

METROPOLITAN BOROUGH OF KNOWSLEY

'Regeneration and Economic Development Department

APPLICATION NO: 21/00248/TWA

APPLICANT: Mr Daniel Bloomberg

WARD AFFECTED: Roby

DEVELOPMENT: REMEDIAL WORKS TO 1NO. TREE

LOCATION OF SITE: 4 Waterside Park, Roby, Knowsley, L36 4RN,

NEIGHBOUR NOTIFICATION:

The ward members and local residents have been notified and four objections have been received from local residents and one comment made in support of the application. The objections include:

- Concerns that too many trees have already been cut back / felled in this area already and only the deadwood should be allowed to be removed.
- The implications of the tree and its relevant overhanging branches were fully visible for all to see at time of property purchases.
- Concerns that the publicity sent out to advertise the application made out that the application was submitted by the owner of the property where the tree is located and not a neighbour
- Comments made on the supporting information including that the particular fungus only grows on deadwood, the lesions on branch are healing and were caused by purposeful damage, agree that a crown reduction may be in the best interests of the tree, however I personally think that any leeway given to the applicant will involve further unnecessary works under the pre text of deadwood, fungal growth removal
- The planning application specifically singles out just one tree within my garden again !!, and any significant work planned or unplanned could have an adverse effect on the visual amenity and privacy afforded to me and my neighbours by the tree canopy in addition is also likely to undermine the effectiveness of the TPO afforded to the tree
- There has been significant loss of trees within the area to accommodate development over the last few years and maybe it's time for the council to say enough is enough and actually support the protection afforded to important trees that have been issued with tree preservation orders
- If the works are allowed could conditions be imposed which (i) require works to only be carried out later in the year (September), (ii) only the branch identified within the application is removed, and any deadwood or wood affected by fungus growth is advised in advance, (iii) the crown reduction is completed at the maximum permissible value , which I believe is currently 0.8 m from the end of the current branch lengths, (iv) All works are to be completed in accordance with BS 3998:2010 (Tree works) and that a detailed description of works are provided to the councils arboricultural officer prior to commencement of works, (v) - I'm to be consulted prior to any commencement of works and in the absence of the councils arboricultural officer, be in attendance to ensure full compliance with the planning application and detailed description of works
- The visual amenity and privacy afforded to my property will be impacted and that the effectiveness of the tpo afforded to this tree and the trees in the surrounding gardens including my own will be undermined to the detriment of all

The supporting comment stated that in strong winds dead branches from this tree fly into my garden which is very dangerous for my pets and visiting nieces and nephews, let alone for us that live here.

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ISSUES AND ASSESSMENT:

Site Location

The application refers to a tree situated at the rear of 4 Waterside park.

Background

The TPO in this case was created in 2005 to afford protection to various trees within the properties of Waterside Park.

The Town and Country Planning Act states that Tree Preservation Order may make provision for prohibiting the cutting down, lopping, uprooting, wilful destruction of trees except with the consent of the Local Planning Authority.

The Application

The application seeks consent to carry out the removal of one large limb with lesions present and a crown reduction of 0.8m. The applicant also wants to remove all deadwood from the tree for the reason of health and safety.

Arboricultural Report

The site has been inspected by the Arboricultural Officer who makes the following comments:

The Oak is a mature specimen and is in good health for its age and condition. There is deadwood within the canopy of the tree which is normal in a mature tree. *Auricularia auricula-judea* is present, although these only affect deadwood already present within the tree. Any deadwood present in the tree can be removed without the need of an application.

There is one large limb extending out approx. 7m. There are lesions present on the large limb, going back to its first fork. Although not an immediate danger, they are a weak point on the branch and the removal of the branch up to the first fork is acceptable. The crown reduction of 0.8m is within the excepted parameters. The crown reduction would not affect the health of the tree nor the amenity value it offers. The reduction would improve the crown's shape. The reduction of the tree would have no effect on the privacy of the residents at 4 Waterside Park.

The objections to the works revolve around excessive work to trees in the area and the impact on the amenity value of the tree. The works requested are not excessive and the crown reduction will help reshape the crown and improve its amenity value. There are also concerns regarding privacy from two residents. The crown reduction will not decrease the density of the crown and the removal of the limb to the first fork will not open the lower part of the canopy. Therefore the works will not compromise the privacy of the homes. It is not considered that the proposed works would undermine the effectiveness of the TPO.

In relation to comments on the publicity that was carried out, the letters do not make reference to the applicant, just the proposal.

RECOMMENDATION:

It is recommended that consent be granted to allow pruning works to the Oak tree as stated within the application ref: - 21/00248/TWA

- 1) The tree work hereby granted shall consist of Crown reduction of 0.8m and the removal of the 1 limb identified in the Tree Survey up to its first fork.

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Reason: In the interests of visual amenity and to comply with Saved Policy DQ4 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

- 2) All work should be completed in accordance with BS 3998:2010 (Tree Works).

Reason: In the interests of visual amenity and to comply with Saved Policy DQ4 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

- 3) Any trees not within the ownership of the applicant requires consultation with the tree owner prior to any commencement of any on site works.

Reason: For the avoidance of doubt and to comply with the application.

- 4) The works must be implemented no later than the expiration of two years beginning with the date of this permission.

Reason: For the avoidance of doubt and to comply with the application.

- 5) Five working days written notice shall be given to the Arboricultural Officer before commencement of the works hereby granted.

Reason: For the avoidance of doubt and to comply with the application.

Tom Skipworth
Arboricultural Officer
10/05/21

Alan Kilroe
11 May 2021

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