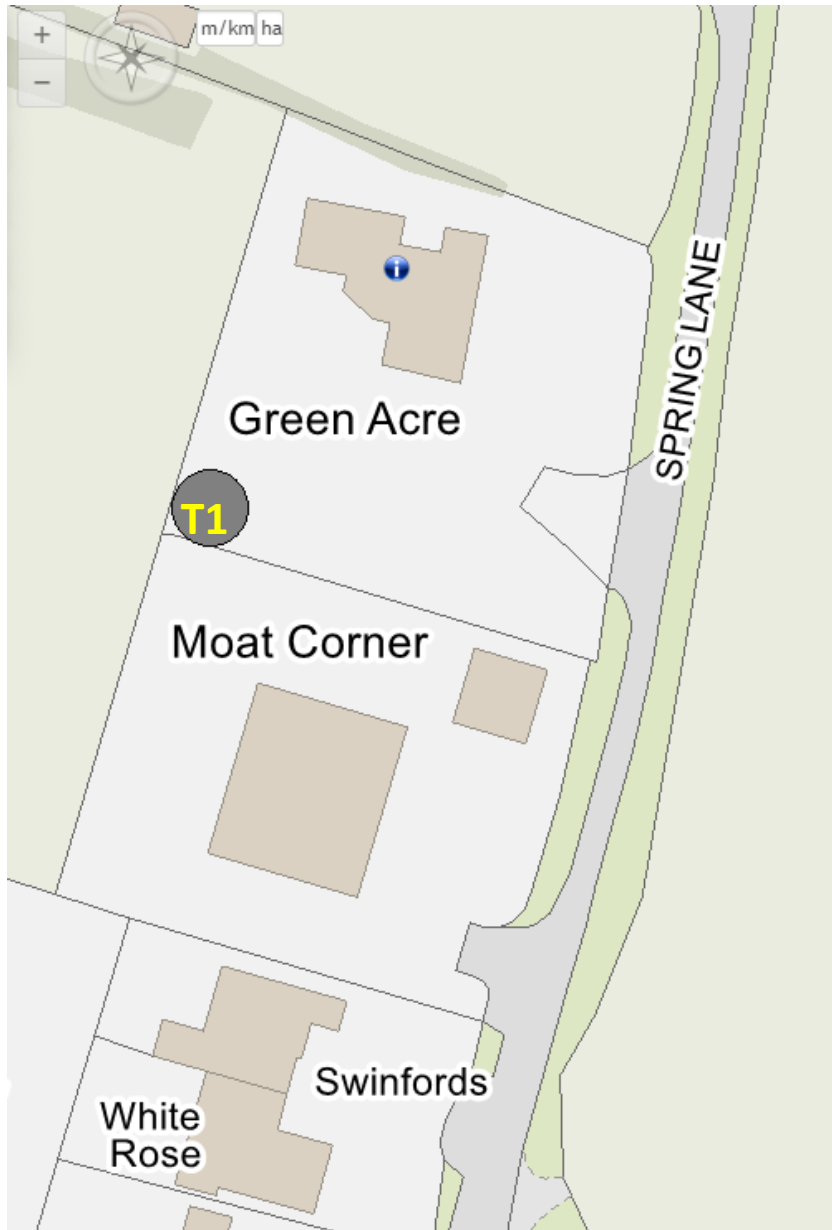


# 24-00812-TREEPO – Green Acre Spring Lane

TPO to protect one Scots pine to rear of Green Acre, Spring Lane, Prestbury

Having received an objection to the provisional TPO from the adjacent neighbour, the application is at planning committee to determine whether to confirm the TPO



## Site plan

Scots pine to south west of Green Acre (note circle is indicative of tree's location, not crown spread). Tree overhangs Moat Corner – details of objection follow later in presentation.



View of pine from garden





View of pine from Spring Lane

# Reason for TPO

- Response to planning applications 23/01618/PIP and 23/02089/OUT which would re-contextualise the tree in a much smaller garden space
- Likely pressure increase for removal of tree
- Tree of high value (has good form, appears in good condition, has good life expectancy ahead of it)

# Policy

Policy GI2 of the Cheltenham Plan states:

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

Although no removal of the tree has yet been formally proposed, it is outside of any Conservation Area so is vulnerable during construction and beyond.

Policy GI3 of the Cheltenham Plan states:

*Development which would cause permanent damage to trees of high value will not be permitted.*

Given that the harm to the tree is foreseeable or at least likely, as a result of increased pressures from development, a TPO to protect the tree (coupled with protective measures during construction as conditions of permission) appeared a more appropriate approach than not permitting development.

# Objection

Site notice was put up on Green Lane. Immediate neighbour was consulted. Objection was received from neighbour – Moat Corner.

Summary of objection:

- Amenity value of tree is low and not deserving of a TPO
- Effects of tree escaping property boundary:
  - Roots lifting paving slabs
  - Overhanging branches provide perch for pigeons who make a mess of paving slabs
  - Seasonal debris drop (needles / cones)
  - These factors led to the removal of an arbor that had been installed under the tree, and to the patio becoming unusable
- The admin burden and cost of applying for repeat works

# Addressing the objection

- The tree is in good condition, shows good vitality, has excellent colour and good form. It is currently visible from the road and is not yet fully grown. It has many safe years ahead of it. By these criteria, it can be judged to have good amenity value – a high value tree.
- The patio slabs have been lifted. This can be remedied by relaying them on sharp sand to allow for root growth.
- The overhanging branches have been and can continue to be pruned. Debris drop and pigeon guano are not reasonable grounds not to protect a tree.
- The admin burden of applying for tree works is minimal, often taken on by contractors on behalf of clients and should not represent a reason for not applying the TPO legislation. The Council does not apply a fee for applications to work on trees protected by TPO.
- Cheltenham Tree Services have applied for works to the tree that would reduce the nuisance element to Moat Corner. This application was permitted well within the timeframe afforded to LPAs (which is 8 weeks) at no cost (financial or otherwise) to the owner of Moat Corner.



# Recommendation – confirm TPO

The TPO is justified:

- The tree is high value with a good safe life expectancy. It appears to be in good condition and has good form.
- It has good public visibility with growth likely to increase this.
- Development around it is likely to increase pressure on it both during construction and beyond.
- The objections to the TPO can be addressed through pruning and reasonable adjustments to accommodate the tree's roots.
- On balance, the benefits of the tree outweigh the problems it is causing.

Therefore, the Officer's recommendation is to confirm the TPO.