

CAMBRIDGE CITY COUNCIL

REPORT OF: Arboricultural Officer
TO: Planning Committee 5th November 2014
WARD: Castle

**OBJECTION TO CITY OF CAMBRIDGE
TREE PRESERVATION ORDER (TPO) NO. 18/2014**

1.0 INTRODUCTION

- 1.1 A TPO has been served to protect trees in the rear garden of 58 Huntingdon Road.
- 1.2 An objection to the order has been received, therefore, the decision whether or not to confirm the order is brought before Committee.
- 1.3 Members are to decide whether to confirm or not confirm the Tree Preservation Order.

2.0 RECOMMENDATION

- 2.1 The tree preservation order is confirmed.

3.0 BACKGROUND

- 3.1 A 211 Notice, 14/143/TTCA, was submitted to the Council for the felling of two trees in the rear garden of 58 Huntingdon Road. Objections to the removals were received and it was officer opinion that the removal of the trees would have a negative impact on the character of the area. A TPO was therefore served to protect the trees.

4.0 POWER TO MAKE A TPO

- 4.1 If it appears to a local planning authority that it is expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area, they may for that purpose make trees, groups of trees or woodlands the subject of TPO.

- 4.1.1 Expedience

- If there is a risk of trees being cut down or pruned in ways which would have a significant impact on their contribution to

amenity it may be expedient to serve a Tree Preservation Order. In some cases the Local Planning Authority may believe trees to be at risk generally from development pressure and therefore consider it expedient to protect trees without known, immediate threat. Where trees are clearly in good arboricultural management it may not be considered appropriate or necessary to serve a TPO

4.1.2 Amenity

While amenity is not defined in the Town and Country Planning Act, government guidance suggests that trees suitable for TPO should normally be visible to the public, at the time of making the TPO or in future. However the Oxford Dictionary defines amenity as the fact or condition of being pleasant or agreeable. Trees may be worthy of preservation for their intrinsic beauty or for their contribution to the landscape or because they serve to screen an eyesore. Consideration should also be given to environmental benefits and historic/commemorative significance.

4.1.3 Suitability

The impact of trees on their local surroundings should also be assessed, taking into account how suitable they are to their particular setting, the presence of other trees in the vicinity and the significance of any detrimental impact trees may have on their immediate surroundings.

4.2 Suitability of this TPO

4.2.1 Expedience

A TPO is expedient because trees are proposed to be removed.

4.2.2 Amenity

Both trees are clearly visible from Westfield Lane and therefore contribute to the character of the area. The trees also contribute to the pleasantness of the environment.

4.2.3 Suitability

The trees are located away from the houses, towards the end of the garden, which backs directly on to Westfield Lane. No evidence has been presented to suggest the trees are a current nuisance.

5.0 CONSULTATIONS

- 5.1 A TPO must be served upon anyone who has an interest in land affected by the TPO.
- 5.2 Following such consultation an objection has been received to the TPO from a neighbour and the applicants Tree Surgeon.

6.0 CONSIDERATIONS

- 6.1 Objection is made on the following grounds:
- 6.1.1 The spruce is enormous and is threatening the neighbouring garage, it is out of scale with the area.
- 6.2 Officer's response to the objection.
- 6.2.1 There was no evidence presented with the application or the objection to support the claim that trees were causing damage to adjacent structures. If evidence is presented supporting the claim that trees are causing damage, officers can re-assess the justification for removal. If the trees to be removed are TPOd, the Council can condition replacement planting allowing more space for future growth. The Council cannot condition replacement planting unless trees are TPOd.

7.0. OPTIONS

- 7.1 Members may
- Confirm the Tree Preservation Order.
 - Decide not to confirm the Tree Preservation Order
 - Confirm the Tree Preservation Order with modification

8.0 RECOMMENDATION

- 8.1 Members are respectfully recommended to confirm City of Cambridge Tree Preservation Order 18/2014.

9.0 IMPLICATIONS

- | | |
|--------------------------------------|------|
| (a) Financial Implications | None |
| (b) Staffing Implications | None |
| (c) Equal Opportunities Implications | None |
| (d) Environmental Implications | None |
| (e) Community Safety | None |

BACKGROUND PAPERS:

The following are the background papers that were used in the preparation of this report:

TWA 14/143/TTCA

City of Cambridge Tree Preservation Order 18/2014

Objection letter from Hayden's Arboricultural Consultants

To inspect these documents contact Joanna Davies on extension 8522

The author and contact officer for queries on the report is Joanna Davies on extension 8522

Date originated: 17.10.14

Date of last revision: 21.10.14