



DEVELOPMENT CONTROL COMMITTEE: –

19 February 2008

REPORT OF THE INTERIM HEAD OF REGENERATION - DELIVERY AND DEVELOPMENT

CONFIRMATION OF TREE PRESERVATION ORDER 30 OF 2007 ON LANDS AT HIGHGATE, STREETLY, B74 3HW

1. **PURPOSE OF REPORT**

To seek the confirmation of the Tree Preservation Order No 30 of 2007.

2. **RECOMMENDATIONS**

The Committee is recommended to:

- (i) Confirm the Walsall Tree Preservation Order No 30 of 2007 in a modified 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 one representation has 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 30 of 2007 is located within Streetly 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 PD1/17/798 relating to Tree Preservation Order No 30 of 2007.

Simon Tranter,
INTERIM HEAD OF REGENERATION - DELIVERY AND DEVELOPMENT

DEVELOPMENT CONTROL COMMITTEE: –

19 February 2008

CONFIRMATION OF TREE PRESERVATION ORDER 30 OF 2007 AND TO LANDS AT HIGHGATE, STREETLY, B74 3HW

1.0 **REPORT DETAIL.**

1.1 The Tree Preservation Order No 30 of 2007 was made on 13 September 2007. The trees 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 trees are at risk from excessive pruning by one of the land owners and making an emergency Tree Preservation Order will discourage the premature removal of important trees
- The Council's Unitary Development Plan identifies policies for protection of the trees and green spaces
- The minimum six week period allowed for objection to the Order expired on 25 October 2007. One response has been received.

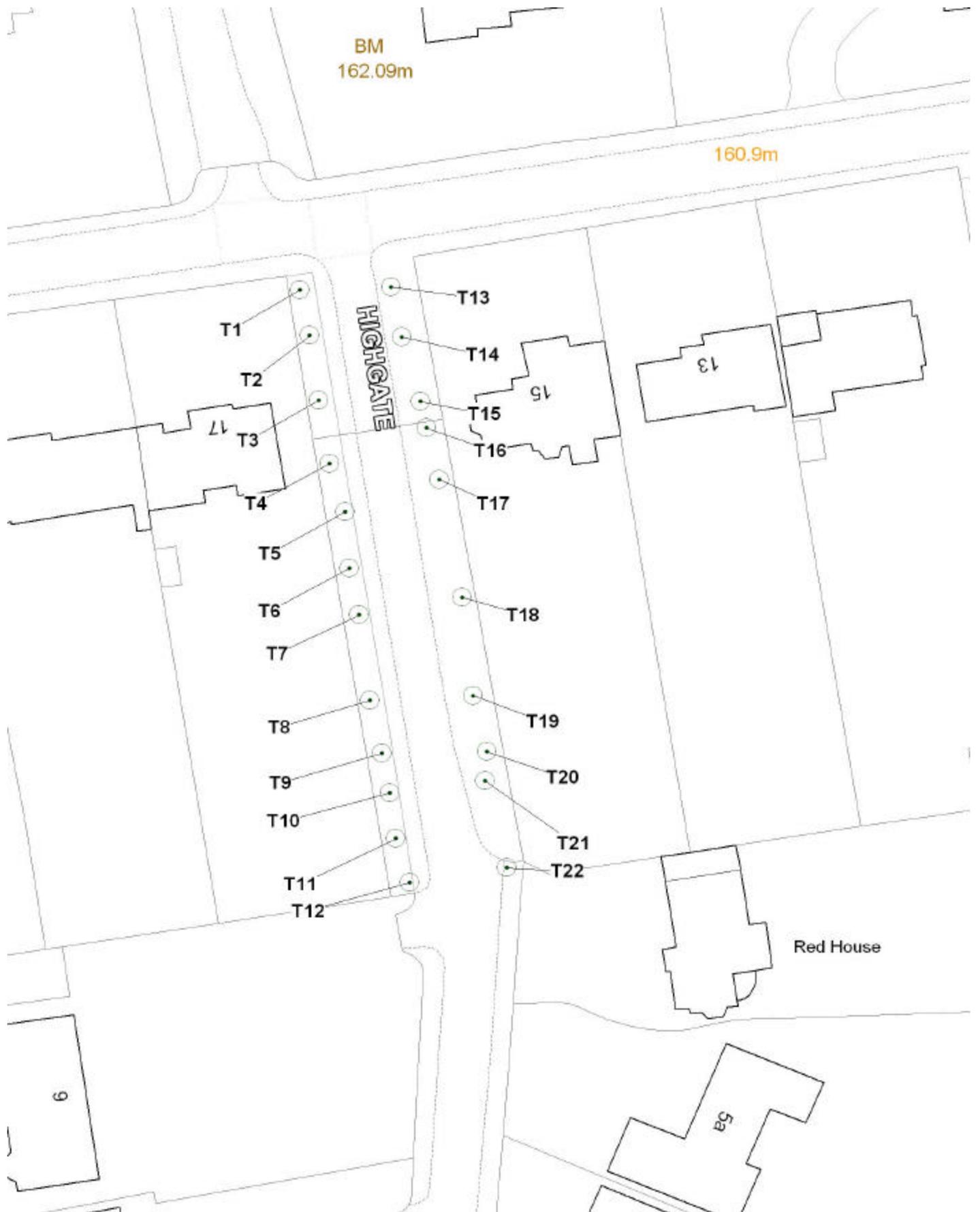
The owner of 17 Foley Road East both supports and objects to the Preservation Order, their objection is made for the following reason:

- The objection arises from the fact the objector feels that the Tree Preservation Order will prevent any routine maintenance being carried out to the trees within the Order

The Council's response to this objection is as follows:

- The issuing of a Tree Preservation Order does not prevent good sound arboricultural practices being carried out to the trees, however, Council permission will be required prior to any works.

1.3 The Committee is therefore recommended to confirm Tree Preservation Order No 30 of 2007 in a modified form.



 Walsall Council	Tree Preservation Order No 30/2007 Highgate, Streetly, B74 3HW	Scale Not to scale	
		Date 29/01/2008	
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