

CAMBRIDGE CITY COUNCIL

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

**OBJECTION TO CITY OF CAMBRIDGE
TREE PRESERVATION ORDER (TPO) NO. 38/2018**

1.0 INTRODUCTION

- 1.1 A TPO has been served to protect a tree in the front garden of 156 Green End 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 The council received a communication from a member of public concerned that the subject tree was under threat because of a change of ownership. A site visit was made to assess the tree and its amenity value and a tree preservation order was served to protect a Field Maple in the properties front garden.

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

While there was no known immediate threat to the tree, officers believe there to be a general threat primarily due to the change of ownership. As there is no conservation area affording general protection for the tree, it could be pruned or removed at any time without warning.

4.2.2 Amenity

Visual. The tree is clearly visible from Green End Road.

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

Climate Change. Trees are an important tool to help combat the negative impacts of climate change.

4.2.3 Suitability

With considered management, the tree will not conflict with the reasonable use of the property or neighbouring properties, it is not implicated in any direct or indirect damage and is not

causing unreasonable shading or maintenance requirements that cannot be remedied.

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 154 Green End Road.

6.0 CONSIDERATIONS

6.1 The objection is made on the following grounds:

Objection	Officer Response
The tree is enormous and encroaches on 154 Green End Road blocking light to the property.	Agree that the tree is large and that considered pruning is justified.
The tree has not been maintained despite requests to the property owners.	This is a civil issue and not pertinent to the suitability of TPO.
It is disproportionate to the size of the garden and needs to be pruned. Making a tree work application every time this needs to be done is too onerous.	The officer agrees that it would be appropriate to crown lift the tree and carry out a sympathetic crown reduction. The tree work application form is simple and the process is easily completed on line. Furthermore we can agree repeat works to maintain the tree at a specified size and shape in one application. The inconvenience of completing an application is considered to outweigh the tree's value.
Agree with the provision that the tree should not be felled but disagree with the requirement to seek permission to prune it.	It is not only tree removal that needs to be safeguarded, heavy or poor quality pruning could lead to its decline or have a detrimental impact on its appearance and amenity value.

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 38/2018.

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 38/2018

Objection from 154 Green End Road

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

