

CAMBRIDGE CITY COUNCIL

REPORT OF: Arboricultural Officer
TO: Planning Committee 24th April 2019
WARDS: TRU

**OBJECTION TO CITY OF CAMBRIDGE
TREE PRESERVATION ORDER (TPO) NO. 37/2018**

1.0 INTRODUCTION

- 1.1 A TPO has been served to protect trees in Newton Road, Cambridge.
- 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 tree preservation order was served to protect trees at 28 Newton Road from possible excessive pruning by neighbours. At the time of our inspection three additional trees in the front gardens of 22, 26 and 40 Newton Road were noted to make a material contribution to amenity and were therefore included in the 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 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

G1 and T3 are located close to the boundary with 30 Newton Road. Officer's had concerns that proposed works to the trees by 30 Newton Road would be detrimental to tree health and amenity value and believed it prudent to serve a preservation order to limit the extent of any works. While there was no known immediate threat to trees at 22, 26 and 40 officers believe that trees may be at threat generally. As the road is not located in conservation area trees could be pruned or removed at any time without warning.

4.2.2 Amenity

Visual. All trees included in the TPO are clearly visible from Newton Road, especially T1, G1, T2 and T4 which are in the front gardens.

Wider Impact. The trees contribute positively to the character and appearance of the 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 26 Newton Road.

6.0 CONSIDERATIONS

6.1 The objection is made on the following grounds:

Objection	Officer Response
The Birch, T2, was planted by the current owners to screen the house over the road, which it now does	Not pertinent to suitability of TPO
The tree is suitably positioned in the garden	Agreed
It is not expedient or necessary to include the tree as it is under good management at not at threat from being removed and there is no prospect of a change of ownership	Officer's decisions are objective. Trees in Cambridge are under a general threat from unjustified tree works and/or pressure of development. It is Council policy to seek opportunity to increase statutory protection. The TPO will not hinder continued good management
Public visibility is not sufficient to make an order, the tree is not rare, there are other Birch trees in the road, it has no cultural significance is not native and has no historic value	With reference to the Town and Country Planning Act 1990 and government guidance, visual amenity alone is sufficient to justify a TPO, however, the tree also contributes positively to the environment and climate change adaptation

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 The officer recommends that Members confirm City of Cambridge Tree Preservation Order 37/2018.

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:

City of Cambridge Tree Preservation Order 37/2018

Objection to TPO 37/2018

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

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Appendix 1 - TPO Pan

