

22/00799/TREEPO  
TPO on trees at Hill Court,  
Hillcourt Road

Objection from 4 Lexington Square

Recommendation is to confirm TPO without modification





4 Lexington Square

Car port / garage belonging to 4 Lexington Square

Two horse chestnuts

Numbers show position of following photos



1. View of horse chestnuts from car park of Hill Court.



2. Very obscured view of one tree from entrance to Hill Court.



3. Obscured view of one tree from Hillcourt Road.



4. Obscured view of trees from outside Rosehill Rise.



### Two horse chestnuts:

- Owned by Hill Court
- Affecting 4 Lexington Square
- Medium to large mature trees. Potential to become larger.
- Historical pollards at around 6-8m
- Trees in overall good health – leaf miner moth discolouring leaves
- Ongoing interest in developing the land to the rear of Hill Court and lack of any other protection makes the trees vulnerable to removal without prior application/notification to the Council
- Some damage to driveway and carport / garage of 4 Lexington Square allegedly caused by horse chestnuts
- TPO is not intended to stop reasonable maintenance of trees
- These trees could live for many decades to come if managed well
- TPO should be confirmed to include these trees



# Objections

Resident of 4 Lexington Square:

1. Amenity:

- A. Lack of scarcity, intrinsic beauty.
- B. No public visibility.

2. Expediency:

- A. No threat to trees.
- B. Objector's right to prune tree significantly limited by TPO.

## Possible courses of action:

- Confirm TPO without modification (Officer recommendation)
- Confirm TPO with modification (to exclude horse chestnuts)
- Not confirming TPO

### Reasons to confirm TPO without modification:

1. Despite low public visibility, these mature trees have some public amenity value and when assessed with TEMPO guidance, TPO was deemed 'Defensible'.
2. Threat to trees has been established – 22/01316/PREAPP would have removed the trees (or at best re-contextualised them in gardens much too small for such large trees, placing them under new pressure for removal).
3. Objector's right to prune tree would be subject to application to the Council. Most tree surgeons do this on behalf of their clients and the turn-around for applications is mostly well within the lead-in time for tree contractors.
4. The Trees Section would not object to tree works to reduce these trees back to the boundary edge to reduce any possible future damage to structures at 4 Lexington Drive.
5. Objector would not want the trees removed. Confirming TPO without these trees (or not confirming the TPO) would make these trees vulnerable to removal.

## POLICY GI2: PROTECTION AND REPLACEMENT OF TREES

The Borough Council will resist the unnecessary (Note 1) felling of trees on private land, and will make Tree Preservation Orders in appropriate cases.

For protected trees (Note 2), the Council will require:

- a) any tree which has to be felled to be replaced, where practicable (Note 3); and
- b) pruning, where it is necessary, to be undertaken so as to minimise harm to the health or general appearance of a tree and to be in conformity with British Standard for Tree Work (BS3998, 2010).

In cases where trees are not protected by a Tree Preservation Order or by being in a Conservation Area, but contribute to the townscape and character of the town, the Council will consider including such trees in a Tree Preservation Order.

This policy contributes towards achieving the Cheltenham Plan Vision: Theme C – objectives a, b, e and f.

Note 1: The felling of a tree will be necessary only where it is dead, unsafe, or causing unacceptable harm to buildings or infrastructure.