

WIRRAL COUNCIL

PLANNING COMMITTEE

20 AUGUST 2015

SUBJECT:	Confirmation of Tree Preservation Order No 0359 at Orovales, 135 CALDY ROAD, CALDY
WARD/S AFFECTED:	WEST KIRBY & THURSTASTON
REPORT OF:	Head of Regeneration and Planning Regeneration and Environment Department
RESPONSIBLE PORTFOLIO HOLDER:	Councillor Pat Hacket
KEY DECISION?	No

1.0 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 359 and to recommend that the Order shall be confirmed.

2.0 BACKGROUND AND KEY ISSUES

- 2.1 An application has been received and recently approved to develop land for residential development on which trees are present. These consist of a number of trees comprising of contemporary formal planting and landscaping of the grounds of Orovales, which are considered to contribute to the visual amenities of the street scene and wider Caldý Conservation Area.

3.0 OBJECTION(S) TO THE ORDER

- 3.1 Objections to the Order have been submitted on behalf of the land owners by the agents of the planning application (reference APP/15/00119) for residential development of two additional dwellings within the grounds of the existing house. These objections are as follows:
1. An Area Order has been served with discrepancies of genuine concern;
 2. A number of trees should be omitted from the Order due to their condition and safety being in question; and
 3. The trees included in the Order have previously had agreement from the Council to be felled following a prior Notification of Works to Trees in a Conservation Area.

4.0 COMMENTS ON THE OBJECTION(S)

- 4.1 Trees make a major contribution to the quality of Wirral's environment as well as benefitting wildlife and improving air quality.
- 4.2 The Council has a duty to make provision for the preservation of trees and woodlands in the interests of amenity. It does this by making Tree Preservation Orders (TPO), the purpose being to protect trees which make a significant impact on their local surroundings.
- 4.3 The trees are located within Caldy Conservation Area and make a considerable contribution to the setting of that conservation area. Prior to the serving of the Order the trees were afforded some protection by Conservation Area Regulations.
- 4.4 The Order has been served to protect individual trees and 1 group of trees. It is not a blanket Order that covers the whole site.
- 4.5 At the time of inspection the trees were in good health and there were no obvious indications of the trees being immediately dangerous, or at an increased risk of failure, than any other trees in good health. The tree survey submitted with the planning application for the erection of 2 new dwellings in the grounds of Orovales made no reference to any immediate safety issues regarding any of the trees on the site. Any trees that were flagged as being "poor" in that survey have not been included in the Order.
- 4.6 Any tree work recommendations included in the tree survey accompanying the recently approved planning application may still be undertaken under the provisions of the Order. Dead or dangerous trees would also be exempt from the Tree Preservation Order Regulations.

5.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

- 5.1 There are no direct implications for voluntary, community or faith groups arising from this report.

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

- 6.1 There are no direct implications arising from 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 (protected) trees without the LPA's consent. Any such works carried out without consent could result in a prosecution through the courts.

8.0 EQUALITIES IMPLICATIONS

- 8.1 There are no direct implications arising from this report

9.0 CARBON REDUCTION AND ENVIRONMENTAL 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 Trees protected by a Tree Preservation Order will need to be subject to the latest statutory procedures set out in the Planning Act and Regulations before any works can be carried out to them and the presence of a TPO would be a material consideration in future planning decisions.

11.0 RECOMMENDATION/S

- 11.1 That Members confirm Tree Preservation Order WR0359.

12.0 REASON/S FOR RECOMMENDATION/S

- 12.1 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.
- 12.2 The trees within the landscaped grounds of Orovales on Caldy Road make a valuable contribution to the amenity and landscape character of the local area and stand within Caldy Conservation area.
- 12.3 It has been the policy to protect many of the important trees in Caldy with Tree Preservation Orders. It is proposed to extend this policy by making the Wirral Borough Council Tree Preservation Order No.359 to protect those trees at Orovales which contribute positively to the amenities of the area.
- 12.4 Urban trees are a valuable source of ecosystem services in towns and cities. They help alleviate problems associated with the population by improving local air quality, capturing carbon and reducing flooding.
- 12.5 Urban trees also provide a number of health benefits inasmuch as they improve local air and water quality by absorbing and filtering pollutants and contribute to reducing the number of illnesses associated with poor air quality and heat. There is also evidence that urban greenery can help reduce stress levels and improve recovery times from illness.
- 12.4 Trees also provide a valuable habitat for much of the UK's urban wildlife, including bats (Entwistle et al., 2001) and bees (RHS, 2012). They provide local residents with a focal point to improve social cohesion and aid education with regards to environmental issues (Trees for Cities, 2011).

