



Appeal Decision

Site visit made on 15 December 2025

by David Bailey BSc(Hons) MArborA, CertArb(RFS)

an Inspector appointed by the Secretary of State

Decision date: 02 February 2026

Appeal Ref: APP/TPO/V4305/10395

26 The Rooley, Huyton, Knowsley, Liverpool L36 5XJ

- The appeal is made under regulation 19 of the Town and Country Planning (Tree Preservation) (England) Regulations 2012 against a refusal to grant consent to fell trees protected by a Tree Preservation Order (TPO).
 - The appeal is made by Ms Jackie Long against the decision of Knowsley Council.
 - The application Ref: 24/00436/TWA, dated 22 August 2024, was refused by notice dated 18 October 2024.
 - The work proposed is to fell three lime trees T1, T2 and T3.
 - The relevant TPO is The Council of the Brough of Knowsley Tree Preservation Order No 4 1991, Site of Swimming Baths, The Rooley, Huyton which was confirmed on 22 October 1991.
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Decision

1. The appeal is dismissed.

Preliminary matter

2. The TPO map indicates there is a line of 8 limes covered by the TPO with them being numbered T1 to T8. The appeal trees appear to be in the middle of the line of these limes so the numbering T1, T2 and T3 of the trees indicated by the appellant will be different from that of the TPO. For clarity, I will refer to the trees using the appellant's numbers, T1 being at the north of the front garden of No 26 and T3 being at the south with T2 in between.

Main issues

3. The main issues in this case are: the effect of the removal of the three limes T1, T2 and T3 on the character and appearance of the area; and whether sufficient justification for the felling has been demonstrated.

Reasons

4. Turning to the first main issue the trees are mature limes sat in a line of protected limes within front gardens next to The Rooley. This street has many large trees presenting a verdant main avenue while streets adjoining it having less street trees. The line of limes is a particularly pleasant feature of The Rooley and significantly adds to the character and appearance of the area.

5. By felling T1, T2 and T3 the line of limes would be broken and the amenity provided by trees to the area would be significantly harmed. The character and appearance of The Rooley would be substantially negatively affected and therefore, any justification for the felling of these limes will need to be compelling. It is to this, the second main issue that I now turn.
6. While the trees are large, I do not think that they have outgrown their position. They do not prevent usage of the front drive and do not appear to prevent normal usage of the front garden of the house.
7. No evidence has been put forward to suggest the trees are at an elevated risk of failure or partial failure and while some small branches were seen on the ground around T1, T2 and T3, none appeared to have recently sheared from the tree. In any case, my assessment of the trees being in the early stages of their mature life found nothing to suggest that any of these limes were at an elevated risk of failure.
8. While I did see a small crack in the block paving of the drive which could be attributed to root growth from one of the trees, nothing has been put before me to corroborate that T1, T2, or T3 are the cause of this damage or such damage is sufficiently harmful to those using the site to justify the removal of trees. Minor damage to paving by tree roots is a common occurrence in the urban environment and to universally fell any tree implicated in such damage would cause a catastrophic harm to the character and appearance of the urban landscape.
9. I note the health concerns put forward by the appellant. However, I have not been provided with any substantive evidence to demonstrate this to be linked to the presence of the trees or for this to materially exacerbate the matter.
10. While the offer of replacement trees to mitigate the loss of T1, T2 and T3 weighs in favour of the removals, the weight is limited given any replacement would take many years to replace the size of trees that currently exist. Additionally, the replacement trees would not be of the size of the remaining trees within the line of limes, further harming the character and appearance of the area.
11. With any application to carry out work to protected trees, a balancing exercise needs to be undertaken. The need for the work applied for must be weighed against the resultant harm to the amenity of the area. The felling of the three limes T1, T2 and T3 would result in considerable harm to the character and appearance of the area and, in my judgement, insufficient justification has been demonstrated for the proposed work.

12. For the reasons set out above, I conclude that the appeal is dismissed.

David Bailey

INSPECTOR