



Walsall Metropolitan Borough Council

DEVELOPMENT CONTROL COMMITTEE: –

19th April 2005

REPORT OF ASSISTANT DIRECTOR FOR URBAN REGENERATION

CONFIRMATION OF TREE PRESERVATION ORDER 12 OF 2004 ON LAND FRONTING 50 BEECH TREE ROAD.

1. PURPOSE OF REPORT

To seek the confirmation of the Tree Preservation Order No 12 of 2004.

2. RECOMMENDATIONS

The Committee is recommended to:

- (i) Confirm the Walsall Tree Preservation Order No 12 of 2004 in unmodified form. A plan showing the Tree Preservation Order is attached to this report labelled T1.
- (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 12 of 2004 is located within Aldridge North and Walsall Wood.

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**

Gordon Dewdney - Extension: 2447

11. **BACKGROUND PAPERS**

Tim Johnson,
ASSISTANT DIRECTOR FOR URBAN REGENERATION

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1.0 **REPORT DETAIL.**

- 1.1 During a routine assessment of impact to trees from a proposed development, officers were concerned that the access and egress of construction traffic would have an adverse impact on the only beech tree left in Beech Tree Road. A Tree Preservation Order was made to protect it through the construction process.
- 1.2 The Tree Preservation Order No 12 of 2004 was made on 30th of November 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’.
- 1.3 The minimum six week period allowed for objection to the Order expired on 11/01/2005. No responses have been received.
- 1.4 The Committee is therefore recommended to confirm Tree Preservation Order No 12 of 2004 in unmodified form.