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PLANNING COMMITTEE: –

9<sup>th</sup> September 2010

**REPORT OF THE HEAD OF REGENERATION – DEVELOPMENT AND DELIVERY**

**CONFIRMATION OF TREE PRESERVATION ORDER 11 OF 2009 ON LAND AT FORMER CARDBOARD BOX FACTORY, SPRING LANE, WILLENHALL WV12 4HL. TO REVOKE TREE PRESERVATION ORDER 12 OF 2007.**

**1. PURPOSE OF REPORT**

To seek the confirmation of the Tree Preservation Order No 11 of 2009 in an unmodified form.

**2. RECOMMENDATIONS**

The Committee is recommended to:

- (i) Confirm the Walsall Tree Preservation Order No 11 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.
- (iv) To authorise the revocation of Walsall Tree Preservation Order 12 of 2007. A plan showing this Tree Preservation Order is attached to this report.

**3. FINANCIAL IMPLICATIONS**

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

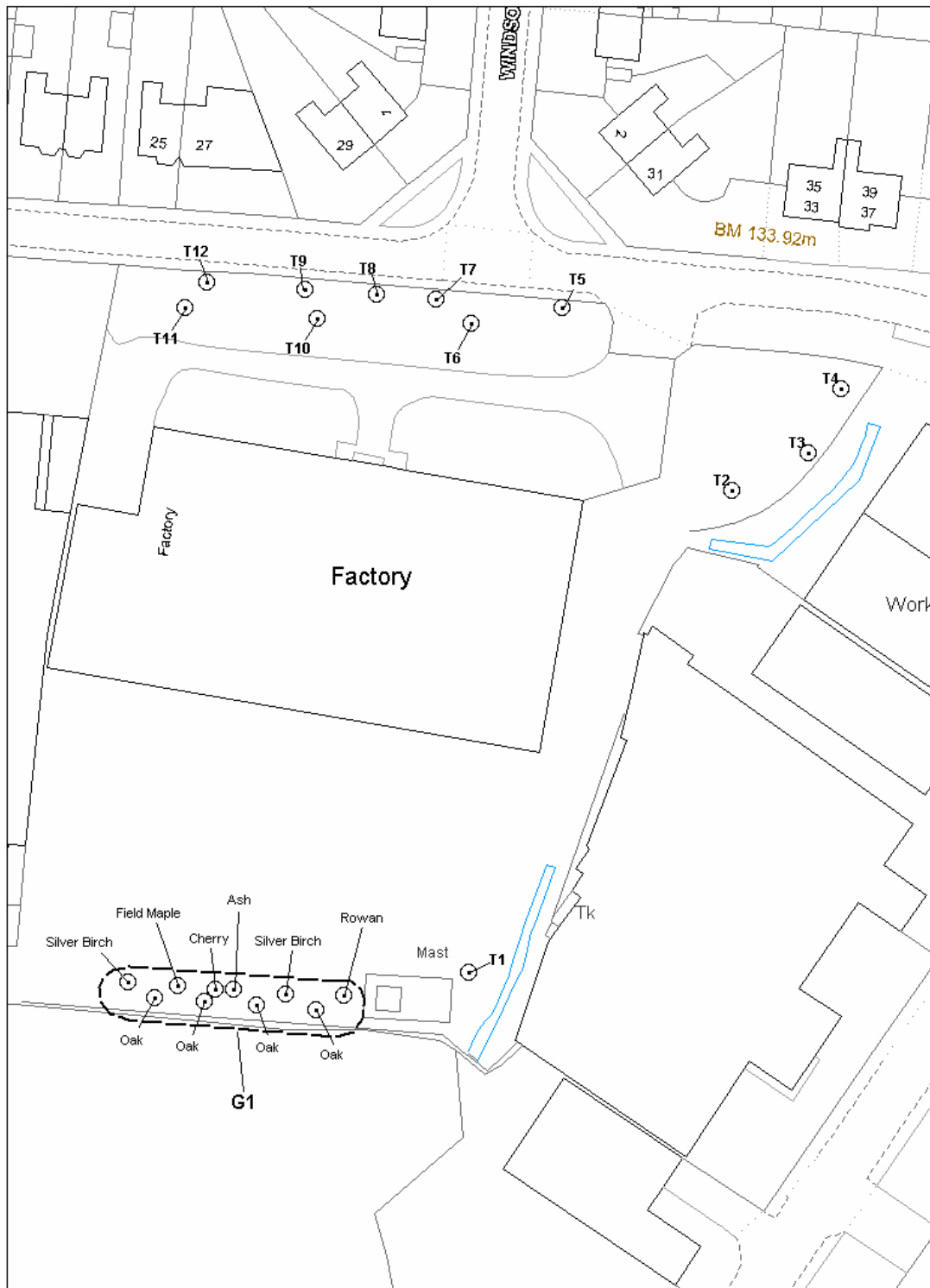
**4. POLICY IMPLICATIONS**

Within Council policy – YES

**5. LEGAL IMPLICATIONS**



TPO 11 of 2009 on land at former Cardboard Box factory, Spring Lane, Willenhall.



Not to Scale    Date 21 October 2009    Centre 397026E 299879N    Cameron Gibson

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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 11 of 2009 is located within the Short Heath Ward.

**9. CONSULTTEES**

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 11 of 2009 was made on 15<sup>th</sup> 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.
- They add to the amenity and visual diversity of the immediate area
- The site is under consideration from development which would result in the loss or severe disfigurement of several significant trees within the site.
- The current Tree Preservation Order (12 of 2007) was found to contain several anomalies, which this TPO aims to correct.
- The Council's Unitary Development Plan identifies policies for protection of the trees and green spaces.

- 10.2 Tree Preservation Order 11 of 2009 has amended the location and species of the trees covered by TPO 12 of 2007. In order to avoid future confusion resulting from having two orders protecting the same trees I am recommending that Tree Preservation Order 12 of 2007 be revoked once Tree Preservation Order 11 of 2009 is confirmed.
- 10.3 The minimum six week period allowed for objection to the Order expired on 26<sup>th</sup> January 2010. No responses have been received.
- 10.4 The Committee is therefore recommended to confirm Tree Preservation Order No 11 of 2009 in its unmodified form.

11. **CONTACT OFFICER**

Cameron Gibson - Extension: 2453

12. **BACKGROUND PAPERS**

File PD1/17/888 relating to Tree Preservation Order No 11 of 2009.

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