



DEVELOPMENT CONTROL COMMITTEE: –

15 July 2008

REPORT OF THE ASSISTANT DIRECTOR – REGENERATION.

CONFIRMATION OF TREE PRESERVATION ORDER 6 OF 2008 ON LAND AT 134 TO 152, WALSALL ROAD, ALDRIDGE WS9 0JT. TO REVOKE TREE PRESERVATION ORDER 10 OF 2004.

1. PURPOSE OF REPORT

To seek the confirmation of the Tree Preservation Order 6 of 2008, and subject to the confirmation of TPO 6 of 2008 to revoke Tree Preservation Order 10 of 2004.

2. RECOMMENDATIONS

The Committee is recommended to:

- (i) Confirm the Walsall Tree Preservation Order 6 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 one representation of support has been received in respect of this Tree Preservation Order.
- (iv) To authorise the revocation of Walsall Tree Preservation Order 10 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 6 of 2008 is located within the 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**

Andrew Cook - Extension: 2447.

11. **BACKGROUND PAPERS**

File PD1/17/832 relating to Tree Preservation Order 6 of 2008.
File PD1/17/667 relating to Tree Preservation Order 10 of 2004.

Michael Tichford,
Assistant Director – Regeneration.

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1.0 REPORT DETAIL.

1.1 The Tree Preservation Order 6 of 2008 was made on 1 April 2008. The trees are visually prominent in the street scene and were protected for the following reasons:

- The trees form a prominent landscape feature in the local area and will continue to provide an important item of landscape quality in the future
- The trees add to the amenity and diversity of the immediate area and will continue to provide an important item of landscape quality in the future
- The Council's Unitary Development Plan identifies policies for protection of the trees and green spaces

1.2 Reasons for revoking TPO 10 of 2004 are as follows;

- TPO 10 of 2004 which was recently reviewed at the request of the residents. The TPO was an 'Area Order' which protected all trees within the rear gardens, the outcome of the review means that the new TPO 6 of 2008 details individual trees which are specifically protected and consequently gives residents of the properties more freedom to manage the more insignificant trees that have been excluded from the order. The exclusion of certain trees from the new order may also modestly reduce Council Officers' workload by reducing the number of applications.
- The minimum six week period allowed for objection to the Order expired on 13 May 2008. One response has been received by letter from 13, Dilke Road, Aldridge in support of this TPO.

1.4 The Committee is therefore recommended to confirm Tree Preservation Order No 6 of 2008 in an unmodified form and to revoke Tree Preservation Order 10 of 2004.