

CAMBRIDGE CITY COUNCIL

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**REPORT OF:**                    **Arboricultural Officer**

**TO:**    **Planning Committee**

**4<sup>th</sup> March 2015**

**WARD:**    **ECH**

**TREE WORKS, 211 NOTICE, 5, 6 and 7 Capstan Close  
TO Fell, pollard, coppice Willows.**

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**1.0 INTRODUCTION**

- 1.1 A 211 Notice was received to carry out works to willow trees on the eastern side of the Island, to the rear of 5, 6 and 7 Capstan Close
- 1.2 Objections to the proposed works were received and the tree officer had concerns that the extent of work would be detrimental to public amenity.
- 1.3 Following consultation with the owners of Capstan Close an amended description of works was put forward.
- 1.4 As some objections to the proposed works were maintained, a TPO was put on the trees to allow the proposal to be brought before members. The applicant has re-applied for the amended works under the TPO.
- 1.5 Members are asked to decide to
  - (1) Confirm the TPO or
  - (2) Allow the TPO to lapse
  - and
  - (3) Allow tree works, subject to condition or
  - (4) Refuse tree works

**2.0 RECOMMENDATION**

- 2.1 The TPO be confirmed

and

Tree works are allowed subject to condition limiting extent.

### 3.0 BACKGROUND

- 3.1 The 211 Notice was made by Mr Sharp of 5 Capstan Close on behalf of himself and his neighbours at 6 and 7

#### Proposed Works

T1 and T7 - Willow - Cut down to ground level

T2, T3 and T6 - Willow - Pollard to approx. 12ft - 15ft

T4 - Willow - Low branch growing towards river. Cut back to main trunk

T5 - Willow - Cut down to 2ft, coppice

T8 - Willow - Remove 1 low branch leaning towards backwater to balance

T9 - Willow - Coppice to retain root structure on bank

T10 and T11 - Pollard to 10ft

T12 - Remove low branch growing towards houses

- 3.2 Following discussion within the applicant regarding officer concerns the works was amended as follows.

#### Revised Tree Works

Tree 1: Coppice – small stem leaning over opening to basin

Tree 2: Pollard 0.5 to 1m above first main bifurcation – Approximately 4m-5m

Tree 3: Pollard 0.5 to 1m above first main bifurcation - Approximately 6m -7m

Tree 4 Pollard 0.5 to 1m above first main bifurcation - Approximately 5m -6m

Tree (small) between tree 4 & 5: Coppice, leggy specimen

Tree 5: Pollard 0.5 to 1m above first main bifurcation - Approximately 4m-5m

Tree 6: Pollard 0.5 to 1m above first main bifurcation Approximately 5m-6m

Tree 7: Removal, coppice or pollard – small stem growing from inlet

Tree 8: 20% crown reduction- tree will be opened up to increased wind loading, works proposed to redress balance

Tree 9 Pollard 0.5 to 1m above first main bifurcation - Approximately 5m-6m

Trees T10, T11 and T12 are on a part of the island owned by number 7. The owner of this property has decided not to carry out any works at this time.

## **4.0 CONSULTATIONS**

- 4.1 It is Council policy to consult Ward Councillors and residents of proposed works in Conservation Areas and allow the opportunity for people to comment/object.
- 4.2 Following such consultation objections have been received from residents on Riverside, in Garden Walk and Victoria Road. The objections which can be viewed in full through idox or public access have been made on the following grounds.
  - 4.2.1 The work will affect the character of the area
  - 4.2.2 The trees are a high amenity in themselves as well as shielding the view to a row of modern houses
  - 4.2.3 The trees are not dangerous as claimed and the land is not unstable.
  - 4.2.4 The trees should be TPOd
  - 4.2.5 The applicants' only consideration seems to be a legal duty of care.
  - 4.2.6 The negative impact on birds

## **5.0 CONSIDERATIONS**

- 5.1 Is there sound arboricultural or practical justification for the works to the tree(s) in the manner proposed.
  - 5.1.1 The Applicants' reasons for proposing the works are as follow. The trees are getting too large and may pose a risk by falling into the river or on the adjacent boathouse. This area of the Cam has significant traffic.
  - 5.1.2 There is no evidence presented to support a claim that the trees are a current danger and that the works are therefore required to mitigate such danger.
  - 5.1.3 When defects are apparent less drastic remedial works can redress the balance between stability and wind resistance.
  - 5.1.4 Notwithstanding the above pollarding is an acceptable way of managing willows. As these trees move in maturity and over-maturity the potential for failure will increase. Pollarding trees significantly reduces wind loading and allows the safe retention of trees for considerably longer than if they were allowed to grow naturally.

Proactive management by bringing trees in to a pollarding regime when they are healthy is more likely to be successful than if brought in to manage decline.

## 5.2 Is a TPO appropriate/expedient.

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.

### 5.2.1 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.

### 5.2.2 Amenity

While amenity is not defined in the Town and Country Planning Act, government guidance suggests that trees suitable for TPO should be visible to the public, at the time of making the TPO or in future. 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.

### 5.2.3 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.

## 5.3 The Arboricultural Officer's assessment of the proposed.

### 5.3.1 Expedience

In this instance A TPO was necessary to provide protection for the trees during the time between the end of the 6-week notice and bringing the proposal before Committee. Confirming the TPO will not

only allow this continued protection but will also allow the applicant the right to appeal any refusal/condition of consent.

### 5.3.2 Amenity

The trees are a prominent feature of the Riverside walk, from where they are most easily viewed. They are a key feature of the character of the area, they screen the Capstan Way properties and they contribute to the island's habitat. Remedial works in the form of selective pollarding/coppicing is currently carried out to the Willows on the west side of the island to the rear of 8 to 11 Capstan Close. These trees still provide a significant amenity contribution and habitat and continue to screen the Capstan Close properties. Bringing the trees to the rear of 5 and 6 Capstan Close in to similar management will not have a material impact on the overall contribution the island trees make to the character of the area.

### 5.3.2 Suitability

The Willows are entirely suited to their riverside, island location. Managing this resource by introducing pollards to the east side of island is also appropriate.

## 6.0 CONCLUSIONS

- 6.1 A TPO is considered appropriate to maintain the necessary level of protection for the Willows. However although not required to abate immediate risk pro-active management of the Willows by introducing pollarding is appropriate for this site and, with consideration of pollard heights and staggering repeat works, will have no material impact on the island character and amenity contribution. Members are therefore respectfully requested to confirm the TPO and allow works to trees T1 to T9, subject to condition

## 7.0 IMPLICATIONS

(a)	<b>Financial Implications</b>	None
(b)	<b>Staffing Implications</b>	None
(c)	<b>Equal Opportunities Implications</b>	None
(d)	<b>Environmental Implications</b>	None
(e)	<b>Community Safety</b>	None

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

TWA 14/605/TTCA

Tree Preservation Orders: a guide to the law and good practice

Comments received from residents

To inspect these documents please either view Public Access or contact Joanna Davies on extension 8522

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

Report file: March PC Capstan Close  
Date originated: 18 February 2015  
Date of last revision: 18 February 2015

## Appendix 1 Plans

Image showing all trees on Capstan Close Island





Map of Island with subject trees numbered.



