



DEVELOPMENT CONTROL COMMITTEE: –

10th SEPTEMBER 2009

REPORT OF THE HEAD OF REGENERATION - DELIVERY AND
DEVELOPMENT

**CONFIRMATION OF TREE PRESERVATION ORDER 41 OF 2008 ON
THORNHILL COURT AND 12 PARKSIDE WAY, STREETLY**

1. PURPOSE OF REPORT

To seek the confirmation of the Tree Preservation Order No 41 of 2008.

2. RECOMMENDATIONS

The Committee is recommended to:

- (i) Confirm the Walsall Tree Preservation Order No 41 of 2008 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 1.1 .
- (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 41 of 2008 is located within Streetly 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. **CONTACT OFFICER**

Cameron Gibson - Extension: 2453

11. **BACKGROUND PAPERS**

File PD1/17/861 relating to Tree Preservation Order No 41 of 2008.

Simon Tranter,
HEAD OF REGENERATION – DEVELOPMENT AND DELIVERY

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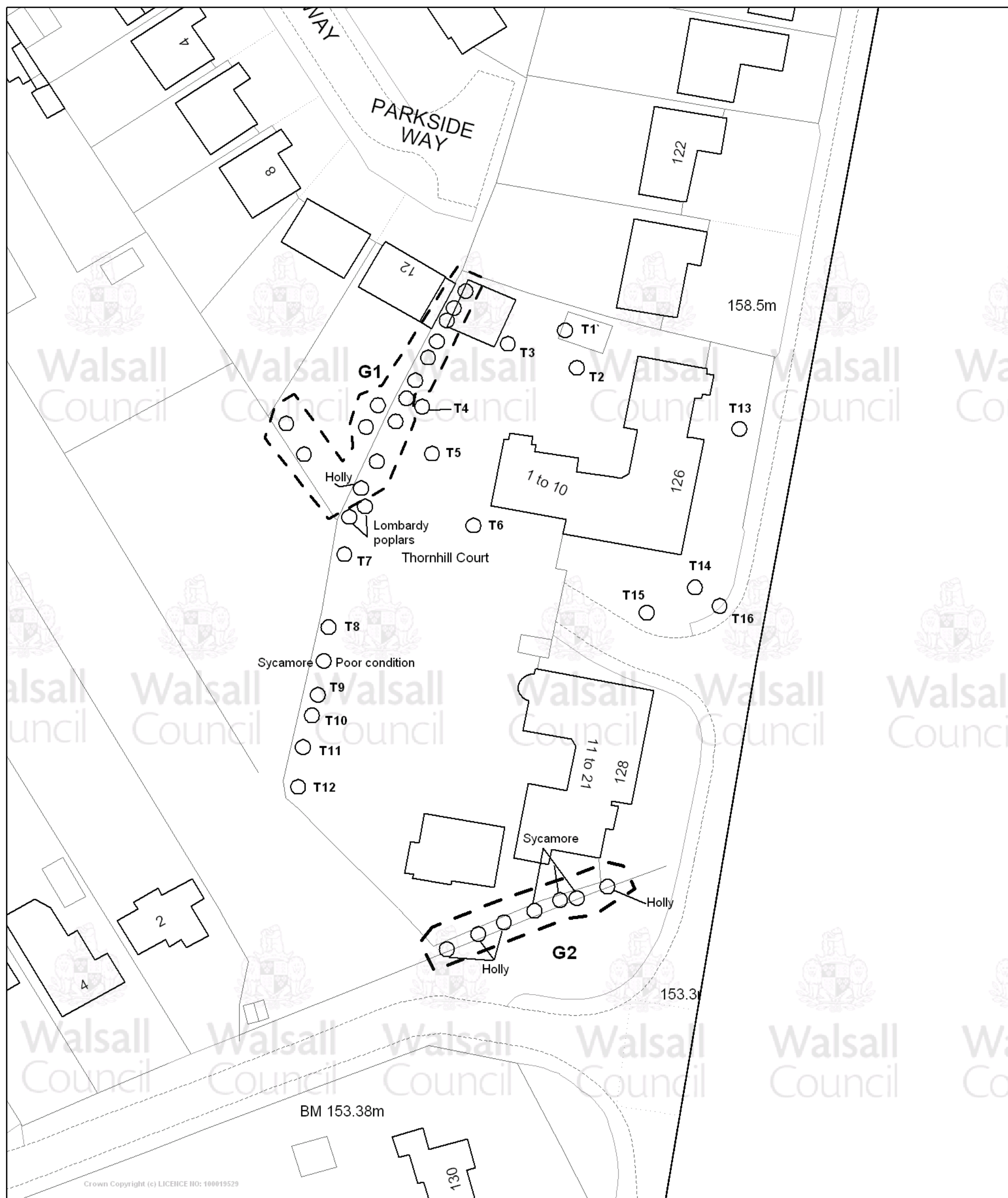
1.0 **REPORT DETAIL.**

The Tree Preservation Order No 41 of 2008 was made on 25 November 2008. It is part of the Streetly Tree Preservation Order Review process approved by this committee on 18 July 2006. This new Tree Preservation Order (TPO 41 of 2008) serves to replace and bring up to date the protection of amenity offered by elements of Tree Preservation Order 25 of 1981 and was made for the following reasons:

- There have been changes in legislation since the original Tree Preservation Order was created.
- There have been changes to the tree population with a considerable loss of trees from the original Tree Preservation Order.
- It has become expedient to remove some trees from the order, whilst other unprotected trees in the area merit inclusion to ensure the continuity of the areas leafy aspect.
- The process of review and the creation of new Tree Preservation Orders seek to stem the loss of prominent and potentially valuable amenity trees, with a view to retaining a long-term tree population and the overall leafy aesthetic that makes Streetly distinctive within the Borough of Walsall.

1.2 The minimum six week period allowed for objection to the Order expired on 6 January 2009. No responses have been received.

1.3 The Committee is therefore recommended to confirm Tree Preservation Order No 41 of 2008 in unmodified form.



Scale 1/500

Date 13/11/2008

Centre = 408438 E 297926 N

DRP



Walsall Council

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