

Planning application no.	23/00001/TPO	
Site	141 Castlecroft Road, Wolverhampton, WV3 8BY	
Proposal	Confirmation report for The Wolverhampton City Council (141 Castlecroft Road) Tree Preservation Order 2023	
Ward	Merry Hill;	
Applicant	N/A	
Cabinet member with lead responsibility	Councillor Stephen Simkins: Leader of the Council	
Accountable Director	Richard Lawrence, Director of City Development	
Originating service	Planning	
Accountable employee	Clifford Webb	Tree officer
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1.0 Summary recommendation

1.1 Confirm the order

2.0 Application site

2.1 This Tree Preservation Order (TPO), as served, protected one Silver birch (T1) in the front garden of 141 Castlecroft Road.

3.0 Application details

3.1 The tree subject to the order was identified for inclusion following an application to remove it. The tree is mature, and provides visual amenity to the surrounding area and makes a positive contribution to the amenity of the area.

4.0 Relevant policy documents

4.1 Wolverhampton Unitary Development Plan (UDP) – Policy N7: The Urban Forest

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 owners and all owners of adjacent land that have a right to undertake works to the trees.
- 5.2 In response to the service of the order an objection was received from the owner of 141 Castlecroft Road objecting to the order.
- 5.3 The objection is based upon concerns regarding the damage allegedly being caused to a new driveway surface invalidates the warranty on the driveway works. The objector states that the tree has limited visibility due to being flanked on either side by much larger oak trees. There is also a concern raised about loss of sunlight to the house and a wisteria plant.

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. (CS/06032024/1)

8.0 Appraisal

- 8.1 The tree outlined in this order is a healthy specimen that brings a significant amount of amenity to the surrounding area, both as an individual, and as part of wider tree feature / informal avenue along Castlecroft Road.
- 8.2 The tree is visible from Castlecroft Road, and forms part of an informal avenue feature that is a key component of the landscape in the area. Birch trees are characteristic of the Castlecroft Gardens Conservation Area along Castlecroft Gardens but there are only a few others of this type in the Castlecroft Road part of the Conservation Area.
- 8.3 The tree is of a moderate size and has a long safe life expectancy (estimated to be in excess of 40 years) and is visible from both directions along Castlecroft Road.
- 8.4 The silver birch tree is in good condition with a high amenity and ecological value to the site and surrounding area, and is therefore worthy of inclusion within a TPO, given the public amenity value of the tree.
- 8.5 With regard to the reasons for the objection, damage to the driveway is minor and capable of repair if desired. Removal of the tree for this reason is not warranted. A replacement tree would take many years to reach a similar size and in the intervening

period the area would experience a loss of the existing tree's amenity value. The replacement planting would be insufficient to mitigate the harm caused by the loss of the tree.

8.6 The tree is located to the north of the property so does not obstruct sunlight to the property. It is not a densely leafed crown, so obstruction of daylight is not significant and the shading is of a dappled nature.

8.7 Therefore, the objections raised are not sufficient to prevent the confirmation of the TPO.

9.0 Conclusion

9.1 The tree subject to this order provides sufficient public amenity to justify its inclusion within the Tree Preservation Order. Whilst the points raised in objection are noted, they are not sufficient to prevent the confirmation of the order at this time.

10.0 Detail recommendation

10.1 Confirm the order.

Schedule

Specification of trees

Trees Specified Individually (encircled in black on the Map)

<u>No on map</u>	<u>Description</u>	<u>Situation</u>
T1	Siver birch	Front garden of 141 Castlecroft Road

Trees specified by reference to an area

<u>No on map</u>	<u>Description</u>	<u>Situation</u>
	<u>NONE</u>	

Groups of Trees (within a broken line on the Map)

