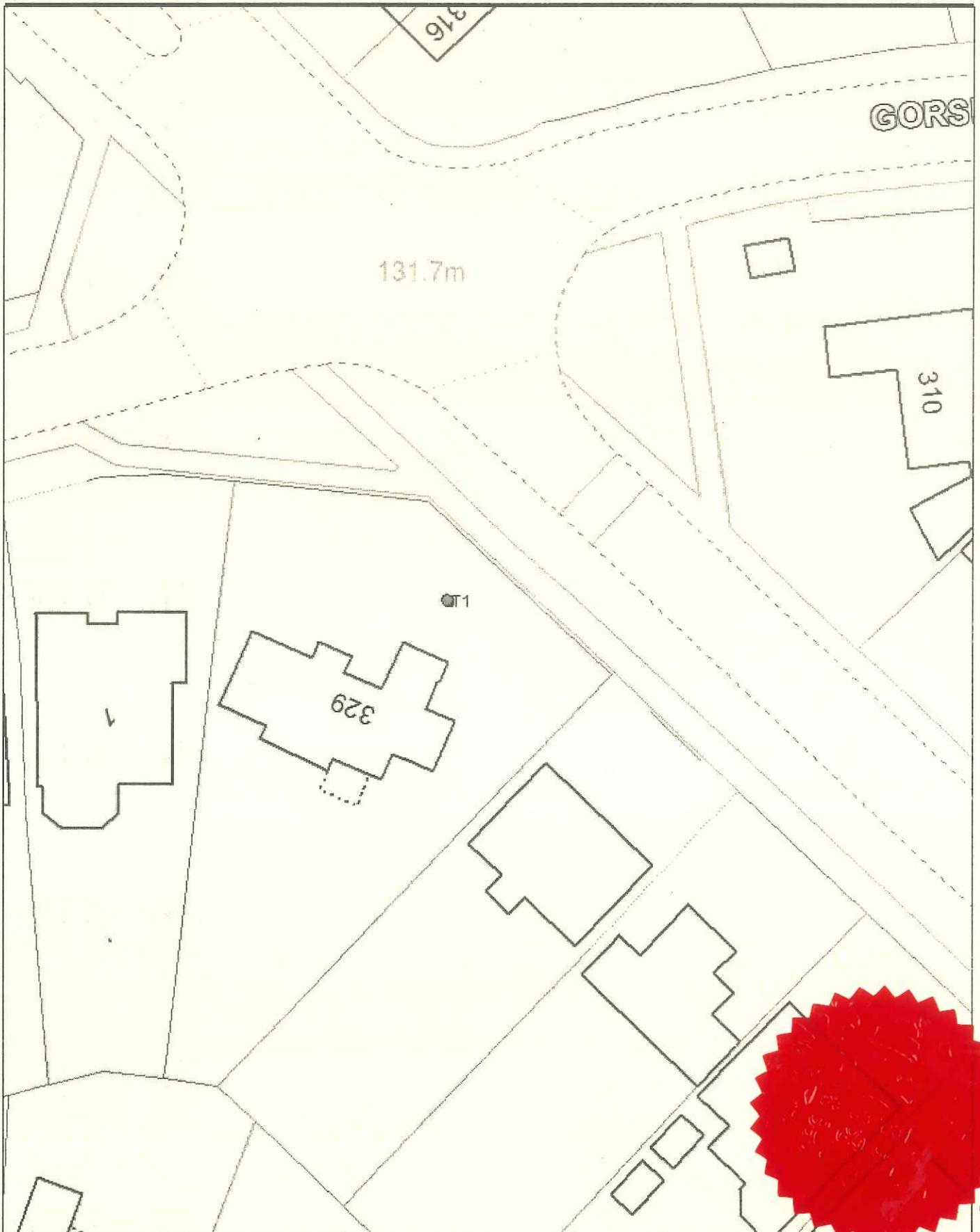
Woodlands (within a continuous black line on the map)

Reference on map	Description	Situation
	None	



Cannock
Chase
Council

TPO 2019/02
329 Longford Road, Cannock, WS11 1NF



S. Baddley

24096