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DEVELOPMENT CONTROL COMMITTEE: –

28 October 2008

REPORT OF THE HEAD OF REGENERATION – DEVELOPMENT AND DELIVERY

**CONFIRMATION OF TREE PRESERVATION ORDER 16 OF 2008 ON LAND ALONGSIDE HUNDRED ACRE ROAD AND LANESIDE AVENUE, STREETLY.**

**1. PURPOSE OF REPORT**

To seek the confirmation of the Tree Preservation Order No 16 of 2008.

**2. RECOMMENDATIONS**

The Committee is recommended to:

- (i) Confirm the Walsall Tree Preservation Order No 16 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 16 of 2008 is located within Streetly 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 PD1/17/842 relating to Tree Preservation Order No 16 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 16 of 2008 was made on 24 July 2008. The tree was 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 trees add to the amenity and visual diversity of the immediate area.
  - Unsympathetic pruning or the removal of one or all of these trees would be to the detriment of local amenity.
  - 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 4 September 2008. No responses have been received.
- 1.3 The Committee is therefore recommended to confirm Tree Preservation Order No 16 of 2008 in unmodified form.

