



DEVELOPMENT CONTROL COMMITTEE: –

16 July 2009

REPORT OF THE HEAD OF DEVELOPMENT AND DELIVERY

**CONFIRMATION OF TREE PRESERVATION ORDER 9 OF 2009 ON LAND
AT 31, HALL LANE, PELSALL, WS3 4JQ.**

1. PURPOSE OF REPORT

To seek the confirmation of the Tree Preservation Order 9 of 2009.

2. RECOMMENDATIONS

The Committee is recommended to:

- (i) Confirm the Walsall Tree Preservation Order 9 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 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 2 of 2009 is located within the Pelsall 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 PD1/17/886 relating to Tree Preservation Order 9 of 2009.

Simon Tranter,
HEAD OF DEVELOPMENT AND DELIVERY

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1.0 REPORT DETAIL.

- 1.1 The Tree Preservation Order 9 of 2009 was made on 28 April 2009. 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 property is the subject of planning application 09/0289/FL for the construction of a new dwelling house which may result in the premature loss of these important trees.
 - 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 9 June 2009. No representations have been received,
- 1.3 The Committee is therefore recommended to confirm Tree Preservation Order No 9 of 2009 in an unmodified form.