



PLANNING COMMITTEE: –

9th September 2010

REPORT OF THE HEAD OF REGENERATION – DEVELOPMENT AND DELIVERY

CONFIRMATION OF TREE PRESERVATION ORDER 24 OF 2009 ON 5 BILSTON ROAD, WILLENHALL WV13 2JT.

1. PURPOSE OF REPORT

To seek the confirmation of the Tree Preservation Order No 24 of 2009 in an unmodified form.

2. RECOMMENDATIONS

The Committee is recommended to:

- (i) Confirm the Walsall Tree Preservation Order No 24 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 10.
- (iii) Note that no representations have been received in respect of this Tree Preservation Order.

3. FINANCIAL IMPLICATIONS

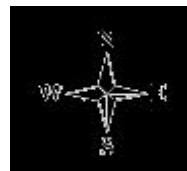
Within budget, in general, new Tree Preservation Orders generate additional applications for consent and increase officers' workload.

4. POLICY IMPLICATIONS

Within Council policy – YES

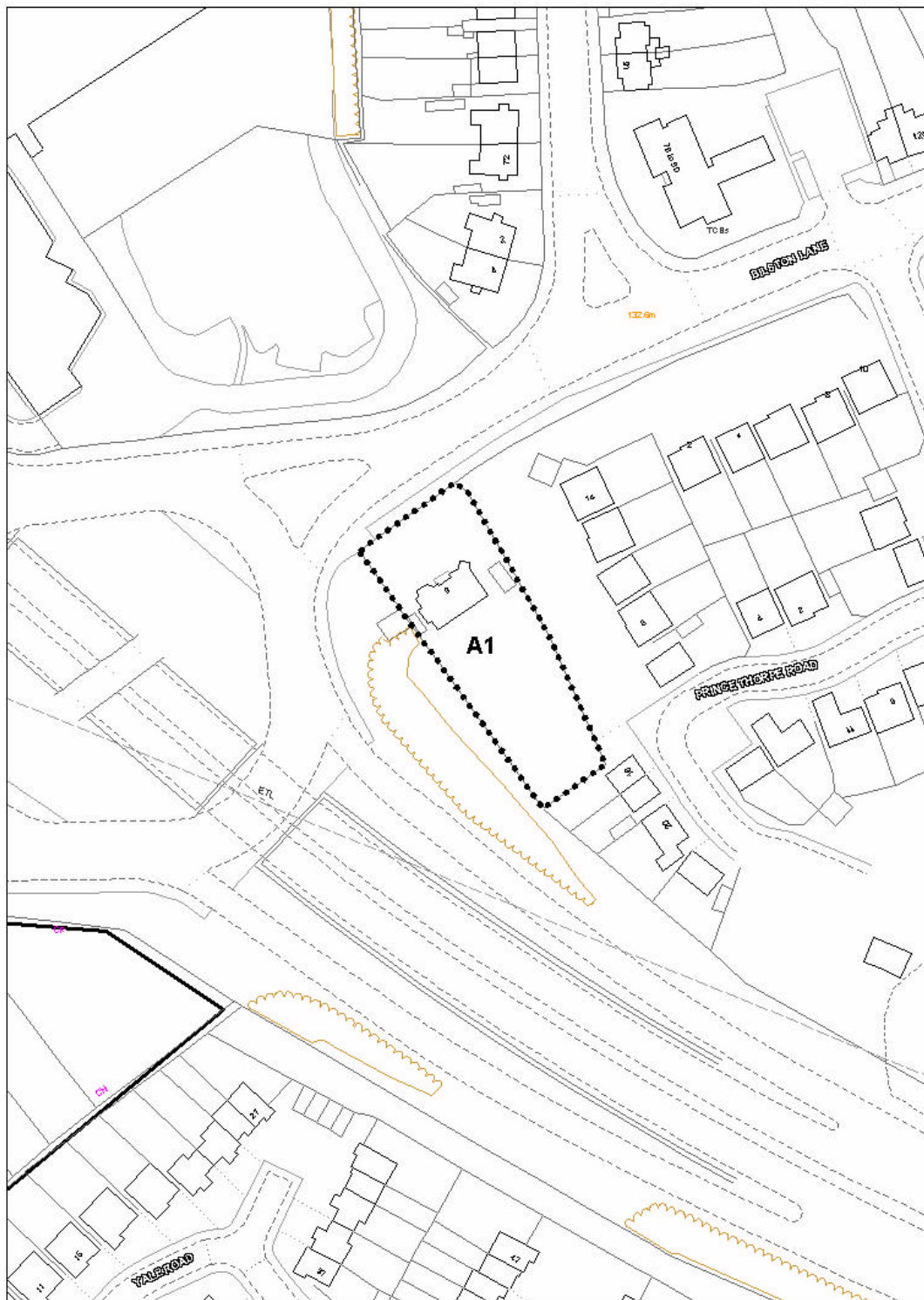
5. LEGAL IMPLICATIONS

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.



TPO 24 of 2009

5 Bilston Road, Willenhall WV13 2JT.



Not to Scale Date 16 December 2009 Centre 396415E 297719N Cameron Gibson

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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 24 of 2009 is located within the Willenhall 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 **REPORT DETAIL**

10.1 The Tree Preservation Order No 24 of 2009 was made on 17th December 2009. The trees are visually prominent and are 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.
- The trees were the subject of a Planning Application (09/1584/FL), which was refused due to the potential loss of significant trees on the site.
- The Council's Unitary Development Plan identifies policies for protection of the trees and green spaces

10.2 The minimum six week period allowed for objection to the Order expired on 28th January 2010. No representations have been received.

10.3 The Committee is therefore recommended to confirm Tree Preservation Order No 24 of 2009 in its unmodified form.

11. **CONTACT OFFICER**

Cameron Gibson - Extension: 2453

12. **BACKGROUND PAPERS**

File PD1/17/901 relating to Tree Preservation Order No 24 of 2009.

Simon Tranter,
HEAD OF REGENERATION – DEVELOPMENT AND DELIVERY