

Agenda Item 8

ST ALBANS CITY AND DISTRICT COUNCIL

REPORT TO : Planning (Development Control) Committee South

DATE : 8th February 2010

REPORT TITLE : TREE PRESERVATION ORDER NO.1504 – 129
Mount Pleasant Lane, St Albans

WARDS : St Stephens

PORTFOLIO HOLDER: COUNCILLOR BRAZIER – PLANNING AND
CONSERVATION

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1. **Purpose Of Report**

1.1 To consider confirmation of Tree Preservation Order No.1504.

2. **Recommendations**

2.1 That consideration be given to the confirmation of Tree Preservation Order No. 1504 in respect of two trees located to the front of 129 Mount Pleasant Lane, St Albans, with the following modification. That the Tree Preservation Order No is changed from 1503 to 1504 on the Map.

3. **Corporate Policy Implications including Equalities and Equalities Impact Assessment**

3.1 Aim – to safeguard our environment.

3.2 Aim – to work in partnership for the health and well-being of the community.

4. **Financial implications**

4.1 None.

5. **Legal and Property Implications**

5.1 Since the Order was made pursuant to Section 201 of the Town and Country Planning Act 1990, it will lapse if not confirmed within six months. The Committee is acting in a quasi-judicial capacity when considering confirmation. Officers cannot make a formal recommendation that the Order be confirmed. Members must decide this matter following consideration of any objections received with or without amendment.

5.2 The objection period for orders is twenty-eight days and in this instance, the last date for representations was 23 November 2009. Orders can be confirmed not less than 42 days from the date of service. The last date for confirmation of this order is 21 April 2010.

6. **Workforce implications**

6.1 There are no workforce implications.

7. **Background Information**

7.1 The Interim Head of Planning and Building Control made a Tree Preservation Order at this site in respect of two trees located to the front of 129 Mount Pleasant Lane, St Albans.

7.2 The trees located to the front of 129 Mount Pleasant Lane, St Albans were regarded as having important amenity value and the purpose of the Order was to protect the visual amenity of the trees in the event of any future planning application. The trees, by virtue of their form and size and prominent location at the front of the property, are considered to be of significant visual amenity and landscape value to the area and, are potentially under threat of unnecessary excessive pruning and damage to root area subject to development proposal TP/5/2009/1635.

7.3 The Order was duly served on 21 October 2009 under Section 201 of the Town and Country Planning Act 1990 enabling immediate service of the Order.

7.4 The Committee is requested to consider confirmation of Tree Preservation Order 1504 which will otherwise lapse on 21 April 2010.

7.5 No formal objections have been received against the serving of TPO 1504.

7.6 The original Order was served with the incorrect TPO number recorded on the map. It states TPO No. 1503 instead of TPO No. 1504. The rest of the document refers to TPO 1504.

8. **Conclusion**

8.1 The Committee is requested to consider confirmation of Tree Preservation Order No.1504 in respect of two trees located to the front of 129 Mount Pleasant Lane, St Albans, with the following modification. That the Tree Preservation Order No is changed from 1503 to 1504 on the Map.

9. **Further Information/Appendices**

9.1 Appendix 1 – TPO 1504 Site plan.

9.2 Appendix 2 - Photos of trees

10. **Background Papers - Local Government (Access to Information) Act 1985**

<u>Bibliography</u>	<u>Custodian</u>	<u>File Location</u>
Tree Preservation Order File No.1504	Andrew Branch Trees & Woodlands Officer 01727- 819363	Civic Centre, St Peter's Street, St Albans
Tree Preservation Orders, A Guide to the Law and Good Practice Reports/TPO 1504	Andrew Branch Trees & Woodlands Officer 01727- 819363	Civic Centre, St Peter's Street, St Albans