<u>No on map</u>	<u>Description</u>	<u>Situation</u>
	<u>NONE</u>	

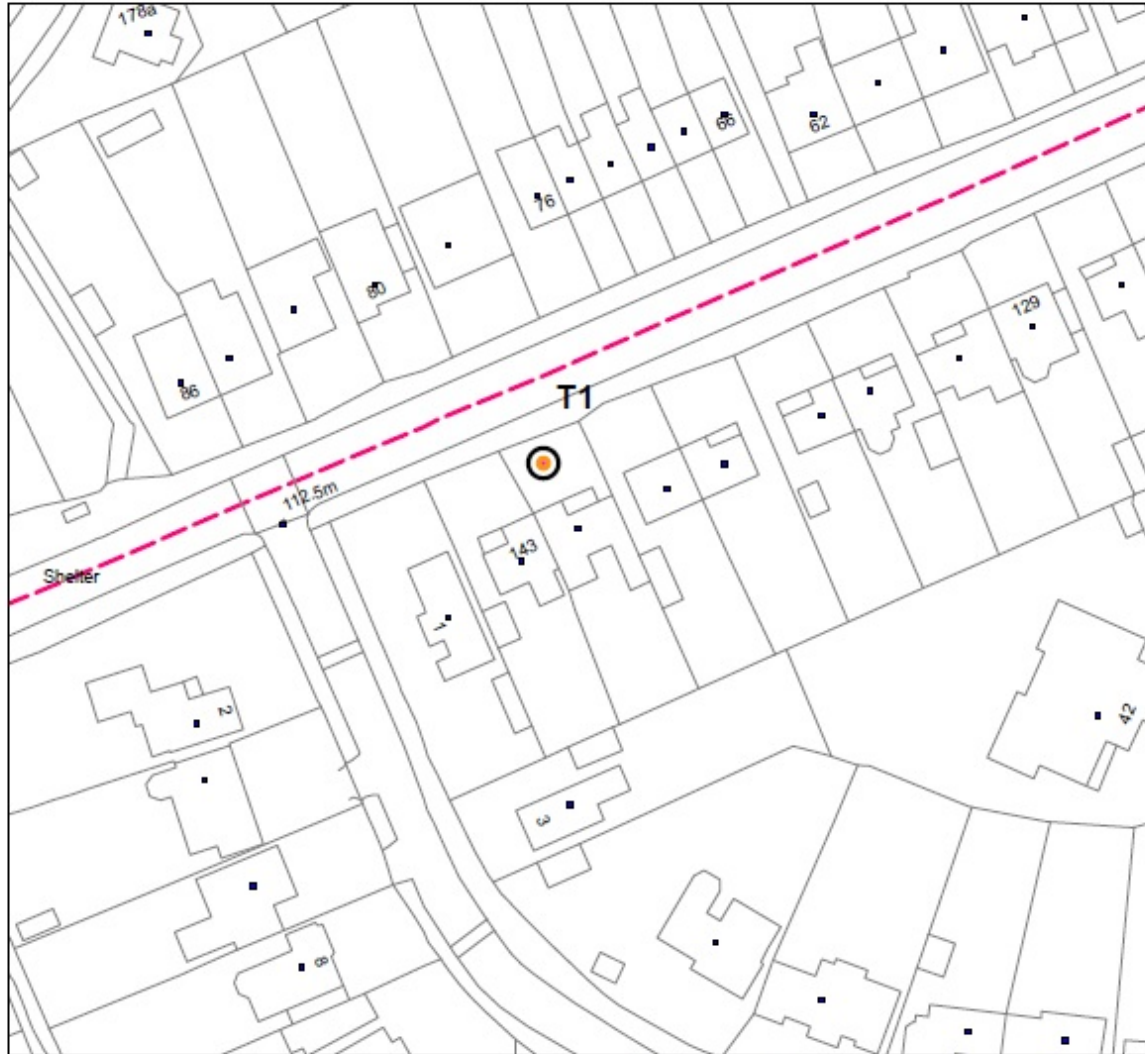
Woodland

<u>No on map</u>	<u>Description</u>	<u>Situation</u>
	<u>NONE</u>	

The Wolverhampton City Council

CITY OF WOLVERHAMPTON COUNCIL

(141 Castlecroft Road) Tree Preservation Order 2023



Scale: 1:750

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Organisation	Wolverhampton City Council
Department	Department
Comments	
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