

CAMBRIDGE CITY COUNCIL

REPORT OF: Arboricultural Officer
TO: Planning Committee 28th March 2018
WARDS: NEW

**OBJECTION TO CITY OF CAMBRIDGE
TREE PRESERVATION ORDER (TPO) NO. 25/2017**

1.0 INTRODUCTION

- 1.1 A TPO has been served to protect a group of 8 trees at Kings College School, West Road.
- 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 was received proposing a crown reduction of 25% to 8 trees located along the drive of Kings College School. The works was proposed because branches were stated to be over extended, exerting heavy weight, one of the trees had recently lost a limb and, as the trees are located on the edge of a sport field, there is concern for pupil safety. Following a site visit officers concluded that there was some justification for localized remedial work to four of the trees in the group but that there were no arboricultural or overbearing practical reasons to carry out a general crown reduction of all trees of potentially up to 5m. A TPO was therefore served to protect the group of trees.

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 advises that authorities develop ways of assessing the amenity value of trees in a structured and consistent way. Cambridge City Council Citywide Tree Strategy 2016 – 2026 sets out the criteria for assessing amenity in Policy P2 and considers visual, wider impact, atmospheric, climate change, biodiversity, historic/cultural and botanical benefits when assessing the amenity value of trees.

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

The TPO is considered to be expedient because there was insufficient justification for the tree work in the manner proposed and that the works would have a detrimental impact on amenity and the long-term health of the trees.

4.2.2 Amenity

Visual. The trees are located along the drive to Kings College School and are clearly visible from West Road.

Wider Impact. The trees contribute positively to the character and appearance of the conservation area.

Climate Change. Larger trees have a greater impact with regard to climate change adaptation.

4.2.3 Suitability

The trees are not conflicting with the reasonable use of the property, are not implicated in any direct or indirect damage and are not causing unreasonable shading or maintenance requirements.

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 Town and Country Tree Surgery on behalf of the school.

6.0 CONSIDERATIONS

6.1 The objection is made on the following grounds:

6.1.1 The TPO is wholly unnecessary as there is no intention of carrying out work without the consent of the Council.

6.1.2 The reason for carrying out the work is purely on safety grounds as the trees bound the sports field and overhang the drive.

6.1.3 The trees have overextended branches which are putting excessive weight on the limbs.

6.1.4 Four of the trees have apparent defects including damage to lower stem, a compression fork, the recent loss of a limb, seepage in the lower stem and a hanging branch.

6.2 Officer's response to the objection.

6.2.1 The Council cannot grant or refuse consent for tree works detailed in a 211 Notice. If the Council objects to works detailed in a 211 Notice, the Council can only serve a TPO to prevent works from taking place.

6.2.2 Officers believe that some works are justified for health and safety reasons and have discussed localised reduction of limbs in some of the trees and the potentially felling of one tree with the objector and the school. However the school, through their agent, has maintained their intention to carry out an all-round crown reduction of all trees and therefore maintained their objection to the TPO.

6.2.3 Officers confirm the presence of elongated limbs with unbalance end weight and a tight branch bifurcation and have recommended localized limb reduction to reduce the risk of failure in extreme weather conditions. Confirming the TPO would not stop

works that are required in the interests of health and safety from being carried out.

6.2.4 Officers confirm the presence of seepage in the lower stem of the north easternmost tree and have suggested that the structural integrity of this tree may be sufficiently compromised to justify removal and that a crown reduction may not be sufficient to reduce any risk associated with failure to a reasonable level.

6.3 In conclusion, officers believe that there are no overwhelming arboricultural or practical reasons to justify a 25% reduction of all trees in the group G1 and that the works will have a detrimental impact on amenity and the character and appearance of the conservation area. Because the tree works were proposed in a 211 Notice, the serving of TPO 25/2017 was expedient in the interests of amenity. The confirmation of the TPO will not stop works that are required in the interests of health and safety from being carried out but will require the submission of a tree work application.

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 25/2017.

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 17/433/TTCA

City of Cambridge Tree Preservation Order 25/2017.

Written objection to TPO 25/2017

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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