



PLANNING COMMITTEE: –

08 July 2010

REPORT OF HEAD OF DEVELOPMENT & DELIVERY

**SERVING OF TREE PRESERVATION ORDER 8 OF 2010 ON LAND AT
PARK HALL CLOSE, WALSALL, WS5 3HQ.**

1. PURPOSE OF REPORT

To seek the authority to make Tree Preservation Order No. 8 of 2010.

2. RECOMMENDATIONS

The Committee is recommended to:

- (i) Authorise the making of Walsall Tree Preservation Order 8 of 2010. A plan showing the proposed Tree Preservation Order and a schedule of the trees is attached to this report.
- (ii) Support the reason for making the Tree Preservation Order set out in paragraph 11 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.

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 8 of 2010 is located within the Paddock Ward.

9. CONSULTEES

Owners 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.

REPORT DETAIL

10. This new Order follows the periodic review of one existing Tree Preservation Order which was found to contain some anomalies. The trees, the subject of this proposed Order, are situated within the grounds of the flats on Park Hall Close. The trees on site are presently covered by Tree Preservation Order 42 of 1978. Tree Preservation Order 8 of 2010 aims to correct the anomalies, include only those trees worthy of a Tree Preservation Order and bring the Order up to date with current regulations. It will also ensure a significant level of amenity, aesthetic and landscape value be retained in the locality.
11. The trees selected for continued protection under Tree Preservation Order 8 of 2010 are protected for the following reasons:
 - They 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 Council's Unitary Development Plan identifies policies for protection of the trees and green spaces.
 - The original Tree Preservation Order 42 of 1978 requires updating and the trees re-assessing.
12. 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 Tree Preservation Order 8 of 2010.

13. If the making of this Tree Preservation Order is authorised when the Order is presented to this committee for confirmation it will also be recommended that the original Tree Preservation Order 42 of 1978 be revoked. For comparison, a copy of the plan for Tree Preservation Order 42 of 1978 is attached to this report.

14. **CONTACT OFFICER**

Andrew Cook - Extension: 2447

15. **BACKGROUND PAPERS**

PDI/17/206 relating to Tree Preservation Order 42 of 1978.

Simon Tranter

HEAD OF DEVELOPMENT & DELIVERY

