

CAMBRIDGE CITY COUNCIL

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

**OBJECTION TO CITY OF CAMBRIDGE
TREE PRESERVATION ORDER (TPO) NO. 10/2016**

1.0 INTRODUCTION

- 1.1 A TPO has been served to protect trees at 38 Fulbrooke 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.

3.0 BACKGROUND

- 3.1 An application (15/1391/FUL) to extend the existing building at 38 Fulbrooke Road was received and tree officers consulted. Officers objected to the proposal on the grounds that the application required excessive pruning to a Beech tree located in the property's rear garden. Following receipt of officer comments the tree was severely pruned to provide the necessary clearance between the tree and building to allow physical construction of the proposed extensions. A tree preservation order was served to prevent further works to the tree.
- 3.2 Before pruning the tree had a crown spread of 7.1m to the north, 6m to the east, 5.4m to the south and 9m to the west. The tree now has a crown spread of 5m to the north and east and a spread of only 3m to the south. The western aspect was not surveyed by the applicant's arboriculturalist. While the work is considered extreme and the extent contrary to best practice, the tree surgery was excellent quality and the tree would be expected to recover a reasonable crown again given the space to grow into. The proposed three story extension however does not provide that space. To

maintain a physical clearance between the canopy edge and building as proposed the southern aspect would need regular reduction back to 3m. This work will have a material impact on the tree's appearance and life expectancy. Furthermore it is anticipated that once built the tree, even if pruned regularly in all aspects, will block light to and views from the 3-storey rear extension and therefore the tree's removal will become desirable.

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

Tree works, not in accordance with best practice were carried out to the tree to reduce its constraint on proposed development.

4.2.2 Amenity

The tree is located to the rear of the existing house but is clearly visible from Fulbrooke Road. Please see Appendix 1. The tree also provides a screen between number 38 and the adjacent Croftgate flats and contributes environmental amenity.

4.2.3 Suitability

There are no overbearing practical reasons that would make the tree unsuitable in its current location. It is however acknowledged that due to the tree's proximity to the existing 38 Fulbrooke Road periodic remedial work is required to maintain a reasonable clearance between the canopy edge and building.

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, support for the TPO has been received from Croftgate and objection has been received from 38 Fulbrooke Road

6.0 CONSIDERATIONS

6.1 The objection is made on the following grounds:

6.1.1 The applicant has used TEMPO (Tree Evaluation Method for Preservation Orders) to show that the tree is not suitable for TPO because of limited amenity value.

6.1.2 There is no intension to remove the tree.

6.1.3 Required pruning will not impact on the tree's amenity value.

6.2 Officer's response to the objection.

6.2.1 The tree is clearly visible from a public viewpoint, contributes positively to the environment and is therefore appropriate for legal protection under the terms of the Town and Country Planning Act.

6.2.1 The TPO not only protects the tree from removal but protects it from damaging tree works. The tree has suffered extreme tree works recently and such works are likely to be repeated. Officers would allow reasonable tree works.

6.2.3 The maintenance of the crown with such a limited spread to the south and east will result in dense regrowth similar to that when maintaining a hedge. The primary view of the tree is from the south

and its affected canopy growth will be apparent from this view. Continued pruning to this extent will impact on the trees longevity.

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 10/2016.

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:

Planning Application 15/1391/FUL

Objection from 38 Fulbrooke Road

City of Cambridge Tree Preservation Order 10/2016

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: 14.06.2016

Date of last revision: 20.06.16

Appendix 1

