



PLANNING COMMITTEE: –

9th September 2010

REPORT OF THE HEAD OF REGENERATION – DEVELOPMENT AND DELIVERY

CONFIRMATION OF TREE PRESERVATION ORDER 14 OF 2009 ON THE LANE ARMS PH, 169 WOLVERHAMPTON ROAD WEST, WALSALL WS2 0BX.

1. PURPOSE OF REPORT

To seek the confirmation of the Tree Preservation Order No 14 of 2009 in an unmodified form.

2. RECOMMENDATIONS

The Committee is recommended to:

- (i) Confirm the Walsall Tree Preservation Order No. 14 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.

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

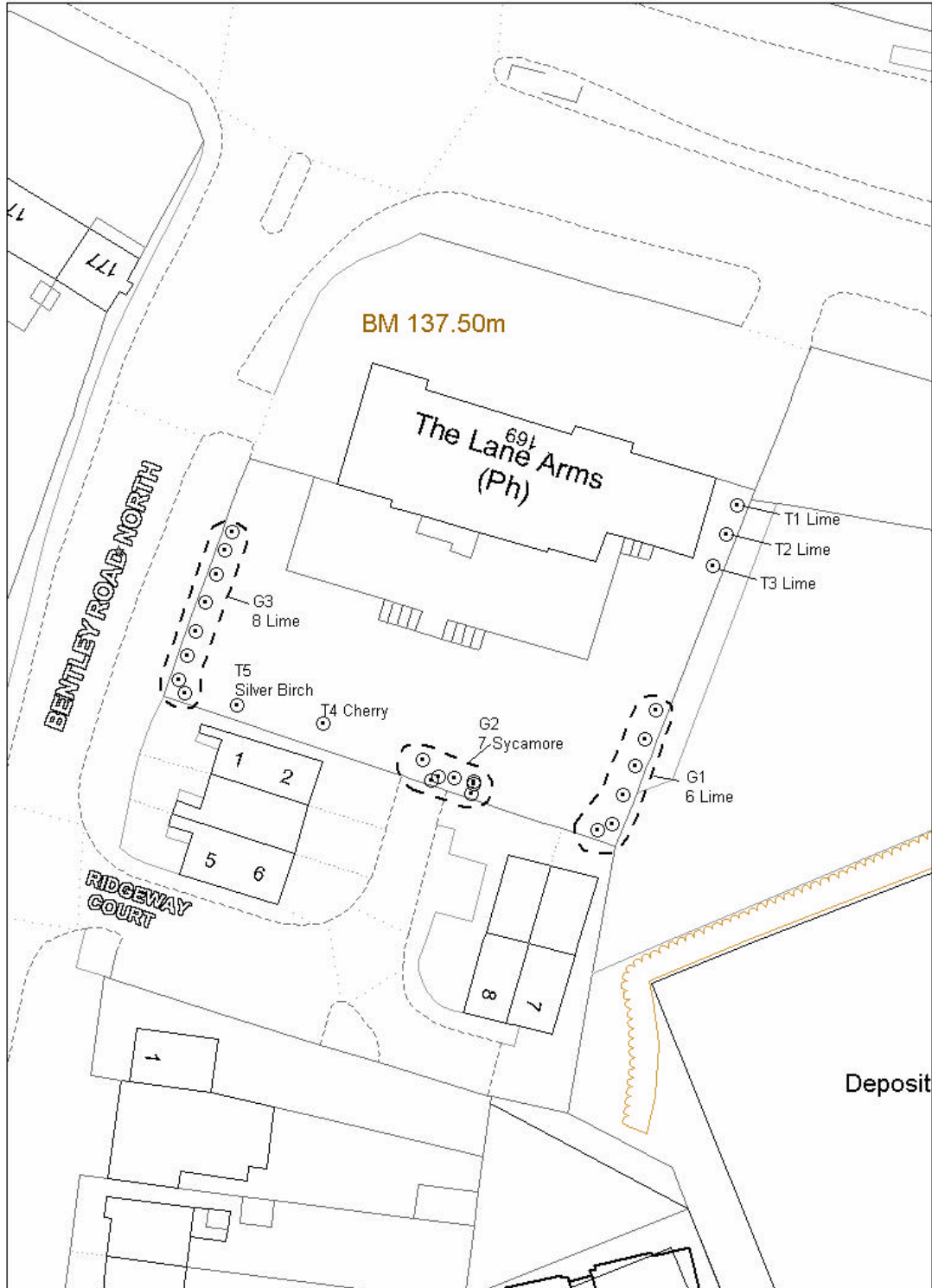
5. LEGAL IMPLICATIONS

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.



TPO 14 of 2009

The Lane Arms PH, 169 Wolverhampton Road West, Walsall WS2 0BX.



Not to Scale Date 15 September 2009 Centre 398553E 298541N Cameron Gibson

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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 14 of 2009 is located within the Bentley and Darlaston North 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 14 of 2009 was made on 8th March 2010. The trees are visually prominent and 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 site has been considered for development (application reference 09/0414/FL, which was granted consent subject to conditions) which is yet to commence. This permission has not consented to any form of landscaping and a condition requested details of this has been included in the Decision Notice.
- 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 The minimum six week period allowed for objection to the Order expired on 20th April 2010. No objections have been received although one letter of support from a neighbouring resident was received.

10.3 The Committee is therefore recommended to confirm Tree Preservation Order No 14 of 2009 in its unmodified form.

11. **CONTACT OFFICER**

Cameron Gibson - Extension: 2453

12. **BACKGROUND PAPERS**

File PD1/17/891 relating to Tree Preservation Order No 14 of 2009.

Simon Tranter,
HEAD OF REGENERATION – DEVELOPMENT AND DELIVERY