

Planning application no.	20/00002/TPO	
Site	Oxley Court, Oxley Moor Road, Wolverhampton, West Midlands, WV10 6TZ	
Proposal	Confirmation Report for The Wolverhampton City Council (Oxley Court No.3) Tree Preservation Order 2020	
Ward	Oxley;	
Applicant	N/A	
Cabinet member with lead responsibility	Councillor Stephen Simkins Cabinet Member for City Economy	
Accountable Director	Richard Lawrence, Director of Regeneration	
Originating service	Planning	
Accountable employee	James Dunn	Tree Officer
	Tel	07976750934
	Email	james.dunn@wolverhampton.gov.uk

1.0 Summary recommendation:

1.1 Confirm the Tree Preservation Order without amendment.

2.0 Application site

2.1 The Trees subject to the Tree Preservation Order are located within the Park Home residential site at Oxley Court. The site is comprised of approx. 26 residential park homes along with a small number of unoccupied plots arranged around an internal loop road that serves as access to the park homes.

2.2 The site is located on the southern side of Oxley Moor Road just to the west of the junction with Blaydon Road. The site is bordered to the east by Oxley Golf Course, to the west by the Staffordshire and Worcestershire Canal. To the south is an area of open pastureland.

3.0 Application details

3.1 The Tree Preservation Order comprises of 11 Individual trees of varying species, and 3 groups of trees. The trees are predominantly located along the western boundary of the site, along the canal, with all but three trees being located on this boundary. Of the remaining trees, a large poplar (T2) is located on the eastern boundary of the site, a weeping willow tree (T1) is located adjacent to the access road, relatively close to the site entrance, and a Cherry tree is located adjacent to the internal loop road centrally within the site.

4.0 Relevant policy documents

4.1 None.

5.0 Publicity

5.1 At the time of service, and in line with the statutory requirements, a copy of the order and associated documentation was served on the site owner and all residential units at the site along with all owners of adjacent land.

5.2 In response to the service of the order an objection was made by a resident on site (5 Oxley Court), objecting to the inclusion of T11 within the order. The objection was submitted with a petition signed by 12 additional residents and the site owner.

5.3 The objection is based on the fact that the tree had not been included in a previous Tree Preservation Order (Oxley Court No.2) that was served in 2019; that the seasonal debris from the tree increase the risk of slips, trips and falls to the residents of the park homes, and that the leaves make a mess when they fall.

6.0 Consultees

6.1 None.

7.0 Legal implications

7.1 If it appears to a local planning authority that it is expedient in the interests of amenity to make provision for preservation of trees, they may make an order to that effect. Before confirming the Order, the local planning authority must consider any objections and representations duly made. [KR/21102020/A]

8.0 Covid Implications

8.1 There are no Covid implications arising from the recommendation(s) of this report.

9.0 Appraisal

9.1 Since 2000 a Tree Preservation Order (TPO) has been present on trees on this site (including T11). This order is still in force at the current time, however, given the changes on the site that have occurred since the order was served, it was appropriate to review

this older order to ensure that currently protected trees are still worthy of preservation, and also to protect any previously unprotected trees that now provide an appropriate level of public amenity.

- 9.2 As a result of this review a TPO (Oxley Court No.2) was served in November 2019 provisionally protecting all of the trees subject to this order, apart from T11, as it was deemed that given its location centrally to the site, along with other physiological factors, that the tree did not provide sufficient public amenity to justify inclusions within this order.
- 9.3 In response to this earlier order an objection (supported by 16 residents) was received due to the cherry tree (T11) and another laburnum tree not being included within the order, due to the amenity that they provide to the site. The objection included other comments; however, these were not material in the decision of whether to confirm the order or not.
- 9.4 On consideration of the objection it was deemed that whilst the Cherry tree (T11), does provide little amenity to areas of full public access, such as the adjacent canal tow-path or Oxley Moor Road, it is a prominent feature within the site, and given that parts of the site, whilst not having full public access, are frequented by visitors and other attendants in a manner similar to that of a private residential road or complex, it was determined that the tree does provide some quasi-public amenity, and could therefore justify inclusion within the order.
- 9.5 The Cherry tree does have some structural and physiological issues that are likely to limit the ultimate lifespan of the tree, and will require some ongoing maintenance, but if properly maintained it will continue to provide its current amenity level for the foreseeable future.
- 9.6 Issues relating to the seasonal debris from the tree, and any associated increase in risk of trip and slip hazards, are not sufficient grounds to prevent a tree from inclusion within a TPO, as the clearance of such debris is part of reasonable property maintenance.
- 9.7 Similarly, issues relating to any aesthetic 'mess' that result from the seasonal debris are not sufficient to prevent the inclusion of a tree within an order.

10.0 Conclusion

- 10.1 The public amenity value of the trees within the order, including T11, is sufficient to justify the confirmation of the order.

11.0 Detail recommendation

- 11.1 Confirm the order without amendment.

The Wolverhampton City Council

CITY OF WOLVERHAMPTON COUNCIL

Oxley Court no. 3 Tree Preservation Order 2020



Scale: 1:1,250

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Organisation	Wolverhampton City Council
Department	Planning
Comments	20/00002/TPO
Date	19/05/2020
MSA Number	100019537

SCHEDULE

Specification of trees

Trees specified individually (encircled in black on the map)

<i>Reference on Map</i>	<i>Description</i>	<i>Situation</i>
T1	Weeping Willow	Oxley Court, Oxley Moor Road
T2	Poplar	Oxley Court, Oxley Moor Road
T3	Ash	Oxley Court, Oxley Moor Road
T4	Ash	Oxley Court, Oxley Moor Road
T5	Ash	Oxley Court, Oxley Moor Road
T6	Ash	Oxley Court, Oxley Moor Road
T7	Sycamore	Oxley Court, Oxley Moor Road
T8	Sycamore	Oxley Court, Oxley Moor Road
T9	Ash	Oxley Court, Oxley Moor Road
T10	Ash	Oxley Court, Oxley Moor Road
T11	Cherry	Oxley Court, Oxley Moor Road

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

<i>Reference on Map</i>	<i>Description</i>	<i>Situation</i>
NONE		

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

<i>Reference on Map</i>	<i>Description (including number of trees of each species in the group)</i>	<i>Situation</i>
G1	A Group Comprising of 3 x Ash trees.	Oxley Court, Oxley Moor Road

G2	A Group Comprising of 1 x Ash and 1 x Sycamore tree	Oxley Court, Oxley Moor Road
G3	A Group Comprising of 3 x Ash and 1 x Sycamore tree	Oxley Court, Oxley Moor Road

Woodlands
(within a continuous black line on the map)

<i>Reference on Map</i>	<i>Description</i>	<i>Situation</i>
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NONE