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BACKGROUND PAPERS/REFERENCE MATERIAL

Wirral Borough Council Tree Preservation Order No 0359

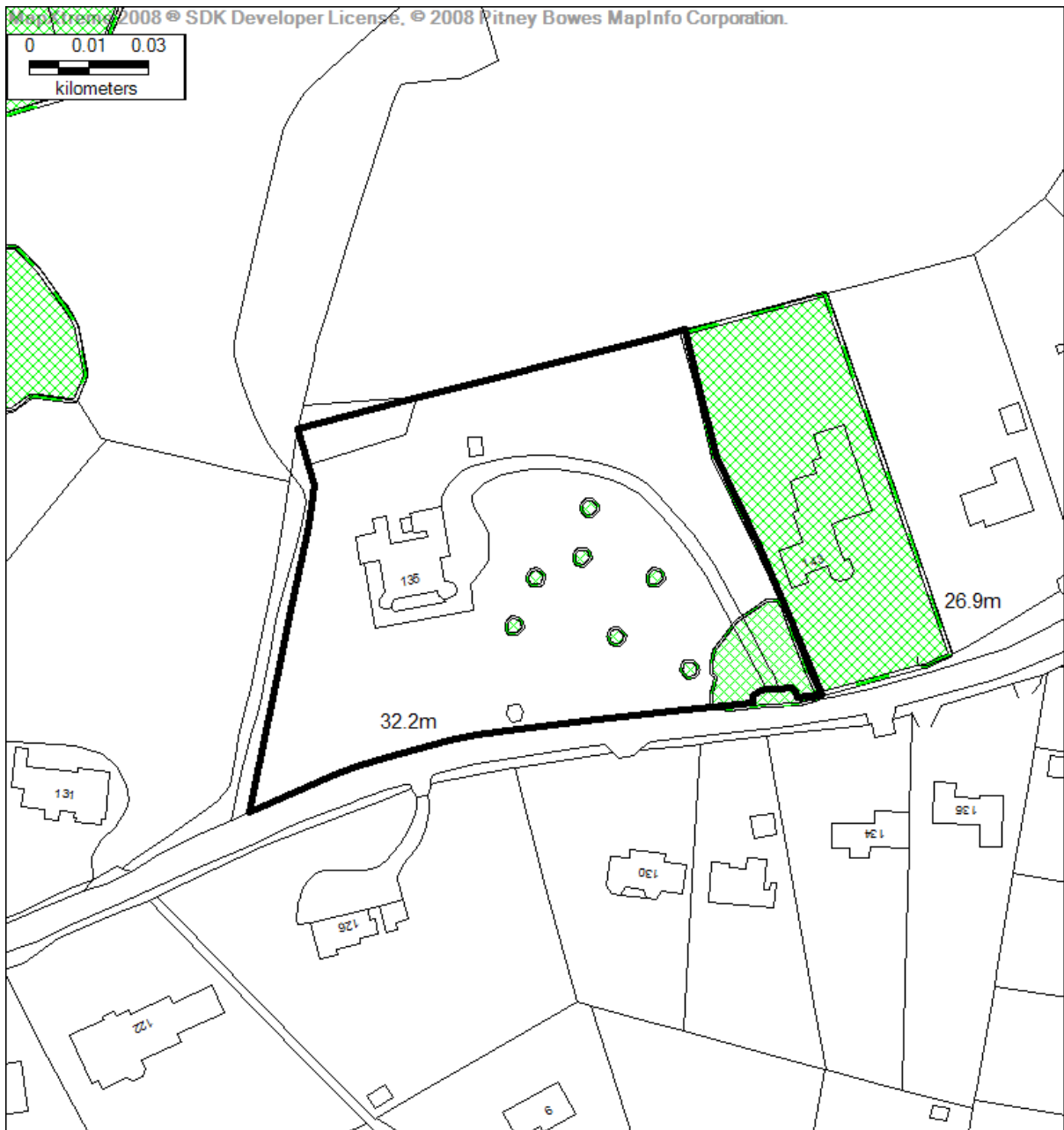
National Planning Policy Framework

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
N/A	

Site Plan:



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