



## Report of the Head of Planning and City Regeneration

Planning Committee - 8 June 2021

### **Provisional Tree Preservation Order TPO 677 Land at: Birch Rock, Pontarddulais, Swansea. (2021)**

**To consider the confirmation, as a full Order, of the provisional Tree Preservation Order 677, Land at: Birch Rock, Pontarddulais, Swansea. (2021)**

**Recommendation:**

**That the Tree Preservation Order Land at: Birch Rock, Pontarddulais, Swansea. (2021) be confirmed without modification.**

**For Decision**

#### **1. Introduction**

- 1.1 The provisional Order was served on 13<sup>th</sup> January 2021.
- 1.2 The order was made during the consideration of planning applications 2020/1753/FUL and 2020/1746/FUL on land at Birch Rock, Pontarddulais. The Tree Officer objected to the proposals as they required the removal of a large oak tree that is identified as category A in the accompanying tree report.
- 1.3 The Order covers the one tree that has been a material planning constraint.
- 1.4 The applications are yet to be determined although the tree has now been integrated into the design.

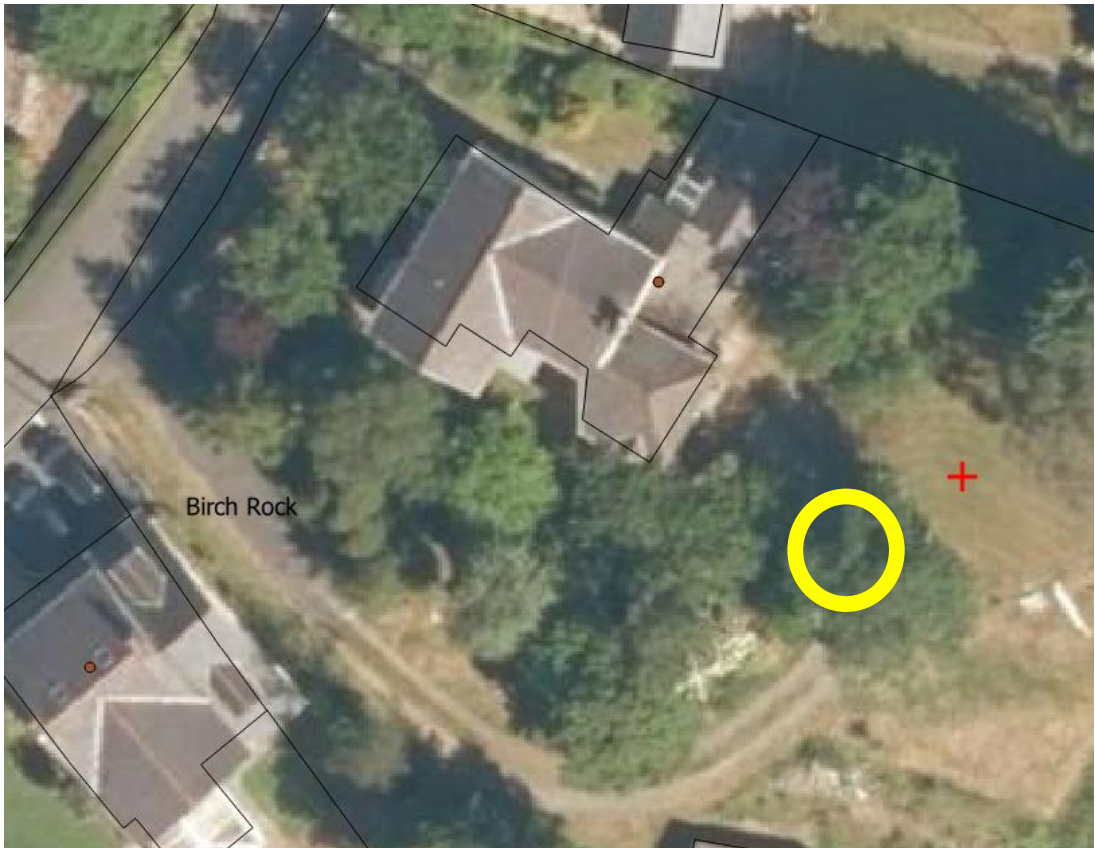
#### **2. Objections and representations**

- 2.1 One objection has been received by email within the minimum required consultation period.
- 2.2 The reasons given for the objection are summarised below:
  - The red oak is native to North America and not the UK, so its ecological value is minimal;
  - it can grow to more than 92 ft (28m) tall with a trunk diameter of 2m in open ground, which is totally unsuitable for an ordinary garden;

- It can also live for up to 400 years;
- Oak Wilt, a fatal fungal disease. can affect all oaks but the red oak is more susceptible and usually dies soon after infection and can be a vector for passing diseases to native oaks;
- The very large leaves, in summer, mean that the lawn is shaded and only moss grows underneath the canopy as well as shielding the house from sunlight and even though a right to light is the right to receive light through a defined window etc, it is depressing to have what little sunlight we do get, marred by this ever growing tree;
- There is no visual impact on the surrounding area, which is not a conservation area, as it cannot be seen from Highland Terrace and is only partially visible from Bolgoed Road (see attachment) some distance away and does not add to the landscape value of the area;
- We also do not believe the oak has any rarity, cultural or historic value.

### 3. Appraisal

- 3.1 The purpose of tree preservation orders primarily is to protect local visual amenity. The tree's native range or ecological value are not considered when deciding whether an order is suitable or not. Notwithstanding this the Woodland Trust say the following in its description of the species: *"Although it isn't as valuable to wildlife as our native oaks, it's popular with nesting birds and pollinators."*
- 3.2 The tree is nowhere near this size (28m) at the moment and reaching it is not assured; if the size does become a problem in the future, pruning can be applied for and is likely to be approved if it is considered good arboricultural practice. This tree is situated in a garden that is larger than the average garden size in the UK of 188m<sup>2</sup> (ONS).
- 3.3 The long lifespan can only be seen as a positive fact and a reason to preserve it.
- 3.4 Oak wilt (*Ceratocystis fagacearum*) is not present in UK. Oak wilt is a destructive disease of oak trees (trees in the *Quercus* genus) caused by the fungus *Ceratocystis fagacearum* (*C. fagacearum*). Oak wilt has been reported from more than 25 eastern and mid-western states of the United States. There are no records of its being found anywhere else. According to the Woodland Trust, red oaks are less susceptible to pests and pathogens than our native oaks.
- 3.5 Shading of property by trees is most likely to be a problem when the tree is to the south of the property. This tree is to the south-east of the house and is much less likely to be a shading issue than the numerous other trees around the house which are in much closer proximity. The planning application includes a drive that covers some of the ground close to the tree where, as a consequence shading of grass will not be an issue; shade resistant grass or other surfacing can be used under the remaining shaded area.



**Approximate position of red oak T1; note position of the shadow cast and other trees.**

- 3.6 The tree can be clearly seen from Bolgoed Road. Its prominence will increase with the removal of trees around it that are required to facilitate the proposed development (if approved). The image shows the trees in leaf during the summer; the red oak will also become much more prominent due to its red colouration during the autumn.



**Position of oak tree and visibility from Bolgoed Road.**

- 3.7 It is agreed that the tree has no rarity, cultural or historic value; however, these are not the reasons why the Order was served.

Summary

- 3.8 The red oak tree covered by the Order provides considerable visual amenity to the area.

**4. Recommendation**

- 4.1 That the Tree Preservation Order: 677, Land at: Birch Rock, Pontarddulais, Swansea. (2021) be confirmed without modification.

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