

CAMBRIDGE CITY COUNCIL

REPORT OF: Arboricultural Officer
TO: Planning Committee 6th July
WARD: Market

**OBJECTION TO CITY OF CAMBRIDGE
TREE PRESERVATION ORDER (TPO) NO. 02/2016**

1.0 INTRODUCTION

- 1.1 A TPO has been served to protect trees at 17 Brunswick Gardens
- 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 subject to modification of the plan to more accurately show the location of T1. See Appendix 1.

3.0 BACKGROUND

- 3.1 A section 211 Notice was received to significantly reduce the crowns of 2 Birch trees by reducing height by 4m and width by 6m. Officers concluded that there were no arboricultural nor overbearing practical reasons to carry out the works in the manner proposed, which would be detrimental to tree health and appearance and consequently to amenity. A TPO was therefore served. Officers are of the opinion that more considered remedial works will improve the relationship between the trees and their immediate surroundings without materially impacting on their amenity value and would be minded to permit a crown lift to 4m, a lateral tip-end reduction along with a 20% crown thin, should an application of this nature be made.

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 that 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

A TPO was expedient because we received notice of intended tree works. Works that would have a significant impact on the trees' contribution to amenity.

4.2.2 Amenity

The trees are clearly visible from Brunswick Gardens, they were planted as part of the landscaping scheme associated with development and offer a significant contribution to the character of the area.

4.2.3 Suitability

There are no overbearing practical reasons that would make the trees unsuitable in their locations. It is however acknowledged that considered remedial work would improve the relationship between the trees and adjacent buildings and garden use.

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 objections have been received to the TPO from 17 and 16 Brunswick Gardens. Support was received from 9 Brunswick Gardens

6.0 CONSIDERATIONS

6.1 The objections are made on the following grounds:

6.1.1 Tree T1 is incorrectly located on the plan

6.1.2 Tree T1 is too large and blocks light from the house and garden

6.1.3 Leaves and twigs fall in the garden

6.1.4 Roots damage flagstones

6.2 Officer's response to the objection.

6.2.1 The TPO plan is representative only but can be altered at confirmation to reflect the location more accurately.

6.2.2 Officers do not object to the principle of pruning the trees and would be happy to agree to more considered works that will reduce the negative impact of the trees on their surrounding while maintaining trees' health and amenity contribution. Such works would include crown thinning, crown lifting and a lateral, tip-end reduction.

6.2.3 While leaf and twig fall can be a nuisance it is not considered to be reasonable justification for works that would be detrimental to tree health and appearance.

6.1.4 There are no objections to the retention of the trees and the pruning proposed would have no material impact on damage caused to flagstones.

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 02/2016 subject to modification of the plan to more accurately represent the location of 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 15/348/TTCA

City of Cambridge Tree Preservation Order 02/2016

Objection letters and letter of support

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

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Appendix 1

