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**DEVELOPMENT CONTROL COMMITTEE: –**

09 December 2008

REPORT OF HEAD OF DEVELOPMENT & DELIVERY

**SERVING OF TREE PRESERVATION ORDER 39 of 2008 ON LAND AT  
106, LICHFIELD ROAD, WALSALL, BLOXWICH, WS3 3LY.**

**1. PURPOSE OF REPORT**

To seek the authority to make Tree Preservation Order No 39 of 2008.

**2. RECOMMENDATIONS**

The Committee is recommended to:

- (i) Authorise the making of Walsall Tree Preservation Order No 39 of 2008. 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 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.

**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 39 of 2008 is located within the Bloxwich East 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.

**10. CONTACT OFFICER**

Andrew Cook - Extension: 2447

**11. BACKGROUND PAPERS**

N/A

**Simon Tranter**  
HEAD OF DEVELOPMENT & DELIVERY

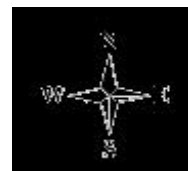
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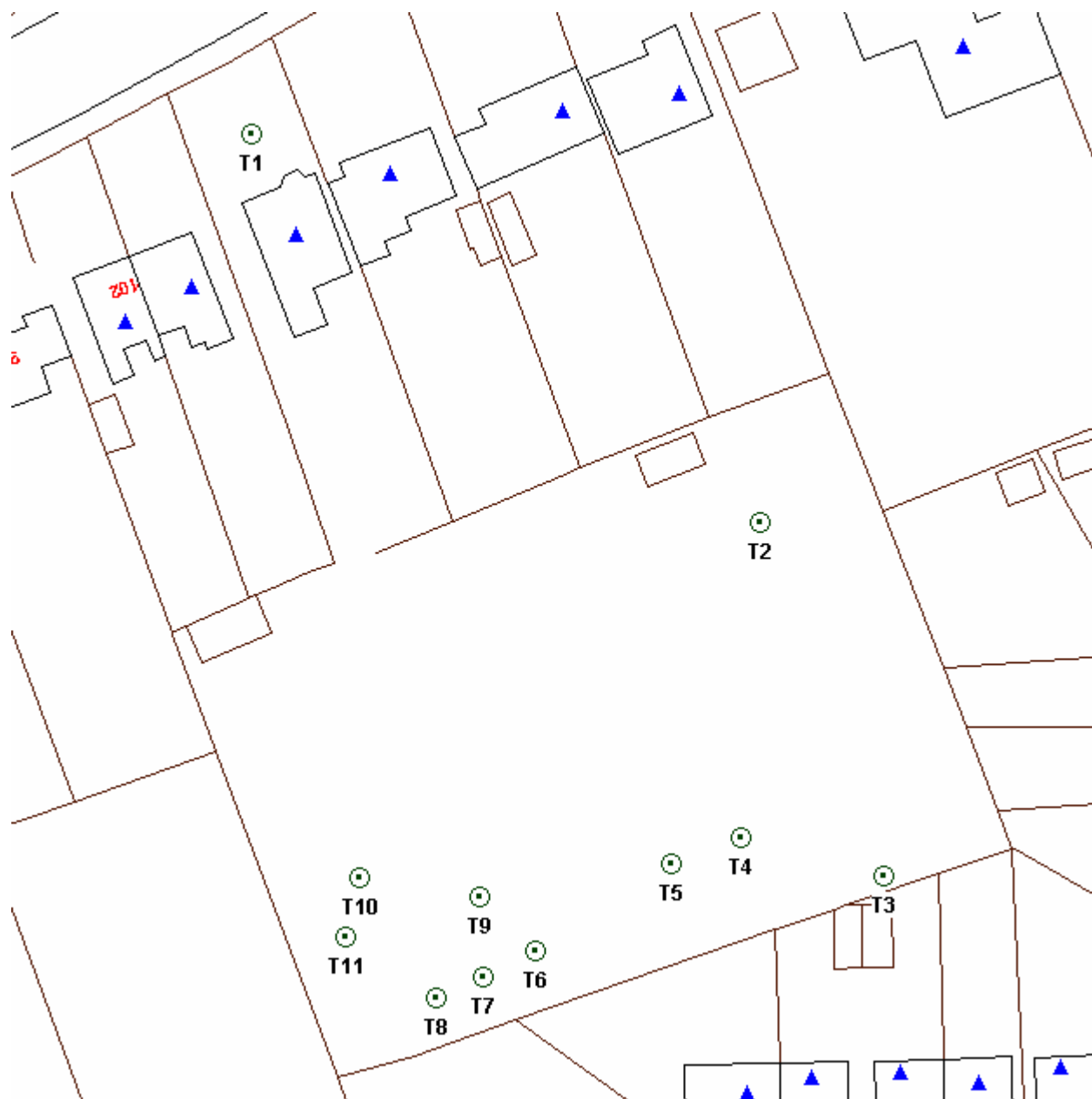
SERVING OF TREE PRESERVATION ORDER 39 OF 2008 ON LAND AT 106, LICHFIELD ROAD, WALSALL, BLOXWICH, WS3 3LY.

**REPORT DETAIL.**

1. This new Order follows the periodic review of an existing Tree Preservation Order which was found to contain some anomalies. The trees, the subject of this proposed Order, are situated within the front and rear garden of 106, Lichfield Road, Walsall, Bloxwich, WS3 3LY. Many of the trees on site are presently covered by Tree Preservation Order 1 of 1992 which contains both individual trees and an Area Order. In line with government guidance contained in the DETR publication 'Tree Preservation Orders' 'A Guide to the Law and Good Practice' the Area Order has been reviewed. It will also ensure a significant level of amenity, aesthetic and landscape value be retained in the locality.
2. The trees selected for continued protection under Tree Preservation Order 39 of 2008 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 1 of 1992 requires updating and the trees re-assessing.
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 Tree Preservation Order 39 of 2008.
4. When Tree Preservation Order 39 of 2008 is presented to this committee for confirmation it will be recommended that the original Tree Preservation Order 1 of 1992 is revoked.



TPO 39 of 2008 land at 106, Lichfield Road, Walsall, Bloxwich, WS3 3LY



Not to Scale    Date 09 December 2008    Centre 400221E 302649N    Andrew Cook

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