

Agenda Item 9

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Report

Report subject: Tree Preservation Order at St Paul's Church, Salisbury (no. 389)

Report to: City Area Committee

Date: 24th May 2007

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Purpose of Report:

This item is before Members because 2 letters have been received objecting to the Tree Preservation Order (TPO) at St Paul's Church, which was enacted on 31st January 2007 to protect one Holly tree.

Background:

The Planning Office received notification of the intention to extend St Paul's Church, and the Tree Officer was advised in January 2007, that this would lead to the loss of the trees on a small area of land to the north of the church.

St Paul's Church is situated on the roundabout at the junction of Churchill Way and Fisherton Street/Devizes Road. The church and the trees on the adjacent land to the north are immediately visible to people approaching Salisbury from the west and north-westerly direction, as they round the roundabout.

Five trees are growing on the land including a Thuja, two Hollies, a Viburnum and a Cupressus. Problems have been identified with four of the five trees so they have not been included in the order, but one Holly is an excellent mature specimen which is well worthy of protection.

Another tree (a Robinia) is located on public land near to the north corner of the church.

These trees all add to the leafy character of Salisbury and it is important that some are retained to prevent the over urbanization of the area.

The Robinia has a degree of protection because it is on Council Land but the Holly requires the protection of this TPO to safeguard it against development.

Objections:

Two letters of objection have been received, raising the following points:

1. Mis-information has been provided by Salisbury District Council (SDC) relating to the status of the trees in terms of Statutory Protection.
2. The possibility that tree roots could cause structural damage to the church.
3. The loss of benefit to the community if the extension is not built.
4. The Holly is not readily visible because it is screened by a large 'Fir' tree.
5. If removed, the tree could be replaced with at least one other, and possibly more.

Comments on objections:

In response to the points raised:

1. In February 2006 a representative from St Paul's Church contacted SDC and asked if the trees on the area of land to the north of the church were protected by a Preservation Order and whether there would be any objection to their removal. The Tree Officer of the time responded by saying the trees were not subject to any Statutory Protection.

It is clear from the correspondence that the second part of the question was not answered. As a result the trees were not formally assessed for a Preservation Order until the current Tree Officer consider a preliminary application for development, following the December 2006 Design Forum presentation.

2. St Paul's Church have sought the advice of a Structural Engineer who has implied that the tree roots have the potential to damage the foundations of the building.

The tree is relatively close to the side of the building where a boiler room is situated. The room extends approximately two meters below ground level.

Tree roots spread outwards from the base of a tree and most (in excess of 95%) are found within the top 60 centimetres of soil. It is unlikely that any roots extend down as far as the floor of the room, let alone the depth of the foundations. Recent research has indicated that a root growing into a crack in brickwork cannot mechanically move anything more than the weight of a small garden wall.

Most damage caused by tree roots occurs because greater levels of moisture are extracted from the soil during dry periods causing it to contract more than it would otherwise, if trees were not present. There are five trees in the relatively small area to the north of the church and it is unlikely that they will/should all be retained regardless of the success of the planning application. The removal of some of the trees will vastly reduce the water requirements in the vicinity, by those that remain, therefore alleviating the problem.

Trees are often blamed for subsidence damage and cracks in walls but the immediate removal of a tree is not appropriate without reasonable proof that the roots are to blame. Evidence is essential. In this instance it is only speculation that the roots may cause a problem and as such this issue should not effect the decision to confirm the TPO. If, at some point in the future there is substantiated evidence that the tree roots are causing damage, appropriate action can be considered under the normal application process.

3. St Paul's Church have put forward good justification for the need to develop the site and explained how it will benefit the community. They have emphasised the need for toilets (for child protection issues), disabled access and additional space for the congregation and community work.

Trees also provide considerable benefits to the community. In this instance the tree acts as a screen and breaks up the hard lines of the building. It also provides a habitat for wildlife and lessens the urban feel of the area.

The question of which is more important is for the committee to decide.

4. At present the Holly tree is partly obscured by a Thuja (the 'Fir') and a Viburnum on the north boundary of the site. Additionally, there is a second Holly to the south and a Cupressus to the east.

The reason that only one Holly has been selected for protection is because the other trees have reasonable justification for their removal. The Thuja appears to be causing damage to the pavement and its crown is incomplete due to competition with the adjacent Viburnum, which itself is decaying at the base of the trunk. The Cupressus is a poor example and the other Holly has a metal rod imbedded in the base of its trunk which is likely to cause problems in the near future.

The Holly which is the subject of this TPO is an excellent example, and its retention is important to keep tree cover at this prominent point on the outskirts of the city.

5. A good example of a mature tree cannot easily be replaced. Even if several semi-mature trees were planted to replace it, they would not provide the same impact or benefits for many years to come. Furthermore, like many new plantings, the new trees may die before they become established.

Conclusion:

This is an excellent example of a mature Holly tree in a prominent position on the outskirts of the city. Visitors see the tree(s) when they come to the city or pass by on the A36 and although many trees are lost to development in urban areas, surely such a fine specimen is worthy of protection.

Options for consideration:

Members should consider the Tree Preservation Order and decide on one of the following options:

- 1) To confirm the order (and retain the tree)**
- 2) Not confirm the order (and allow the felling of the tree)**

Recommendations:

The Tree Officer recommends the order is confirmed because the loss of the tree would detract from the visual amenity of the area.