

CAMBRIDGE CITY COUNCIL

REPORT OF: Arboricultural Officer
TO: Planning Committee 5th August 2015
WARDS: 2a Carisbrooke Road

**OBJECTION TO CITY OF CAMBRIDGE
TREE PRESERVATION ORDER (TPO) NO. 02/2015**

1.0 INTRODUCTION

1.1 A TPO has been served to protect trees at 2a Carisbrooke Road

1.2 As objections to the order have been received 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 without amendment.

2.0 BACKGROUND

The land the four trees grow on is private, which until recently remained unfenced. We were alerted by a local ward councillor, that a fence was starting to be erected, around the small area adjacent Histon Road and Carisbrooke Road. A tree officer went to site and noted that the trees are in good condition and of a significant amenity. Therefore the Tree Team placed a TPO on the four trees.

A land search revealed that the land had changed ownership on the 19th December 2014.

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 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.

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

It was considered that the trees were at risk from development, this is confirmed as they are currently under scrutiny within a planning application.

4.2.2 Amenity

The trees sit together in a group of four. The trees are clearly visible from Carrisbrooke Road and Histon Road.

4.2.3 Suitability

There are three Wild Cherries and one Norway Maple. Both species are widely used across the city in verge and open grass settings. Histon Road also has numerous examples of both species of tree used in this way.

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 the serving of the TPO an objection has been received to the TPO from the new owners of the piece of land, the owners of 2a Carrisbrooke Road.

6.0 CONSIDERATIONS

- 6.1 The objection is made on the following grounds:

- 6.1.1 T1 & T2, roots have grown into the garden from the trees and are lifting external paving slabs. There are concerns in regards to safety and the roots causing the slabs to be trip hazards. The trees will need to be removed as a preventative for causing damage to the property.

- 6.1.2 The order states that it was made because the trees provide an important amenity, the owners are surprised by this and feel that if the visual impact was so important to the local community an order should have been raised before.

- 6.1.3 In 2009 they contacted the city council to enquire about the trees and ownership of the land. At the time they were informed that the city council had no ownership or responsibility for maintaining the trees or the land.

- 6.1.4 If T1 and T2 are to be removed they would be prepared to plant replacement trees closer to the road.

- 6.2 Officer's response to the objection.

- 6.2.1 Tree removal for problems such as uneven slabs, or paving, is not a valid reason to remove early mature or mature trees. Hard landscaping such as this can be easily be maintained, repaired, and/or replaced. Whereas it would take 25 to 30 years to replace the current trees.

- 6.2.2 It is common place to find trees growing close to buildings. Only a small percentage of those trees actually cause damage structurally. If structural damage is caused, the Tree Team would be more than happy to talk through the issues and a tree work application should be submitted. Proof of damage will need to be submitted at that time.

6.2.3 Previous to the selling of the land the land was communal and the trees were considered to be under good arboricultural management. Members of the public raised their concerns re the change of ownership to a ward councillor. In turn the ward councillor approached the Tree Team who considered a TPO expedient.

6.2.4 The group of four trees have grown together since planted at the same time. To remove trees T1 and T2 would leave T3 and T4 with unbalanced and with asymmetric crowns. This could lead to branch failure on the remaining trees, in heavy rain fall or strong winds. There is lack of room to plant new trees closer to the road, also there are underground services and manhole covers very close to this position.

7.0. OPTIONS

7.1 Members may

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

8.0 RECOMMENDATION

8.1 Members are respectfully recommended to confirm City of Cambridge Tree Preservation Order 02/2015 without modification.

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:

TPO 02/2015 map with positions of trees

City of Cambridge Tree Preservation Order 02/2015

To inspect these documents contact Kenny McGregor on extension 8522

The author and contact officer for queries on the report is Kenny McGregor on extension 8518.

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