

Agenda Item 6

ST ALBANS CITY AND DISTRICT COUNCIL

REPORT TO : Planning (Development Control) Committee South

DATE : 1st March 2010

REPORT TITLE : TREE PRESERVATION ORDER NO.1103 – Yule Close, Park Street, St Albans

WARDS : Park Street

PORTFOLIO HOLDER: COUNCILLOR BRAZIER – PLANNING AND CONSERVATION

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1. **Purpose Of Report**

1.1 To consider revocation of Tree Preservation Order No.1103.

2. **Recommendations**

2.1 That consideration be given to the revocation of Tree Preservation Order No. 1103 in respect of an area order protecting all of the trees in Yule Close. This is following the confirmation of the two remaining trees that were judged to still be worthy of a TPO when TPO1494 was confirmed on 30 November 2009.

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

Aim – to safeguard our environment

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 The Order was made pursuant to Section 201 of the Town and Country Planning Act 1990. The Committee is acting in a quasi-judicial capacity when considering revocation. Officers cannot make a formal recommendation that the Order be revoked. Members must decide this matter following consideration of any objections received.

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, TPO 1494, at this site in respect of two trees located to the rear of 6 Yule Close and land adjacent to 1 Yule Close, Park Street. This order was confirmed on 30 November and replaced TPO 1103 and TPO 1129.

- 7.2 Once TPO 1494 was confirmed then TPO 1129, which protected some of the individual trees, was revoked as the new TPO protected the two remaining trees that merited TPO protection.
- 7.3 TPO 1103 should have been revoked at the same time but due to an administrative error the request to revoke it was omitted from the report.
- 7.4 TPO 1103 is an area TPO that covers all of Yule Close, and was served to protect the trees during the construction of the houses. It was effectively replaced by TPO 1129 and should have been revoked at the time.
- 7.5 The Committee is requested to consider revoking Tree Preservation Order 1103.

8. **Conclusion**

- 8.1 The Committee is requested to consider revocation of Tree Preservation Order No.1103 on land in Yule Close, Park Street.

9. **Further Information/Appendices**

- 9.1 Appendix 1 – TPO 1103 Site plan.
- 9.2 Appendix 2 – TPO 1494 Site plan.
- 9.3 Appendix 3 – TPO 1129 Site plan.

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.1103	Andrew Branch Trees & Woodlands Officer 01727- 819363	Civic Centre, St Peter's Street, St Albans
Tree Preservation Order File No.1494	Andrew Branch Trees & Woodlands Officer 01727- 819363	Civic Centre, St Peter's Street, St Albans
Tree Preservation Order File No.1129	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	Andrew Branch Trees & Woodlands Officer 01727- 819363	Civic Centre, St Peter's Street, St Albans

Reports/TPO 1103