



PLANNING COMMITTEE: –

29th July 2010

REPORT OF THE HEAD OF REGENERATION – DEVELOPMENT AND DELIVERY

CONFIRMATION OF TREE PRESERVATION ORDER 1 OF 2010 ON 11 BANKS STREET, WILLENHALL WV13 1SP.

1. PURPOSE OF REPORT

To seek the confirmation of the Tree Preservation Order No 1 of 2010 in an unmodified form.

2. RECOMMENDATIONS

The Committee is recommended to:

- (i) Confirm the Walsall Tree Preservation Order No 1 of 2010 in an 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 the report detail, paragraph 10.
- (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 1 of 2010 is located within the Willenhall South 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 **REPORT DETAIL**

10.1 The Tree Preservation Order No 1 of 2010 was made on 20th January 2010. The tree is visually prominent and is protected for the following reasons;

- The tree forms a prominent landscape feature in the local area and will continue to contribute to landscape quality in the future.
- The tree adds to the amenity and visual diversity of the immediate area.
- The site was the subject of 2 previous Planning Applications (08/1945/FL and 09/1598/FL), indicating the proposed plans would result in the removal of the tree to allow the development. Further discussions have taken place between the applicant and the Council indicating that a another application will be submitted.
- The Council's Unitary Development Plan identifies policies for protection of the trees and green spaces

10.2 The minimum six week period allowed for objection to the Order expired on 3rd March 2010. No responses have been received.

10.3 The Committee is therefore recommended to confirm Tree Preservation Order No 1 of 2010 in its unmodified form.

11. **CONTACT OFFICER**

Cameron Gibson - Extension: 2453

12. **BACKGROUND PAPERS**

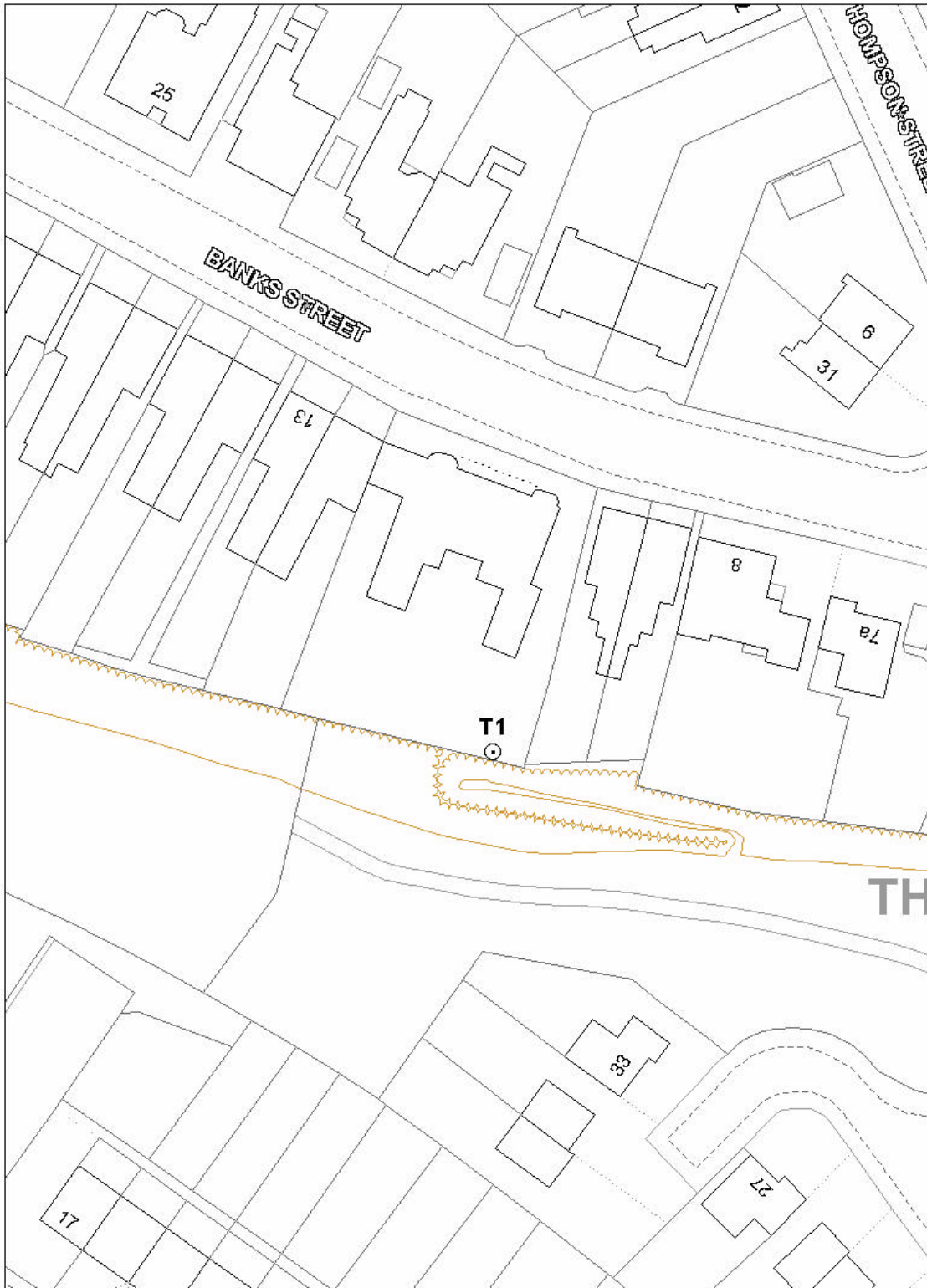
File PD1/17/897 relating to Tree Preservation Order No 1 of 2010.

Simon Tranter,
HEAD OF REGENERATION – DEVELOPMENT AND DELIVERY



TPO 1 of 2010

11 Banks Street, Willenhall WV13 1SP.



Not to Scale Date 6 January 2010 Centre 396067E 298915N Cameron Gibson

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