



DEVELOPMENT CONTROL COMMITTEE: –

5th November 2009

REPORT OF THE HEAD OF REGENERATION – DEVELOPMENT AND DELIVERY

CONFIRMATION OF TREE PRESERVATION ORDER 34 OF 2008 ON 13 AND 17 PORTLAND ROAD, ALDRIDGE. TO REVOKE TREE PRESERVATION ORDER 17 OF 2004.

1. PURPOSE OF REPORT

To seek the confirmation of the Tree Preservation Order No 34 of 2008 in an unmodified form, and subject to the confirmation of 34 of 2008, to revoke Tree Preservation Order 17 of 2004.

2. RECOMMENDATIONS

The Committee is recommended to:

- (i) Confirm the Walsall Tree Preservation Order No 34 of 2008 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 1.1 .
- (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 17 of 2004.

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 34 of 2008 is located within Aldridge Central and South 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. **CONTACT OFFICER**

Cameron Gibson - Extension: 2453

11. **BACKGROUND PAPERS**

File PD1/17/860 relating to Tree Preservation Order No 34 of 2008.

Simon Tranter,
HEAD OF REGENERATION – DEVELOPMENT AND DELIVERY

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1.0 REPORT DETAIL.

- 1.1 The Tree Preservation Order No 34 of 2008 was made on 26 March 2009. This Tree Preservation Order serves to replace and bring up to date the protection of amenity offered by elements of Tree Preservation Order 17 of 2004 and was made 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 trees add to the amenity and visual diversity of the immediate area.
 - The Councils Unitary Development Plan identifies policies for the protection of trees and green spaces.
- 1.2 Tree Preservation Order No 17 of 2004 was found to contain some errors in the plotting of the trees. It was therefore necessary to review the TPO to ensure that the trees would be legally protected, the TPO would be legally valid and to bring it up to date with current guidance and legislation.
- 1.3 The minimum six week period allowed for objection to the Order expired on 7 May 2009. No responses have been received.
- 1.4 The Committee is therefore recommended to confirm Tree Preservation Order No 34 of 2008 in its unmodified form.
- 1.5 The Committee is therefore recommended to revoke Tree Preservation Order No 17 of 2004.



TPO 34 of 2008 – 13 and 17 Portland Rd, Aldridge, Walsall



Not to Scale Date 23 October 2008 Centre 405653E 300502N Cameron Gibson

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