



Walsall Metropolitan Borough Council

DEVELOPMENT CONTROL COMMITTEE: –

19th April 2005

REPORT OF ASSISTANT DIRECTOR FOR URBAN REGENERATION

CONFIRMATION OF TREE PRESERVATION ORDER 11 OF 2004 ON LAND FRONTING ACORN PRINT, OWEN ROAD, WILLENHALL.

1. PURPOSE OF REPORT

To seek the confirmation of the Tree Preservation Order No 11 of 2004.

2. RECOMMENDATIONS

The Committee is recommended to:

- (i) Confirm the Walsall Tree Preservation Order No 11 of 2004 in unmodified form. A plan showing the Tree Preservation Order is attached to this report indicating the position of the trees labelled T1 – T6.
- (ii) Support the reason for making the Tree Preservation Order set out in paragraph 1.2.
- (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 11 of 2004 is located within Willenhall 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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1.0 **REPORT DETAIL.**

- 1.1.1 Whilst responding to a query about trees fronting Acorn Print, it became clear to the councils officers that the owner of the premises was intent on inappropriate works that would have considerably shortened the trees' useful life and destroyed their appearance. Protection was deemed expedient to control future work so a Tree Preservation Order was drawn up.

Not only are these London Planes visually prominent specimens fronting the property but they are quite young, having only reached approximately 20% of their growth potential.

This premises is in an industrial area with very little tree cover. The pollution control and amenity these trees provide are cause for protection alone.

- 1.2 The Tree Preservation Order No 11 of 2004 was made on 30/11/2004. The reason given for the making of the Tree Preservation Order was as follows:

‘the trees included in the Tree Preservation Order are visually prominent specimens which contribute to the visual amenity of the neighbourhood and provide environmental benefits’.

- 1.3 The minimum six week period allowed for objection to the Order expired on 11/01/2005. No responses have been received.

- 1.4 The Committee is therefore recommended to confirm Tree Preservation Order No 11 of 2004 in unmodified form.