

DATED 15 October 2019

Wirral Borough Council

Tree Preservation Order

No. 401

TOWN AND COUNTRY PLANNING ACT 1990

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TREE PRESERVATION ORDER

relating to

St Kilda, 62 Ford Road, Upton and  
United Reformed Church, Ford Road, Upton,  
Wirral

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TOWN AND COUNTRY PLANNING ACT 1990

WIRRAL BOROUGH COUNCIL

TREE PRESERVATION ORDER NO. 401

SITE: ST KILDA, 62 FORD ROAD, UPTON AND  
UNITED REFORMED CHURCH, FORD ROAD, UPTON, WIRRAL 2019

The Wirral Borough Council in exercise of the powers conferred on them by Sections 198 of the Town and Country Planning Act 1990 hereby make the following Order:

**Citation**

1. This Order may be cited as Tree Preservation Order No. 401 Site: St Kilda, 62 Ford Road, Upton and United Reformed Church, Ford Road, Upton, Wirral 2019

**Interpretation**

2. (1) In this Order "the Authority" means the Wirral Borough Council.
- (2) In this Order any reference to a number section is a reference to the section so numbered in the Town and Country Planning Act 1990 and any reference to a numbered regulation is a reference to the regulation so numbered in the Town and Country Planning (Tree Preservation) (England) Regulations 2012.

**Effect**

3. (1) Subject to Article 4, this Order takes effect provisionally on the date on which it is made.
- (2) Without prejudice to subsection (7) of Section 198 (Power to Make Tree Preservation Orders) or subsection (1) of Section 200 (Tree Preservation Orders: Forestry Commissioners) and, subject to the exceptions in Regulation 14, no person shall -
  - (a) cut down, top, lop, uproot, wilfully damage, or wilfully destroy; or
  - (b) cause or permit the cutting down, topping, lopping, uprooting, wilful damage or wilful destruction of,any tree specified in the Schedule to this Order except with the written consent of the Authority in accordance with Regulations 16 and 17, or of the



Secretary of State in accordance with Regulation 23, and, where such consent is given subject to conditions, in accordance with those conditions.

**Application to Trees to be Planted Pursuant to a Condition**

4. In relation to any tree identified in the first column of the Schedule by the letter "C", being a tree to be planted pursuant to a condition imposed under paragraph (a) of Section 197 (planning permission to include appropriate provision for preservation and planting of trees), this Order takes effect as from the time when the tree is planted.

Dated this 15<sup>th</sup> day of October 2019

THE COMMON SEAL of  
WIRRAL BOROUGH COUNCIL

was hereunto affixed

in the presence of:-

*G.S. Hyls*  
Authorised Officer



WIRRAL BOROUGH COUNCIL  
REGISTERED IN SEAL BOOK: 651856



**[CONFIRMATION OF ORDER**

[This Order was confirmed by the Wirral Borough Council without modification  
on the                      day of

OR

[This Order was confirmed by the Wirral Borough Council, subject to modifications indicated  
by  
on the                      day of

.....  
Authorised by the Council to sign in that behalf]

**[DECISION NOT TO CONFIRM ORDER**

[A decision not to confirm this Order was taken by Wirral Borough Council  
on the                      day of

.....  
Authorised by the Council to sign in that behalf]

**[VARIATION OF ORDER**

[This Order was varied by the Wirral Borough Council  
on the                      day of  
under the reference number

.....  
Authorised by the Council to sign in that behalf]

**[REVOCATION OF ORDER**

This Order was revoked by the Wirral Borough Council  
on the                      day of  
under the reference number

.....  
Authorised by the Council to sign in that behalf]





## SCHEDULE

### SPECIFICATION OF TREES

#### **Trees Specified Individually** (encircled in black on the map)

Reference on map	Description	Situation
T1	Sycamore <i>Acer pseudoplatanus</i>	Standing on the front boundary of the United Reformed Church

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

Reference on map	Description	Situation
None		

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

Reference on map	Description (including number of trees in the group)	Situation
G1	Group consisting of 2 Lombardy Poplar, 4 Sycamore, 1 Copper Beech, 1 Ash and 4 Beech	Standing on the boundary between St Kilda and the United Reformed Church

