

CAMBRIDGE CITY COUNCIL

REPORT OF: Arboricultural Officer
TO: Planning Committee 01.02.17
WARDS: Trumpington

**OBJECTION TO CITY OF CAMBRIDGE
TREE PRESERVATION ORDER (TPO) NO. 18/2016**

1.0 INTRODUCTION

- 1.1 A Tree Preservation Order (TPO) has been served to protect trees at Tanglewood, Gazeley Lane, Trumpington.
- 1.2 As objections to the TPO have been received the decision whether or not to confirm the TPO is brought before Committee.
- 1.3 Members are to decide whether to confirm the TPO as is, confirm the TPO with modification or not confirm the TPO.

2.0 RECOMMENDATION

- 2.1 It is recommended that the TPO be confirmed without modification.

3.0 BACKGROUND

- 3.1 The Council received a number of calls from concerned residents regarding recent tree removal at Gazeley Road and the possibility that people were clearing sites, where trees were not protected, to make way for development. The TPO records were checked and following a site visit it was determined that additional trees that make a contribution to amenity were suitable for TPO protection. At the same time the TPO at Tanglewood was served a planning application was received for the demolition of the existing building and its replacement with two new dwellings. This application, which has since been withdrawn, required the loss of a number of significant trees and all those protected by the subject TPO.

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 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 normally be visible to the public, at the time of making the TPO or in the 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

Trees were considered to be at risk generally from development pressure but this proved to be a real risk when an application was made that required the removal of recently TPOd trees.

4.2.2 Amenity

The trees are clearly visible from Trumpington Road and Gazeley Lane and make a positive and substantial contribution to amenity, both visually and environmentally. While some views of the trees from Trumpington are obscured by other trees on Trumpington Road, the condition and suitability to site of some of these trees is low and the loss of these trees or significant works to them in the future is foreseeable. This would further open views to the TPOd trees behind, increasing their already substantial significance in the landscape.

4.2.3 Suitability

With consideration of age, species and condition, all the trees are considered to be suitable to their current surroundings.

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 Middlemarch Environmental on behalf of Vida Architecture Ltd and the property owners.

6.0 CONSIDERATIONS

- 6.1 The objection is made on the following grounds:
 - 6.1.1 The authority has not assessed the amenity value of the trees in a structured and consistent way.
 - 6.1.2 Had the authority assessed the amenity value of the trees in a structured and consistent way it would have been established that a TPO is not appropriate as the trees are not sufficiently visible from a public place that their loss would have a significant impact on the local environment or its enjoyment by the public.
 - 6.1.3 The above opinion is substantiated by Middlemarch's extensive assessments of the trees using The Helliwell System, a system primarily used to quantify amenity value, and TEMPO, which is a tool used to aid in the assessment of TPO suitability. The Helliwell assessment concluded that trees within the Tanglewood site have very little amenity when considered from the view of the general populace. The TEMPO assessment concluded that two of the seven trees did not merit TPO protection but that five of the trees may potentially merit protection but because they scored low under the public visibility criterion, they do not merit TPO either. Full details of the assessments can be made available by contacting the case officer.
- 6.2 Officer's response to the objection.
 - 6.2.1 The authority consistently follows the following structure when considering the suitability of tree protection:
 - Visual contribution – present and future
 - Environmental and cultural contribution
 - Tree condition
 - Suitability to site

6.2.2 An assessment made as described above established that the protection of the trees that are the subject of TPO 18/2016 is appropriate because they are sufficiently visible from a public place and have sufficient environmental value that their loss would have a significant impact on the local environment and its enjoyment by the public.

6.2.3 It should be noted that, as with all assessments associated with amenity value, the results calculated in the proprietary systems are dependent on the scores attributed to trees by the assessor. Had the authority assessed the trees using a proprietary system it would still have concluded that the subject trees are sufficiently visible from a public place and have sufficient environmental value that their loss would have a significant impact on the local environment and its enjoyment by the public and therefore merit protection.

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 18/2016.

9.0 IMPLICATIONS

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

APPENDICIES:

Appendix 1 TPO Plan

Appendix 2 Photos

BACKGROUND PAPERS:

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

Objection letter from Middlemarch Environmental dated 5th September 2016

Visual Tree Assessment prepared by Middlemarch Environmental dated September 2016

City of Cambridge Tree Preservation Order 18/2016

To inspect these documents or for queries on the report contact Joanna Davies on extension 8522

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