

DATED 27 February 2019

Wirral Borough Council

Tree Preservation Order

No. 394

TOWN AND COUNTRY PLANNING ACT 1990

---

TREE PRESERVATION ORDER

relating to

The Ayne Croft, Storeton Lane, Barnston,  
Wirral

---

TOWN AND COUNTRY PLANNING ACT 1990

WIRRAL BOROUGH COUNCIL

TREE PRESERVATION ORDER NO. 394

SITE: THE AYRNE CROFT, STORETON LANE, BARNSTON, 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. 394 Site: The Ayne Croft, Storeton Lane, Barnston, 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 27<sup>th</sup> day of February 2019

THE COMMON SEAL of  
WIRRAL BOROUGH COUNCIL

was hereunto affixed

in the presence of:-



CSO 1434  
Authorised Officer

651479

**[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
None		

#### **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	5 oak	To the rear of The Ayne Croft

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

Reference on map	Description	Situation
None		



MapXpress 5.00 © SUK Developer License © 2008 Pitney Bowes MapInfo Corporation

0 0.01 0.01  
miles



Map as annexed to the first schedule of  
The Wirral Borough Council  
Tree Preservation Order No.  
Date: 20 February 2019

↑  
N



**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: 394**

**SITE: THE AYNE CROFT, STORETON LANE, BARNSTON, WIRRAL 2019**

---

**THIS IS A FORMAL NOTICE** which is served on you because on 27 February 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:-

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.

It has been the policy to protect many of the important trees in Barnston with Tree Preservation Orders. It is proposed to extend this policy by making the Wirral Borough Council Tree Preservation Order No.0394 to protect the trees at The Ayne Croft.

The tree or trees make a valuable contribution to the amenity and landscape character of the local area.

Urban forests 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).

Informative

An amenity valuation was carried out using a TEMPO (Tree Evaluation Method For Preservation Orders) based appraisal. 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 12 April 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: 28 February 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.