

CAMBRIDGE CITY COUNCIL

REPORT OF: Arboricultural Officer
TO: Planning Committee 3rd October 2018
WARDS: TRU

**OBJECTION TO CITY OF CAMBRIDGE
TREE PRESERVATION ORDER (TPO) NO. 10/2018**

1.0 INTRODUCTION

- 1.1 A TPO has been served to protect a Pine tree at 2 Southacre Drive.
- 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 the felling of a Pine tree. Following a site visit, officers concluded that there were no arboricultural or overbearing practical reasons to allow the tree's removal and that such work would have a detrimental impact on the verdant character of the area. As the Council cannot refuse or permit works detailed in a s.211 Notice, a TPO was served to protect the 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 that 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's removal and because the removal would have a detrimental impact on amenity.

4.2.2 Amenity

Visual. The tree is located to the front of 2 Southacre Drive and is clearly visible from same and Chaucer Road.

Wider Impact. The tree contributes positively to the character and appearance of the conservation area.

Climate Change. Larger trees and evergreen trees have a greater impact with regard to climate change adaptation and pollution mitigation.

4.2.3 Suitability

There are considered to be no overbearing practical or arboricultural reasons why the tree is not currently suited to its location.

5.0 CONSULTATIONS

- 5.1 A TPO must be served on 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 the resident of 2 Southacre Drive.

6.0 CONSIDERATIONS

- 6.1 The objection to the TPO is made on the grounds that numerous cones fall on the pavement and drive, which could lead to someone falling over. One of the residents has recently had knee and hip surgery. The tree was planted as part of the landscaping scheme associated with the development and has now grown very tall.
- 6.2 Officer's response to the objection.
When officers consider the suitability of TPO, the balance between amenity value and nuisance is considered. Falling needles and cones would generally be considered an inconvenience but not a sufficient nuisance to justify tree removal. The tree has grown since the development was completed but the tree is not considered to have outgrown the location and there is ample space for the canopy to develop over the adjacent building, with occasional pruning.
- 6.3 In conclusion, the applicant has not provided sufficient arboricultural or practical reason to justify the tree's removal and such removal would be contrary to the adopted tree strategy and have a detrimental impact on the character of the area. Because the tree works were proposed in a s.211 Notice, it was necessary to serve TPO 10/2018 as the Council cannot refuse or grant permission for works detailed in a s.211 Notice. The confirmation of the TPO will not stop works that are justified to reduce negative impacts the trees have on their surroundings.

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 recommended to confirm City of Cambridge Tree Preservation Order 10/2018.

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 18/088/TTCA

City of Cambridge Tree Preservation Order 10/2018.

Written objection to TPO 10/2018

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: 15/09/2018

Date of last revision: 18/09/2018