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## **PLANNING COMMITTEE**

27 May 2010

### **REPORT OF HEAD OF DEVELOPMENT & DELIVERY**

SERVING OF TREE PRESERVATION ORDER 12 of 2010 ON LAND AT  
LAWNSWOOD DRIVE, WALSALL WOOD, WALSALL.

1. **PURPOSE OF REPORT**

To seek the authority to make Tree Preservation Order No 12 of 2010.

2. **RECOMMENDATIONS**

The Committee is recommended to:

- (i) Authorise the making of Walsall Tree Preservation Order No 12 of 2010. A plan showing the proposed Tree Preservation Order is attached to this report.
- (ii) Support the reason for making the Tree Preservation Order set out in paragraph 12.2 of the detailed 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.

The Tree Preservation Order legislation makes provision for landowners and occupiers to claim compensation from the Council as a result of the serving of a Tree Preservation Order. Compensation cannot normally be claimed unless the council subsequently refuses permission to allow works to a tree.

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 proposed Tree Preservation Order 12 of 2010 is located within the Aldridge North and Walsall Wood Ward.

9. **CONSULTEES**

Owners, occupiers and near neighbours will be 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 responses will be described within the future report for the confirmation of this order.

10. **CONTACT OFFICER**

Cameron Gibson - Extension: 2453

11. **BACKGROUND PAPERS**

N/A

**Simon Tranter**

HEAD OF DEVELOPMENT & DELIVERY

PLANNING COMMITTEE: –

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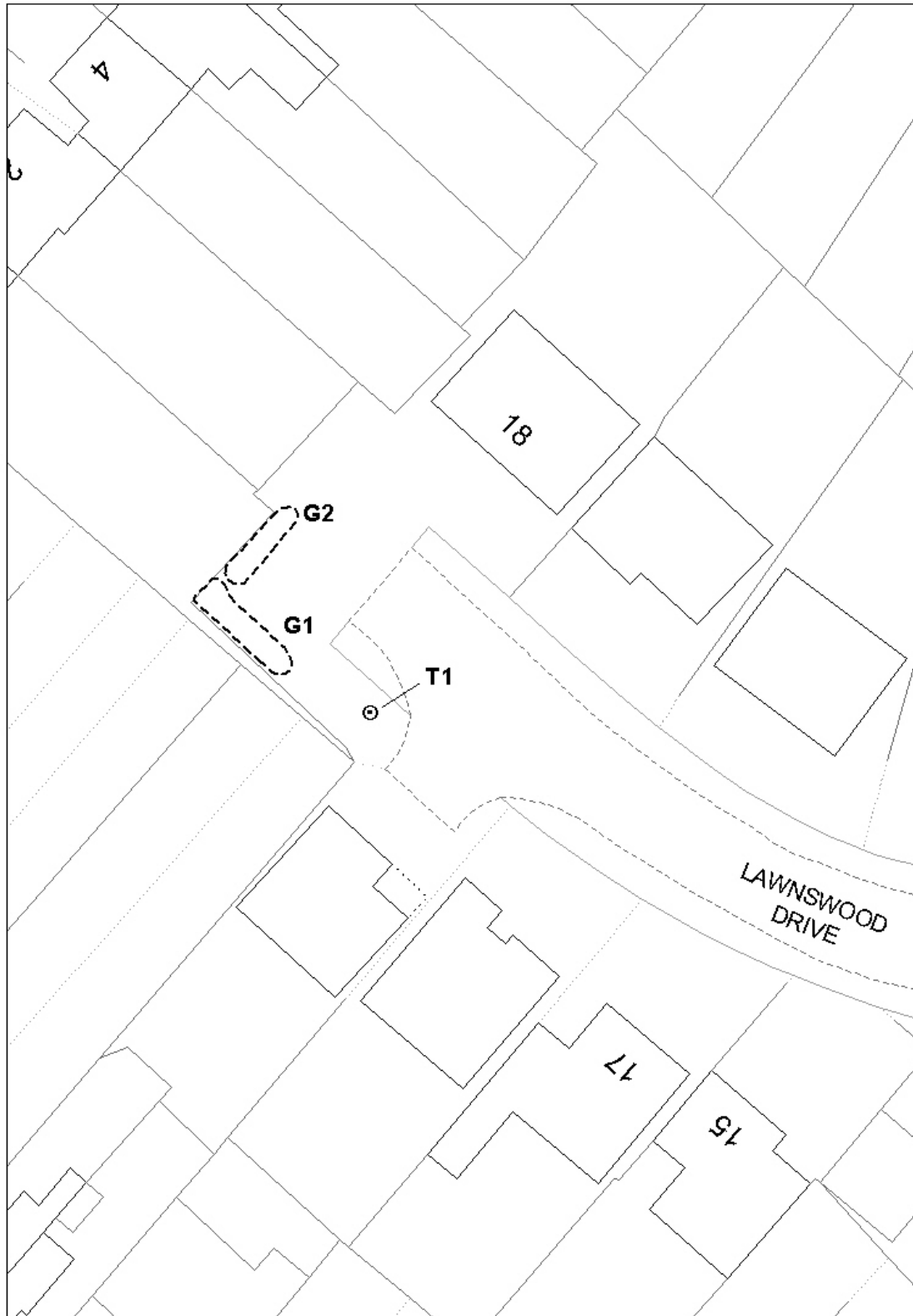
12.0 **REPORT DETAIL.**

- 12.1 This proposed TPO has arisen as a result of an application from the owner of 18 Lawnswood Drive to purchase a section of Council owned land to the front of his property. There are several trees on site consisting of 1 Willow and 22 Cypress trees (arranged in 4 groups around the periphery of the site). 12 of the Cypress trees are not considered to be worthy of inclusion in the TPO and have been omitted from the Schedule and Plan. However, the Willow and the remaining 10 Cypress trees (arranged in 2 groups) provide a significant level of amenity, aesthetic and landscape value in the locality to warrant inclusion in a TPO.
- 12.2 The trees selected for continued protection under TPO 12 of 2010 are protected for the following reasons:
- *The trees form a prominent landscape feature in the local area and will continue to contribute to landscape quality in the future.*
  - *They add to the amenity and visual diversity of the immediate area*
  - *The site is being considered for sale by the Council. This could result in the loss of several significant trees within the site.*
  - *The Council's Unitary Development Plan identifies policies for protection of the trees and green spaces.*
- 12.3 The trees in question are worthy of protection for their contribution to the local landscape, and are a component part of the quality of the local landscape. They will, in the future, also provide a mature visual amenity feature that will add quality directly to the local area along with other trees. It is therefore considered expedient in the interests of the long-term amenity of the area to ensure the continued retention of the trees by making TPO 12 of 2010.



## TPO 12 of 2010

Land at Lawnswood Drive, Walsall Wood, Walsall.



Not to Scale    Date 11 May 2010    Centre 405047E 303092N    Cameron Gibson

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