

Report of the Head of Economic Regeneration and Planning

Planning Committee - 6 December 2016

Provisional Tree Preservation Order P17.7.4.620

**Land at St. Matthews Church, High Street, City Centre, Swansea.
(2016)**

**To consider the confirmation, as a full Order, of the provisional
Tree Preservation Order 620: Land at St. Matthews Church, High
Street, City Centre, Swansea. 2016.**

Recommendation:

**That the Tree Preservation Order: Land at St. Matthews Church,
High Street, City Centre, Swansea. 2016 be confirmed**

For Decision

1. Introduction

1.1 The provisional Order was served on 27th June 2016.

2. Objections and Representations

2.1 One letter expressing an objection has been received within the minimum required consultation period; this letter was supported by a petition of 13 names supporting its contents. No letters of support have been received.

2.2 Mr. Ellerby on behalf of The Hill Church objects to the lime tree at St Matthews Church being protected for the following reasons:

- Leaves from the tree cause the footpath to the church to become slippery;
- The tree overhangs High Street and parts of the tree may fall onto the road and pavement;
- Leaves block the gutter of the church and cause damp within;
- That the tree had not been previously protected and the TPO was made in response to the Churches intent to remove it.

3 Appraisal

- 3.1 A provisional tree preservation order P17.7.4.620 has been placed on a lime tree at St. Matthews Church, High Street. The order was made in response to an enquiry as to whether the lime tree had statutory protection. The contractor indicated that he was to provide a price to remove the tree and that instruction did not give reasons for the tree removal.
- 3.1.1 The large lime tree contributes significantly to the street scene and local amenity and its loss will adversely affect the area and the setting of the church.
- 3.1.2 The tree has been evaluated using TEMPO which scores the trees' contribution to the local amenity. The score was 18 – which definitely merits a TPO in the decision guide.



Photograph 1: Significant amenity contribution of lime tree protected by TPO620

- 3.2 The tree will contribute to the footpath to the church becoming slippery; however falling leaves will be a short term problem each year that can be easily cleared. A build-up of algae may occur for longer periods but is also easily removed. Removal of trees for these problems is disproportionate and would have an adverse effect on amenity.

- 3.3 The tree does overhang High Street; however as acknowledged in Mr Ellerby's letter of objection the tree appears to be healthy. Mr Ellerby states that the best control of the risk of the tree falling is to remove it altogether. This approach if carried out throughout the country would lead to the removal of all urban trees. The approach is disproportionate and does not follow industry guidance on tree risk management.
- 3.4 Falling leaves will block the gutter of the church and subsequently cause damp. On inspection it is obvious that maintenance has not been carried out for several years to prevent this problem. The branches are touching the church and the roof which contributes significantly to this problem. The problem can be mitigated without the trees removal by some pruning following a tree work application and by the use of gutter guards.
- 3.5 The tree had not been previously protected and the TPO was made in response to the Churches intent to remove it. A requirement of serving a TPO is that it is expedient i.e. the tree is under threat; information came to light that indicated that the tree was under threat and considering placing a TPO on it is a duty of the Local Authority. The tree did not have a TPO on it previously as it was not previously considered to be under threat.

4. Recommendation

It is recommended that the Tree Preservation Order: Land at St. Matthews Church, High Street, City Centre, Swansea. 2016; TPO P17.7.4.620 be confirmed without amendment.

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