

WIRRAL COUNCIL

PLANNING COMMITTEE

19th October 2017

SUBJECT:	Tree Preservation Order No EM0005/2017 Land to the rear of and between Talbot Court and Alton Road.
WARD/S AFFECTED:	Oxton
REPORT OF:	Assistant Director Environmental Services
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 EM0005/2017 and to recommend that the order shall be confirmed.

2.0 BACKGROUND

- 2.1 It has come to the councils attention that there was a possible change in ownership of a group of trees between Talbot court and properties on Alton Road, and that the trees were at risk of being felled.
1. The Trees are on the boundary of the Oxton Conservation Area and have a considerable role in softening impact of the dominant rear elevation of the Talbot Court block of flats over the adjacent smaller residences of the adjacent Conservation Area.
 2. They make a very significant contribution to the tree scape of the Conservation Area especially as seen from the busy junction of Alton Road and Village Road. This particular vista benefits greatly from the trees screening of the rear elevation of the block of Flats with its horizontal skyline.
 3. All but one (#17) of the houses on Alton Road, adjacent to the trees, are Grade II listed and are identified in Wirrals Character Appraisal. The shielding from the dominant and tall rear elevation of the Flats is particularly noticed when viewing the gaps between those houses from Alton Road.

3.0 THE OBJECTION

- 3.1 An objection was received on the basis that a tree at the rear of the garages on Talbot Court is damaging the wall of the garage.

4.0 COMMENTS ON THE OBJECTION

- 4.1 There is an exemption under the TPO regulations which would allow for the removal of trees are parts of trees that are causing an actionable nuisance which is where a tree causes damage to third party property. In this case if the tree is causing such a nuisance then the TPO would not apply to that tree. However not all the trees within this TPO can be said to be causing damage to the garages so The Preservation Order will still apply to the majority of the trees.

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 Tree Preservation Order No EM0005/2017, despite objections.

12.0 REASONS 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 Wirrals 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.

The trees on Alton Road make a valuable contribution to the amenity and landscape character of the local area and stand adjacent to a Conservation area.

It has been the policy to protect many of the important trees in Oxton with Tree Preservation Orders. It is proposed to extend this policy by making the Wirral Borough Council Tree Preservation Order No.EM0005 to protect the trees on the boundary with Talbot Court and Alton Road.

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 of a Tree Preservation Order is to protect trees which make a significant impact on their local surroundings. This is particularly important where trees are in immediate danger.

Government guidance states that, 'Authorities can also consider other sources of risks to trees with significant amenity value. For example, changes in property ownership and intentions to fell trees are not always known in advance, so it may sometimes be appropriate to proactively make Orders as a precaution.'

In this case it was felt that as the trees do indeed have a significant amenity value, it would be expedient to proactively serve a TPO as a precaution.

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.

Urban forests provide a number of health benefits including improving local air and water

quality by absorbing and filtering pollutants (Bolund and Hunhammar, 1999) and by reducing the urban heat island effect (Akbari et al., 2001), decreasing illnesses associated with poor air quality and heat. There is also evidence that urban greenery can help reduce stress levels and improve recovery time from illness (Ulrich, 1979).

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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APPENDICES

REFERENCE MATERIAL

The following background papers have been used in the preparation of this report:
Wirral Borough Council Tree Preservation Order No.EM0005/2017

SUBJECT HISTORY (last 3 years)

Council Meeting	Date

