

WIRRAL COUNCIL

PLANNING COMMITTEE

16 AUGUST 2018

SUBJECT:	Tree Preservation Order No WR0386 Field House, 34 STANLEY ROAD, HOYLAKES, CH47 1HP
WARD/S AFFECTED:	Hoylake and Meols
REPORT OF:	CORPORATE DIRECTOR FOR ECONOMIC AND HOUSING GROWTH
RESPONSIBLE PORTFOLIO HOLDER:	COUNCILLOR GEORGE DAVIES, HOUSING AND PLANNING
KEY DECISION? <i>(Defined in paragraph 13.3 of Article 13 'Decision Making' in the Council's Constitution.)</i>	NO

1. EXECUTIVE SUMMARY

- 1.1 The purpose of this report is to inform the Committee of an objection to Wirral Borough Council Tree Preservation Order No WR0386 and to recommend that the order shall be confirmed.

2.0 BACKGROUND

- 2.1 Large Sycamore at the front of the property standing near the boundary with 32a Stanley Road.

3.0 THE OBJECTION

- 3.1 An objection was raised against this TPO on the grounds that the tree is old and distorted and in the opinion of the objector dangerous. In periods of strong winds there is concern that the tree is going to fall and damage property or cause injury. There is also concern about falling branches causing injury. There is also concern that the roots will cause damage to the foundations of the objectors property, and that the tree overhangs the roof and sap is damaging the roof.

4.0 COMMENTS ON THE OBJECTION

- 4.1 An application has been received to develop a property on land on which trees are present. The proposal includes the felling of a tree standing within the Kings Gap Conservation area.

Trees make a major contribution to the quality of the Wirrals environment as well as benefiting wildlife and improving air quality.

The Council has a duty to make provision for the preservation of trees and woodlands where it is "expedient in the interests of amenity. It does this by making Tree Preservation Orders (TPO). The purpose of a Tree Preservation Order is to protect trees which make a significant impact on their local surroundings. This is particularly important on development sites and where trees are in immediate danger, where their removal or cutting would have a significant impact on the visual amenity and landscape character of the Conservation area.

The tree, a Sycamore is old and as such adds to the character of Stanley Road and the two properties which are situated in a conservation area. On inspection there was no indication that the tree is in a dangerous condition or is at higher risk of falling in high winds. Old trees with a large stem diameter (when compared to height) tend to be compact, as in this case, and are far less likely to fall over in high winds

Trees can be managed to reduce risks of branches falling and the risk from trees is considered to be low by the HSE. In the UK, only six people a year are killed by falling trees or branches. In a population of 60 million, this means a one in 10 million chance of dying from a falling tree, or a one in 20 million chance of being killed by a tree in a public open space. In other words, there is more chance of being killed by lightning (1:19 million) than being killed by a tree on public land. The Health and Safety Executive (HSE) recognises that the risk of "being struck and killed by a tree falling" is "extremely low", and is firmly in its "broadly acceptable" category of risks. Disproportionate media attention, especially after storms when trees fall, creates a general public misconception of danger. When asked individually, most people do not have this perception. However, because trees so rarely kill or seriously injure people, when they do, it is headline news. The number of people killed by cars, being 500 times greater, is so common that the deaths barely get a mention. These headline stories about deaths from trees have made landowners increasingly more concerned than they should be about the risks from trees and their liabilities if something does go wrong.

Many common fears about trees near buildings are unfounded. There are no 'too close' distances for any species of tree. Damage is not inevitable and trees can be as close as a few metres and not cause damage. Trees can only cause subsidence on 'shrinkable' (clay) soil. A tree's roots or trunk can exert pressure as a result of their growth (MacLeod and Cram, 1996). This growth can cause separation or lifting of light structures, e.g., driveways, patios/paths, boundary walls, garages, porches etc. Heavily loaded structures such as houses are usually resistant to this sort of damage.

Overhanging branches can be managed by judicious pruning and there is little evidence that sap (which is in fact a sugary solution secreted by aphids) will directly damage roof tiles. It may encourage the growth of sooty moulds but this grows on the sugary solution and surface of the roof tiles.

5.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

5.1 There are no direct impacts for voluntary, community and faith groups.

6.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS

6.1 There are no direct Resource Implications arising out of this report.

7.0 LEGAL IMPLICATIONS

7.1 The principal effect of a TPO is to prohibit the, cutting down, uprooting, topping, lopping, wilful damage, or wilful destruction of trees without the LPA's consent.

8.0 EQUALITIES IMPLICATIONS

8.1 There are no direct implications arising from these proposals which adversely affect equality and diversity.

9.0 CARBON REDUCTION IMPLICATIONS

9.1 Trees store carbon within their tissues and continually absorb carbon, helping to offset carbon emissions produced by other urban activities.

10.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

- 10.1 The planning implications arising from this report are outlined above and there are no direct Community Safety implications arising from this report.

11.0 RECOMMENDATION/S

- 11.1 That the Planning Committee Confirm despite objections

12.0 REASON/S FOR RECOMMENDATION/S

- 12.1 An application has been received to develop a property on land on which trees are present. The proposal includes the felling of a tree standing within the Kings Gap Conservation area. The tree does not need to be removed in order to carry out the proposed extension and remodelling of the house.

Urban trees are a valuable source of ecosystem services in towns and cities. They help us alleviate problems associated with densely packed populations by improving local air quality, capturing carbon and reducing flooding.

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Trees form a prominent part of the Wirral landscape and comprise an essential feature in the special character of many of Wirral's residential areas. Indeed, even where tree cover is not a distinctive characteristic of a neighbourhood, a single large tree or group of trees can have a significant visual impact within the surrounding area.

Policy GR7 forms part of the Local Planning Authority's wider responsibility to conserve the natural beauty of the area and to provide for physical improvements to the environment. It also reflects the statutory duty to, wherever appropriate, specifically provide for the preservation and planting of trees when granting planning consent. Policy GR7 does not, however, provide a blanket protection for all trees. Instead, it provides for the circumstances of each site to be considered in terms of its importance within the surrounding area. The objective of Policy GR7 is to ensure that issues related to the health, size, visual significance and the wildlife value of trees are properly assessed before development is permitted or refused.

In accordance with Policy GR7, trees possessing significant visual or wildlife value will normally be retained.

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APPENDICES

REFERENCE MATERIAL

The following background papers have been used in the preparation of this report:
Wirral Borough Council Tree Preservation Order No.WR0386

SUBJECT HISTORY (last 3 years)

Council Meeting	Date

