



DEVELOPMENT CONTROL COMMITTEE: –

5 August 2008

REPORT OF THE HEAD OF REGENERATION - DELIVERY AND
DEVELOPMENT

**CONFIRMATION OF TREE PRESERVATION ORDER 10 OF 2008 ON
LAND AT 6, THE ALCOVE, WALSALL, WS3 3BL.**

1. PURPOSE OF REPORT

To seek the confirmation of the Tree Preservation Order No 10 of 2008.

2. RECOMMENDATIONS

The Committee is recommended to:

- (i) Confirm the Walsall Tree Preservation Order No 10 of 2008 in 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 three 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 10 of 2008 is located within the Bloxwich East 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 PD1/17/836 relating to Tree Preservation Order No 10 of 2008.

Simon Tranter,
HEAD OF REGENERATION - DELIVERY AND DEVELOPMENT

DEVELOPMENT CONTROL COMMITTEE: –

5 AUGUST 2008

CONFIRMATION OF TREE PRESERVATION ORDER 10 OF 2008 ON LAND AT 6, THE ALCOVE, WALSALL, WS3 3BL.

1.0 **REPORT DETAIL.**

1.1 The Tree Preservation Order No 10 of 2008 was made on 11 April 2008. 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.
- The Council's Unitary Development Plan identifies policies for protection of the trees and green spaces.
- It was reported by members of the public that a number of significant trees were in the process of being removed by contractors and Walsall Council responded by the making of an emergency Tree Preservation Order to prevent the further removal of the remaining important trees.

1.2 The minimum six week period allowed for objection to the Order expired on 23 May 2008. Three representations have been received by letter from no. 306, Field Road, no. 4, The Alcove and no. 44, Benton Crescent the contents of which are as follows;

- No. 44, Benton Crescent expressed concern that the property owner had removed trees which had resulted in a loss of privacy. The letter also strongly objects to anymore trees being removed and is accompanied by a list of signatures from twenty addresses in the locality who support the letters contents.
- The letter from no. 4, The Alcove strongly objects to the removal of any further trees as they offer a degree of privacy between the properties.
- No. 306, Field Road objected to the removal of the trees as they had provided visual diversity and where prominent landscape features, the letter also adds that they would object to the removal of any further trees.

As there was some confusion in the representations regarding the tree removal and the subsequent Tree Preservation Order (TPO) the Council responded to each representation by letter to clarify the situation. Despite this the Council consider the representations received as in favour of the TPO.

1.3 The Committee is therefore recommended to confirm Tree Preservation Order No 10 of 2008 in unmodified form.