



Walsall Metropolitan Borough Council

DEVELOPMENT CONTROL COMMITTEE: –

15th February

REPORT OF ASSISTANT DIRECTOR FOR URBAN REGENERATION

CONFIRMATION OF TREE PRESERVATION ORDER 4 OF 2004 ON TWO TREES AT 59A CHARLEMONT ROAD, PARK HALL, WALSALL

1. **PURPOSE OF REPORT**

To seek permission from this Committee for the confirmation of the Tree Preservation Order No.4 of 2004.

2. **RECOMMENDATIONS**

The Committee is recommended to:

- (i) Confirm the Walsall Tree Preservation Order No 4 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 1.3 of the report.

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 No. 4 of 2004 is located within Park Hall

9. **CONTACT OFFICER**

Gordon Dewdney - Extension: 2447

10. **BACKGROUND PAPERS**

All contained within file PDI/1/17/661

Tim Johnson,

ASSISTANT DIRECTOR FOR URBAN REGENERATION

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1.0 REPORT DETAIL.

- 1.1 Subsequent to telephone enquiries made about the status of trees at this address, Officers visited the site and found that the property was on the market. Once it was ascertained that it was not the current owners who had made these enquiries, Officers became concerned about the future of trees on the site.
- 1.2 Officers found two trees that merited the protection of a Tree Preservation Order within the boundaries of the afore mentioned property and decided an Emergency TPO would be expedient to ensure their protection.

2.0 Representations

- 2.1 The Tree Preservation Order No 4 of 2004 was made on 14/10/2004. The reason given for the making of the Tree Preservation Order was as follows:
 - ‘the tree included in the Tree Preservation Order is a visually prominent specimen which contributes to the visual amenity of its neighbourhood and provides environmental benefits’.
- 2.2 The minimum six week period allowed for objection to the Order expired on 25/11/2004. No responses have been received.
- 1.4 The Committee is therefore recommended to confirm Tree Preservation Order No 4 of 2004 in unmodified form.