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**DEVELOPMENT CONTROL COMMITTEE: –**

09 December 2008

REPORT OF HEAD OF DEVELOPMENT & DELIVERY

**SERVING OF TREE PRESERVATION ORDER 49 of 2008 ON LAND AT STAFFORD ROAD, BLOXWICH & FRANCES DRIVE, WALSALL.**

**1. PURPOSE OF REPORT**

To seek the authority to make Tree Preservation Order No 49 of 2008.

**2. RECOMMENDATIONS**

The Committee is recommended to:

- (i) Authorise the making of Walsall Tree Preservation Order No 49 of 2008. A plan showing the proposed Tree Preservation Order is attached to this report.
- (ii) Support the reason for making the Tree Preservation Order set out in paragraph 2 of the detailed 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**

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 proposed Tree Preservation Order 49 of 2008 is located within the Bloxwich East Ward.

**9. CONSULTEES**

Owners and near neighbours will be sent copies of the Tree Preservation Order and invited to make representations to the Council in both opposition and support of this Tree Preservation Order. Any responses will be described within the future report for the confirmation of this order.

**10. CONTACT OFFICER**

Andrew Cook - Extension: 2447

**11. BACKGROUND PAPERS**

N/A

**Simon Tranter**  
HEAD OF DEVELOPMENT & DELIVERY

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STAFFORD ROAD, BLOXWICH & FRANCES DRIVE

**REPORT DETAIL.**

1. This new Order follows the periodic review of an existing Tree Preservation Order which was found to contain some anomalies. The trees, the subject of this proposed Order, are situated within the front and rear gardens of the residential properties at Stafford Road and Frances Drive, Bloxwich, Walsall. The trees on site are presently covered by Tree Preservation Order 20 of 1975 although there are some anomalies with this Order. Tree Preservation Order 49 of 2008 aims to correct the anomalies, include only those trees worthy of a Tree Preservation order and bring the Order up to date with current regulations. It will also ensure a significant level of amenity, aesthetic and landscape value be retained in the locality.
2. The trees selected for continued protection under Tree Preservation Order 49 of 2008 are protected for the following reasons:
  - They 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 Council's Unitary Development Plan identifies policies for protection of the trees and green spaces.
  - The original Tree Preservation Order 20 of 1975 requires updating and the trees re-assessing.
3. The trees in question are worthy of protection for their contribution to the local landscape, and are a component part of the quality of the local landscape. They will, in the future, also provide a mature visual amenity feature that will add quality directly to the local area along with other trees. It is therefore considered expedient in the interests of the long-term amenity of the area to ensure the continued retention of the trees by making Tree Preservation Order 49 of 2008.
4. When the Tree Preservation Order 49 of 2008 is presented to this committee for confirmation it will also be recommended that the original Tree Preservation Order 20 of 1975 is revoked.



TPO 49 of 2008 land at Stafford Road & Frances Drive, Walsall.