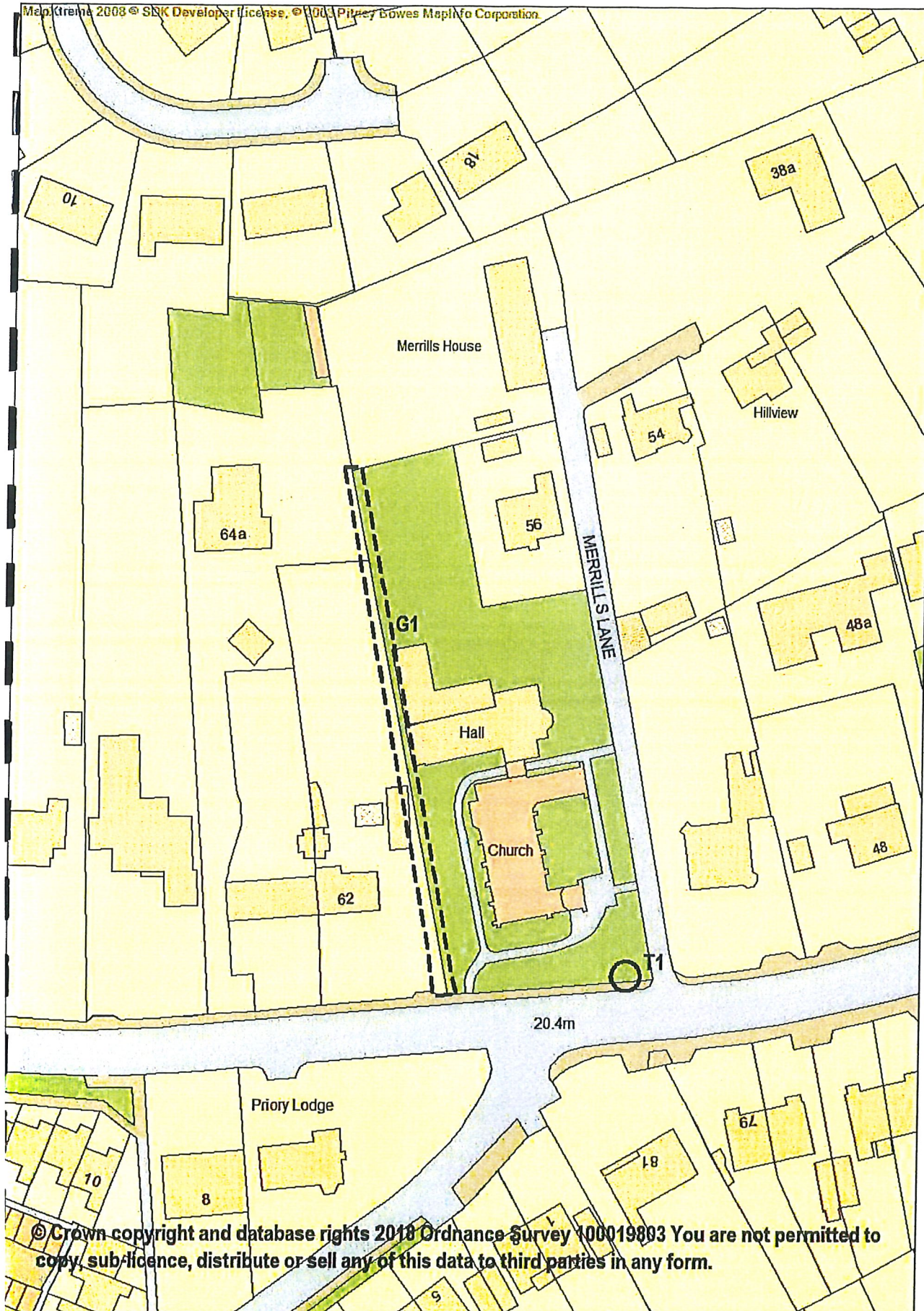
#### **Woodlands** (within a continuous black line on the map)

Reference on map	Description	Situation
None		





Map data © 2008 SSK Developer License, © 2008 Pitney Bowes MapInfo Corporation



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Map as annexed to the first schedule of The Wirral Borough Council

Tree Preservation Order No. WR0401

Date: 10 October 2010





**IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY**

**METROPOLITAN BOROUGH OF WIRRAL**

**TOWN AND COUNTRY PLANNING ACT 1990**

**TOWN AND COUNTRY PLANNING (TREE PRESERVATION) (ENGLAND)  
REGULATIONS 2012**

**WIRRAL BOROUGH COUNCIL TREE PRESERVATION ORDER NO: 401**

**SITE: ST KILDA, 62 FORD ROAD, UPTON AND UNITED REFORMED CHURCH, FORD  
ROAD, UPTON, WIRRAL 2019**

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**THIS IS A FORMAL NOTICE** which is served on you because on 15 October 2019 the Council made the above Tree Preservation Order in respect of land in which you appear to have an interest.

