



30th September 2021

Report to:

Cambridge City Council
Planning Committee

Joint Director of Planning and Economic Development

Lead Officer:

Joanna Davies

Confirmation of Provisional TPO 0019 (2021)

Location: 7 Hedgerley Close

Key material considerations: Does the tree offer significant contribution to amenity and/or the character of a conservation area and if yes is there sufficient justification to allow the loss of this amenity.

Provisional TPO expiry date: 13.11.2021

Confirmation of TPO brought before Committee because: Objections to the TPO have been received.

Presenting Officer: Joanna Davies

Executive Summary

1. A TPO has been served to protect a Pine tree at 7 Hedgerley Close
2. As objections to the order have been received the decision whether or not to confirm the order is brought before Committee.
3. Officer recommendation is to confirm the Tree Preservation Order.

Relevant planning history

4. A s.211 notice (works to trees in a conservation area) on behalf of 6 Hedgerley Close notifying the council of intended works.
5. Works detailed in 21/0464/TTCA comprise a lateral reduction of 2.5m to remove all overhang over number 6 Hedgerley Close.

Legislation and Policy

6. 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 a TPO

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.

Amenity - While amenity is not defined in the Town and Country Planning Act, government guidance advises 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.

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.

Consultation

7. A TPO must be served upon anyone who has an interest in land affected by the TPO. This includes neighbours, who may have a common law right to prune overhang branches back to the boundary.

Representations from members of the public

8. Representation has been received from 6 Hedgerley Close.
9. The representations can be summarised as follows:

- This tree belongs in a wood not in an urban garden. It is much too big for its location.
- The roots have caused the blockwork on my drive to rise up so the surface is very uneven
- It sheds a copious amount of pine needles and cones which litter my drive and front garden, block my drains and the one in the road
- The branches have to be regularly pruned to stop them damaging my house roof and telephone wires
- Sap makes a mess of the block work and paintwork on my last car.

The Tree

10. The Pine is semi-mature specimen located in the back garden of the property but in a prominent position on Hedgerley Close.

Officer Assessment

Expedience

11. A s.211 Notice was received detailing works that would be detrimental to the tree's health and appearance and therefore contribution to amenity and character of a conservation area.

Amenity

12. The tree's public visual amenity contribution is high and the tree contributes significantly to the general greening of the conservation area, and its enjoyment by the public, biodiversity, climate change mitigation and pollution mitigation.

Suitability to site

13. No evidence has been presented to suggest that the tree is at risk of part or whole failure or that it is causing damage to the house. The tree does not dominate the surrounding garden and with reasonable managed can be retained with reasonable clearance to the house.

Justification for works proposed

14. Reasons given for the proposed works are not considered to outweigh the detrimental impact that the proposed work would have on the tree's health and appearance.

Response to objections

15. The tree is not considered to be unsuitable in its location, the potential for damage to the house and telephone wires can be managed with periodic pruning.

16. Any root damage to the hardstanding and needle drop will not be materially reduced by the works proposed.
17. Inconveniences associated with needle and sap drop are not considered to outweigh the tree's amenity value
18. The tree is relatively close to the front corner of 6 Hedgerley Close but more considered remedial works would create and maintain a reasonable clearance, without being of significant detriment to the tree's appearance.

Recommendation

19. The Council can deal with this application in one of three ways:
 - (1) Authorise the confirmation of the TPO.
 - (2) Authorise the confirmation of the TPO with amendments.
 - (3) Authorise the TPO not to be confirmed, which would allow tree works to go ahead.
20. Officers recommend that Members authorise the confirmation of the TPO

Background Papers

21/0464/TTCA

Appendices

Appendix A: TPO Plan
Appendix B: Image

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