



## *Walsall Metropolitan Borough Council*

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### DEVELOPMENT CONTROL COMMITTEE: –

19<sup>th</sup> April 2005

### REPORT OF ASSISTANT DIRECTOR FOR URBAN REGENERATION

### **CONFIRMATION OF TREE PRESERVATION ORDER 10 OF 2004 ON LAND BETWEEN WALSALL ROAD AND WESTBROOK AVENUE, ALDRIDGE.**

#### **1. PURPOSE OF REPORT**

To seek the confirmation of the Tree Preservation Order No 10 of 2004.

#### **2. RECOMMENDATIONS**

The Committee is recommended to:

- (i) Confirm the Walsall Tree Preservation Order No 10 of 2004 in 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 paragraph 1.2.
- (iii) Note that 7 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 10 of 2004 is located within Aldridge Central and South.

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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CONFIRMATION OF TREE PRESERVATION ORDER 10 OF 2004 ON  
LAND BETWEEN WALSALL ROAD AND WESTBROOK AVENUE,  
ALDRIDGE.

1.0 **REPORT DETAIL.**

- 1.1 Officers received calls from residents who had been approached by developers to purchase large portions of their gardens. These residents were concerned that this would destroy the character of the area which is heavily wooded and inhabited with all manner of wildlife. Investigation revealed that all the residents surrounding this area had been approached, with varying degrees of interest. The scale and nature of this back-land woodland prompted officers to impose an Emergency Tree Preservation Order. This was later substantiated by meetings with the developers who are currently involved in negotiations with the council for planning permission on this land.
- 1.2 The Tree Preservation Order No 10 of 2004 was made on 04/11/2004. 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 16/12/2004. Seven responses have been received supporting the order on environmental and conservation grounds.
- 1.4 The Committee is therefore recommended to confirm Tree Preservation Order No 10 of 2004 in unmodified form.