



PLANNING COMMITTEE: –

29th July 2010

REPORT OF THE HEAD OF REGENERATION – DEVELOPMENT AND DELIVERY

CONFIRMATION OF TREE PRESERVATION ORDER 21 OF 2009 ON HIGHGATE, STREETLY, SUTTON COLDFIELD. TO REVOKE TREE PRESERVATION ORDER 30 OF 2007

1. PURPOSE OF REPORT

To seek the confirmation of the Tree Preservation Order No 21 of 2009 in an unmodified form and subject to the confirmation of Tree Preservation Order 21 of 2009, revoke Tree Preservation Order 30 of 2007.

2. RECOMMENDATIONS

The Committee is recommended to:

- (i) Confirm the Walsall Tree Preservation Order No. 21 of 2009 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 10.
- (iii) Note that no representations have been received in respect of this Tree Preservation Order.
- (iv) To authorise the revocation of Walsall Tree Preservation Order 30 of 2007. A plan showing the Tree Preservation Order is attached to this 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 Tree Preservation Order 21 of 2009 is located within the 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. REPORT DETAIL

10.1 The Tree Preservation Order No 21 of 2009 was made on 15th December 2009. The trees, the subject of this Order, vary in age ranges and are of good shape, form and condition. They trees are protected for the following reasons:

- The trees form a prominent landscape feature in the local area and will continue to contribute to landscape quality in the future.
- The original Tree Preservation Order (30 of 2007) was found to be inaccurate and contained several anomalies, which this TPO aims to address.
- The trees add to the amenity and visual diversity of the immediate area and provide a valuable screen between the site and the residential properties to the south.
- The Council's Unitary Development Plan identifies policies for protection of the trees and green spaces.

- 10.2 Tree Preservation Order 21 of 2009 has amended the location and species of the trees covered by TPO 30 of 2007. In order to avoid future confusion resulting from having two orders protecting, some of, the same trees I am recommending that Tree Preservation Order 30 of 2007 be revoked once Tree Preservation Order 21 of 2009 is confirmed.
- 10.3 The minimum six week period allowed for objection to the Order expired on 26th January 2010. No responses have been received.
- 10.4 The Committee is therefore recommended to confirm Tree Preservation Order No 21 of 2009 in its unmodified form.

11. **CONTACT OFFICER**

Cameron Gibson - Extension: 2453

12. **BACKGROUND PAPERS**

File PD1/17/897 relating to Tree Preservation Order No. 21 of 2009.
File PD1/17/798 relating to Tree Preservation Order No. 30 of 2007.

Simon Tranter,
HEAD OF REGENERATION – DEVELOPMENT AND DELIVERY



TPO 21 of 2009

Highgate, Streetly, Sutton Coldfield.



Not to Scale Date 13 November 2009 Centre 408492E 298496N Cameron Gibson

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