A copy of the Order is enclosed. In simple terms, it prohibits anyone from cutting down, topping or lopping any of the trees specified in the Schedule and shown on the map without the consent of the Council.

Some explanatory guidance on Tree Preservation Orders is provided in the enclosed leaflet, *Protected Trees: A Guide to Tree Preservation Procedures*, produced by the Department of Communities and Local Government.

The Council's grounds for making the Order are:-

An application has been received to demolish an existing building and develop land on which trees are present.

Trees make a major contribution to the quality of the Wirral's 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 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.

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. 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 addition to the powers and duties outlined above, the Local Planning Authority also has the power to issue Tree Preservation Orders where it is "expedient in the interests of amenity". Such an Order provides additional protection to selected trees and woodlands where their removal or cutting would have a significant impact on the environment. While Policy GR7 does not represent a definitive strategy for Tree Preservation Orders, the criteria related to health, size, visual value and nature conservation value will form primary considerations in the issue of new or revised Orders.

Further advice in relation to Tree Preservation Orders and the presentation of proposals affecting trees is contained within Supplementary Planning Guidance Note 17.

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 trees 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).

#### Informative

An amenity valuation was carried out. This system is used as a decision guide.

The Order includes a direction applying Section 201 of the Town and Country Planning Act 1990. This means that the Order is brought into effect provisionally immediately. The Order will continue in force for a period of up to six months from the date the Order was made, or until the Order is confirmed by the Council, whichever first occurs.

The Council will now consider whether the order should be confirmed, that is to say, whether the Order should remain in effect. Before this decision is made, the people affected by the Order have a right to make objections or other representations about any of the trees, groups of trees or woodlands covered by the Order.

If you would like to make any objections or other comments about the Order, please do so in writing by 27 November 2019. To be valid, your comments must comply with Regulation 6 of the Town and Country Planning (Tree Preservation) (England) Regulations 2012, a copy of which is included at the end of this notice. Your comments should be sent to the Business Services, Tree Preservation, South Annexe, Town Hall, Brighton Street, Wallasey, Wirral, CH44 8ED marked for the attention of the Tree Preservation Officer. All valid objections or representations are carefully considered before a decision on whether to confirm the Order is made.

A certified copy of the Order will be available for inspection at the One Stop Shop, Town Hall, Brighton Street, Wallasey during normal office hours (Monday to Friday, 9.00 am to 5.00 pm except Wednesday 10.00 am to 5.00 pm).

The Council will write to you again when a decision has been taken on whether to confirm the order. If you would like further information, or have any questions about this notice, please contact the Tree Preservation Officer, Business Services, South Annexe, Town Hall, Brighton Street, Wallasey, Wirral, CH44 8ED.

Dated: 16 October 2019



Signed :.....  
Philip McCourt  
Director: Governance and Assurance  
Town Hall  
Brighton Street  
Wallasey  
Wirral  
CH44 8ED



**COPY OF REGULATION 6 OF THE TOWN AND COUNTRY PLANNING (TREE PRESERVATION) (ENGLAND) REGULATIONS 2012**

Objections and representations

- 6(1) Subject to paragraph (2), objections and representations -
- (a) shall be made in writing and -
    - (i) delivered to the Authority not later than the date specified by them under Regulation 5(2)(c); or
    - (ii) sent to the Authority in a properly addressed and pre-paid letter posted at such time that, in the ordinary course of post, it would be delivered to them not later than that date;
  - (b) shall specify the particular trees, groups of trees or woodlands (as the case may be) in respect of which the objections or representations are made; and
  - (c) in the case of an objection, shall state the reasons for the objection.
- (2) The Authority may treat as duly made objections and representations which do not comply with the requirements of paragraph (1) if, in the particular case, they are satisfied that compliance with those requirements could not reasonably have been expected.