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DEVELOPMENT CONTROL COMMITTEE: –

28 October 2008

REPORT OF THE HEAD OF REGENERATION – DEVELOPMENT AND DELIVERY

**CONFIRMATION OF TREE PRESERVATION ORDER 17 OF 2008 ON LAND AT THE HAWTHORNS, CARTBRIDGE LANE, WALSALL, WS4 1SB.**

**1. PURPOSE OF REPORT**

To seek the confirmation of the Tree Preservation Order No 17 of 2008.

**2. RECOMMENDATIONS**

The Committee is recommended to:

- (i) Confirm the Walsall Tree Preservation Order No 17 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.

**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 17 of 2008 is located within the Rushall - Shelfield 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 – Ext. 2447

11. **BACKGROUND PAPERS**

File PD1/17/843 relating to Tree Preservation Order No 17 of 2008.

**Simon Tranter,**  
HEAD OF REGENERATION – DEVELOPMENT AND DELIVERY

DEVELOPMENT CONTROL COMMITTEE: –

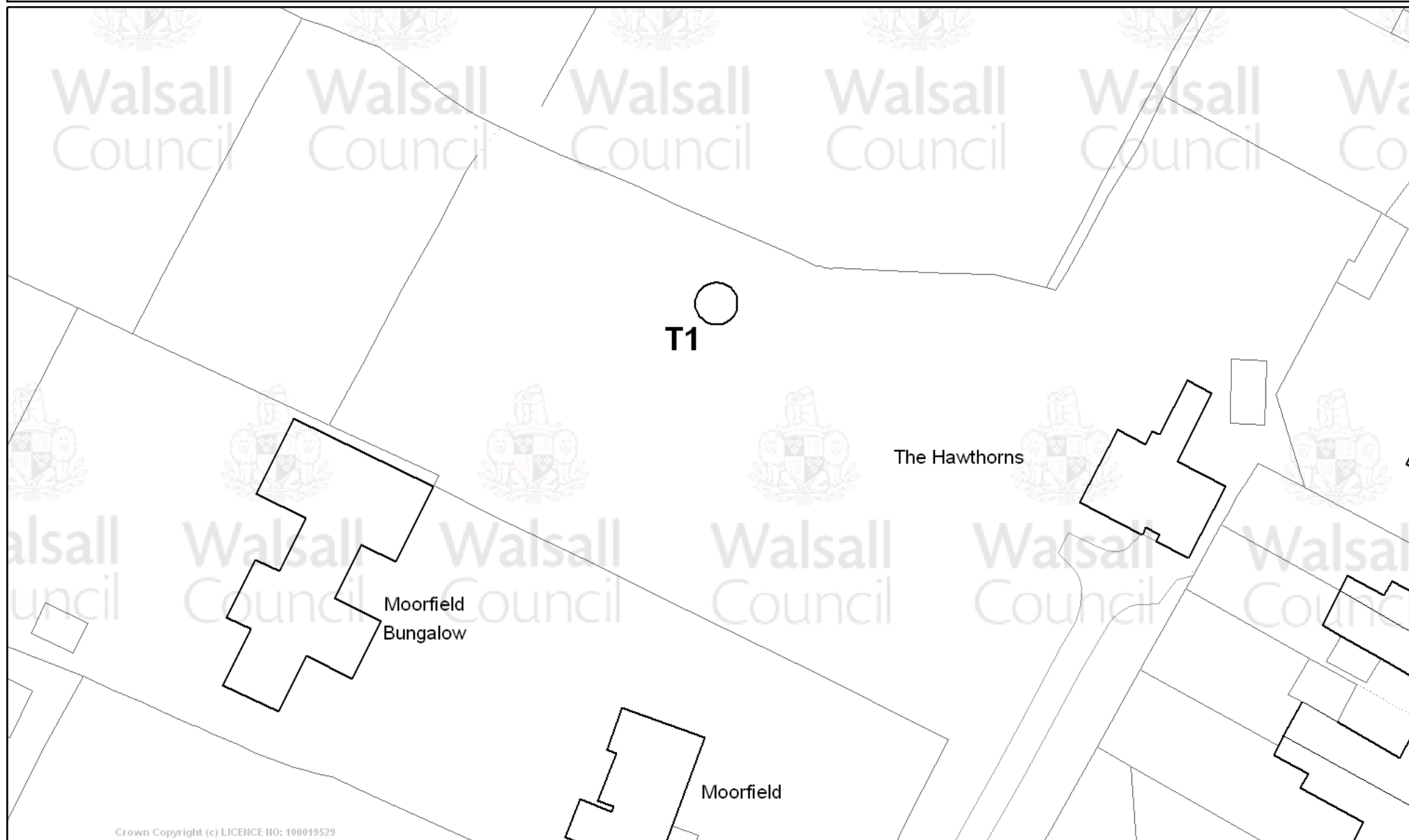
28 October 2008

CONFIRMATION OF TREE PRESERVATION ORDER 17 OF 2008 ON LAND AT THE HAWTHORNS, CARTBRIDGE LANE, WALSALL, WS4 1SB.

**1.0 REPORT DETAIL.**

- 1.1 The Tree Preservation Order No 17 of 2008 was made on 2 July 2008. The tree was protected for the following reasons:
- This tree was supposed to have been included in group G6 of schedule 1 in Tree Preservation Order No 25 of 2007 that superseded TPO 6 of 1974. However due to a software problem the tree was omitted from the printed document that was confirmed by the Development Control Committee of the 11<sup>th</sup> December 2007. This new order seeks to correct that omission.
  - The tree forms a prominent landscape feature in the local area and will continue to contribute to landscape quality in the future.
  - The tree adds to the amenity and visual diversity of the immediate area.
  - The tree is at risk from proposed development and making an emergency Tree Preservation Order will discourage its premature removal.
  - The Council's Unitary Development Plan identifies policies for protection of the trees and green spaces.
- 1.2 The minimum six week period allowed for objection to the Order expired on 13 August 2008. No responses have been received.
- 1.3 The Committee is therefore recommended to confirm Tree Preservation Order No 17 of 2008 in unmodified form.

**TPO 17 OF 2008 - LAND AT THE HAWTHORNS, CARTBRIDGE LANE, WALSALL**



**Walsall Council**

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Date 20/6/2008

