

CAMBRIDGE CITY COUNCIL

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

**OBJECTION TO CITY OF CAMBRIDGE
TREE PRESERVATION ORDER (TPO) NO. 11/2016**

1.0 INTRODUCTION

- 1.1 A TPO has been served to protect a tree at Christ's College.
- 1.2 As an objection to the order has 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 A section 211 Notice, supported by a letter from David Brown Landscape Design was received to remove two Wingnut trees from the grounds of Christ's College because the trees are not suitable species for the locations, have outgrown the locations, are too close to adjacent structures and cast significant shade. Officers concluded that there are no arboricultural reasons to remove the trees and no overbearing practical reasons to remove the tree located in the Master's Garden as management of this tree would allow its reasonable retention. A TPO was therefore served on this tree. However in order to retain the tree located adjacent to the Hobson Street carpark, the remedial work required would be significant, would need to be repeated frequently and would have a detrimental impact on the tree's appearance and amenity contribution without having a significant impact on the nuisance associated with its retention. Removal and replacement of this tree is considered to be a more reasonable solution, therefore.

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

A TPO was considered expedient as the tree's removal was proposed by the college.

4.2.2 Amenity

The tree is located close to Hobson Street where it overhangs and can be seen from the whole length of the road, it is also clearly visible from St Andrew's Street.

4.2.3 Suitability

There are presently no overbearing practical reasons that make the tree unsuitable in this location. It is however acknowledged that considered remedial work would improve the relationship between the tree, adjacent buildings and Master's Garden but without having a detrimental impact on the tree's appearance and amenity contribution.

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 Christ's College.

6.0 CONSIDERATIONS

- 6.1 The objection is made on the following grounds:
 - 6.1.1 The tree reaches across Hobson Street to buildings on the other side.
 - 6.1.2 The tree shades Master's Garden and throws up suckers restricting garden use.
 - 6.1.3 It is a relatively young tree and the problems will only worsen as the tree grows.
 - 6.1.4 As a result of the above, the tree will require extensive and frequent pruning at significant cost to the college and with benefit to the college or the public.
- 6.2 Officer's response to the objection.
 - 6.2.1 The tree has a good branch structure and can be pruned sympathetically to maintain a reasonable clearance to the buildings opposite.
 - 6.2.2 The tree is located in a secluded part of the garden and does not impact materially on the main, formal part of the garden. Notwithstanding this crown lifting would improve shading and there is no evidence that the management of suckers is not practical.
 - 6.2.3 At present there is insufficient evidence to support the claim that tree is not reasonable to manage. It more upright habit makes it a suitable tree than the one close to the carpark.
 - 6.2.4 It is accepted that pruning is required to maintain the tree in its current setting. However at this stage such pruning would not be considered extensive. While the benefit to the College of tree retention may be limited, the public benefit of tree retention is significant as the tree's loss will have a material and detrimental

impact on the character and appearance of Hobson Street as the trees is a dominant feature of views up and down the road.

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 11/2016

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:

TWA 15/139/TTCA

City of Cambridge Tree Preservation Order 11/2016

David Brown letter supporting application, re-used as objection

To inspect these documents contact Joanna Davies on extension 8522

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