

CAMBRIDGE CITY COUNCIL

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

**OBJECTION TO CITY OF CAMBRIDGE
TREE PRESERVATION ORDER (TPO) NO. 05/2018**

1.0 INTRODUCTION

- 1.1 A TPO has been served to protect trees at Hinton Grange, Bullen Close.
- 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 Planning application 17/2196/FUL was received proposing the removal of two birch trees and a cherry tree and that required significant pruning to two London plane trees. The site is not located in a conservation area therefore trees were not afforded any protection. The trees make a positive contribution to amenity so it was considered to be prudent to serve a tree preservation order to ensure that trees were retained to be a material consideration in the planning application. During the application process, amendments were made to the development layout allowing the retention of the three trees previously shown to be removed but the development is still too close to the London planes to allow them to mature without significant crown management.

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 CBA Trees on behalf of Care UK via SLR Consulting.

6.0 CONSIDERATIONS

- 6.1 The objections are made on the following grounds:
 - 6.1.1 None of the trees or their impact on the local environment could be considered significant. CBA Trees carried out an amenity assessment using TEMPO, which is a tool used to aid in the assessment of TPO suitability. The TEMPO assessment concluded that four of the six trees did not merit TPO protection but for two of the trees the TPO was defensible. Notwithstanding their own assessment, CBA Trees has stated that these two trees are easily replaceable. 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 All of the trees are of a condition to be suitable for TPO. All of the trees can be seen from public view points and therefore contribute to the visual character of the area, this is in addition to the general environmental amenity the trees offer in terms of pollution and climate change adaptation. The area in question is not considered to be well treed therefore removing some of the few trees that make a visual contribution is considered to be significant. Officers do not accept the argument that the London plane trees are easily replaceable and consider this argument to be flawed. All trees are replaceable were space allows but the loss of amenity associated with removals cannot be replaced in the short-term. These trees are already established, are healthy and well located to be allowed to mature without significant management. Given their species, the

trees would be expected to outlive the proposed development and officers believe therefore that they are a reasonable constraint to development and should therefore have been designed around. It is to be noted that removal of these trees is not proposed in the planning application, but because of the proximity of the new building to the trees, they will need to be managed as pollards. Should the application 17/2196/FUL be granted consent, the TPO will allow officers some control over how these trees are managed in the future.

6.3 In conclusion, officers believe that the trees that are the subject of TPO 05/2018 offer sufficient amenity to the area to warrant a TPO. The TPO will not jeopardise the planning application as any permission to carry out work required to actuate planning permission will automatically be given, subject to condition, should the planning application be permitted. The TPO will however ensure that the Council is given some control over how trees are managed in the future.

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 05/2018.

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:

17/2196/FUL

City of Cambridge Tree Preservation Order 05/2017.

Written objection to TPO 05/2017

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

Date originated: 17/05/2018

Date of last revision: 21/05/2018

Appendix 1 View of all trees at Hinton Grange

