

CAMBRIDGE CITY COUNCIL

REPORT OF: Arboricultural Officer
TO: Planning Committee 6th June 2018
WARDS: CAS

**OBJECTION TO CITY OF CAMBRIDGE
TREE PRESERVATION ORDER (TPO) NO. 02/2018**

1.0 INTRODUCTION

- 1.1 A TPO has been served to protect a tree in Hilda Street.
- 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, 17/633/TTCA was received proposing the removal of two sycamores and underlying fruit trees. The reasons given for the removals were to maintain safety to buildings and public and to reduce the misuse of the area. Following a site visit officers concluded that there was some justification for works as most of the trees had limited value and made the area difficult to manage but that there were no arboricultural or overbearing practical reasons to remove one of the sycamores. A TPO was therefore served to protect this one tree.

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 objections have been received to the TPO from Victoria Road and Searle Street.

6.0 CONSIDERATIONS

6.1 The objections are made on the following grounds:

6.1.1 The intention is to remove the tree and replace it with smaller trees and shrubs.

6.1.2 The area where the trees grow is neglected and the owner takes no care of it.

6.1.3 The area is used as a dumping ground and the residents are forced to clear it up.

6.1.4 The tree is too big for the location and a danger to the neighbouring studio, which the tree overhangs. A branch came off a few years ago and a tree surgeon stated that the tree was sick.

6.2 Officer's response to the objection.

6.2.1 Removing the one TPOd sycamore and replacing it with shrubs and other smaller trees would not alleviate the problems associated with the anti-social behaviour.

6.2.2 While this is a reasonable concern for neighbours it is not relevant to the TPO.

6.2.3 Again, while this is a reasonable concern for neighbours it is not relevant to the TPO.

6.2.4 The sycamore the TPO protects is a tall tree with a reasonably clear stem so that the crown forms above the adjacent studio, allowing access all around and providing no cover for anti-social behaviour. The tree is close to the adjacent studio but there is no evidence that the relationship is not sustainable with periodic tree works. The studio was built in 2004 and therefore would have to have conformed to building regulations meaning that it should have been constructed to withstand changes in soil moisture volumes associated with the water uptake of trees. The tree appears healthy and with no obvious defects that would create an unreasonable level of risk from structural failure. It is important to monitor the condition

of trees and should its condition change consideration can again be given to the suitability of its retention. With the TPO in place if it becomes necessary to remove the tree in the future its replacement can be conditioned.

6.3 In conclusion, officers believe that there are no overwhelming arboricultural or practical reasons to justify the removal of one sycamore from the group of trees proposed to be removed and that its removal 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 02/2018 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 02/2018.

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 17/633/TTCA

City of Cambridge Tree Preservation Order 02/2017.

Written objections to TPO 02/2017

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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Appendix 1 Photo of sycamore from corner of Hilda Street and St Luke's Street

