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PLANNING COMMITTEE: –

20 September 2012

REPORT OF THE HEAD OF REGENERATION - DEVELOPMENT AND DELIVERY

**MAKING OF TREE PRESERVATION ORDER 9 OF 2012 ON LAND AT 123 AND 125 FIELD ROAD, WALSALL, WS3 3HU.**

1. **PURPOSE OF REPORT**

To seek the authority to make Tree Preservation Order No 9 of 2012.

2. **RECOMMENDATIONS**

The Committee is recommended to:

- (i) Authorise the making of Walsall Tree Preservation Order No 9 of 2012. A plan and schedule for 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 9 of 2012 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 and assessed within any future confirmation report to Planning Committee.

10. **CONTACT OFFICER**

Andrew Cook - Extension: 4740

11. **BACKGROUND PAPERS**

N/A

**Simon Tranter**  
HEAD OF DEVELOPMENT & DELIVERY

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20 September 2012

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**REPORT DETAIL.**

1. This new Tree Preservation Order (TPO) follows the review of an existing Order with the 'area' classification which protects all trees within a defined area on a map. The area classification has its drawbacks. Firstly, it is possible that trees will be included in the TPO that do not merit protection and secondly the area classification only protects trees standing at the time the TPO was made. Consequently, as new trees are planted or grow within the area it may become difficult to say with certainty which trees are actually protected. In the Secretary of State's view the area classification should only be used in an emergency and then only as a temporary measure until the trees can be assessed properly and reclassified as individuals or groups. The trees are situated within the rear gardens of 123 and 125, Field Road, Walsall, WS3 3HU and they are currently protected by area TPO 33 of 2007. In accordance with Government guidance the trees have been assessed properly and this new TPO 9 of 2012 aims to include only the trees that are worthy of protection. 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 9 of 2012 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 Orders 33 of 2007 was an area classification that required resurveying and updating.
3. The trees in question are worthy of protection for their contribution to the amenity of 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 9 of 2012.
4. When Tree Preservation Order 9 of 2012 is confirmed it is proposed that the original Tree Preservation Order 33 of 2007 be revoked.

## SCHEDULE

### TPO 9 of 2012 SPECIFICATION OF TREES

#### Trees specified individually (encircled in black on the map)

Reference on map	Description	Situation
T1	Purple Beech	In the rear garden of 125 Field Road adjacent the boundary with 123 Field Road
T2	Lime	In the rear garden of 123 Field Road
T3	Sycamore	In the rear garden of 125 Field Road

#### Trees specified by reference to an area (within a dotted black line on the map)

Reference on map	Description	Situation
None		

#### Groups of trees (within a broken black line on the map)

Reference on map	Description	Situation
None		

#### Woodlands (within a continuous black line on the map)

Reference on map	Description	Situation
None		



**Land at 123 & 125 Field Road, Walsall, WS3 3HU**

