

CAMBRIDGE CITY COUNCIL

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REPORT OF: Arboricultural Officer  
TO: Planning Committee 5<sup>th</sup> November 2014  
WARD: Petersfield

**OBJECTION TO CITY OF CAMBRIDGE  
TREE PRESERVATION ORDER (TPO) NO. 28/2014**

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**1.0 INTRODUCTION**

- 1.1 A TPO has been served to protect trees at George Pateman Court.
- 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 28/2014 is confirmed but with modification.

**3.0 BACKGROUND**

- 3.1 TWA 14/295/TTCA was submitted to the Council for the removal of G1 a group of trees comprising Yew, Western Red Cedar and Holly. Objections to this proposal were received and it was officer opinion that the removal of all the trees would be detrimental to amenity.

**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 a notice of intention to remove the trees was received.

#### 4.2.2 Amenity

The trees help soften the hard line of the court, provide a screen and contribute to environmental amenity.

#### 4.2.3 Suitability

The trees are located in a small bed between 30 and 17 George Pateman Court. Located immediately to the south of number 30 the trees, as a group, block a significant amount of light to this property. Management of the group as a whole would have only limited impact on the shading and would need to be repeated regularly. The removal of all but the Yew however, would significantly improve light to number 30 and with only minor management this could be maintained.

## **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 an Arboricultural Consultant.

## **6.0 CONSIDERATIONS**

- 6.1 The objection is made on the following grounds:
- 6.1.1 The trees block light to number 30 and are oppressive.
- 6.2 Officer's response to the objection.
- 6.2.1 Officers agree that the group as a whole has a significant and detrimental impact on number 30 and that the removal of the Western Red Cedar and the Holly will greatly improve light to the property while the retention and minor management of the Yew will retain the amenity contribution.

## **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 28/2014 but with a modified plan and schedule to protect only the Yew T1.

## **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 14/295/TTCA

City of Cambridge Tree Preservation Order 28/2014

To inspect these documents contact Joanna Davies on extension 8522

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