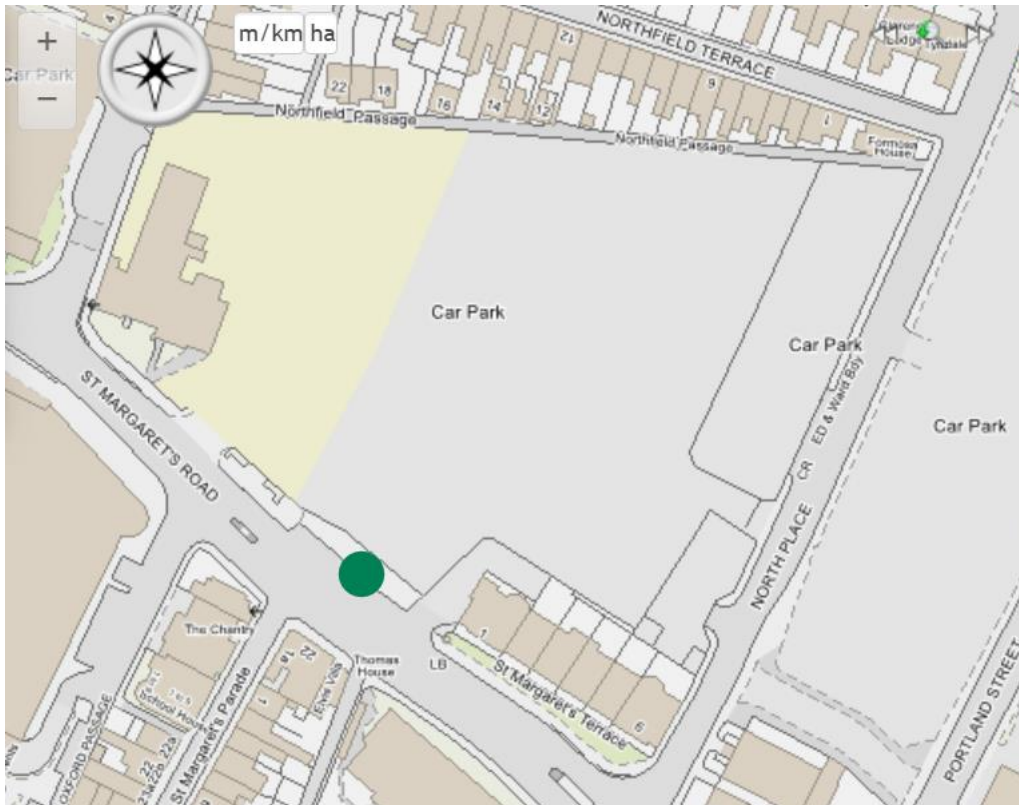


APPLICATION NO: 24/00814/TREEPO		OFFICER: Sam Reader
DATE REGISTERED: 14/3/24		DATE OF EXPIRY: 14/9/24
WARD: St Paul's		PARISH: -
LOCATION:	Opposite 22 St Margaret's Road	
PROPOSAL:	TPO to protect one plane tree	

RECOMMENDATION: Confirm without modification



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 Plane tree is growing in pavement to south of North Place Car Park. Pavement is very wide at point where tree is growing (roughly 5m wide) with an extended area of paving beyond the stem of the tree (roughly 3m wide).
- 1.2 The tree is growing adjacent to a lamp post and bollards. There is some upwards movement of cobbles around the base of the tree and of paving to the south of the tree. Paving to the north of the tree remains largely undisturbed.
- 1.3 The tree has a bias to the north both in terms of crown spread and the angle of the stem. It does not impede use of the pavement or road (or of the adjacent car park).
- 1.4 The tree is visible from many angles and from some distance. The adjacent A4019 (St Margaret's Road) has few trees and the plane is of considerable significance in the street scene.
- 1.5 A TPO was made on this tree to protect it from removal as part of a proposed development of North Place Car Park.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Relevant Planning History

24/00236/FUL - Development of car park for 153 dwellings (etc)

23/01119/PREAPP - Follow up pre-application to 22/01421/PREAPP north place redevelopment (meeting only)

3. POLICIES AND GUIDANCE

National Planning Policy Framework 2021 (NPPF)

Chapter 12, sub-article 131

Town and Country Planning Act 1990

Part 8, Chapter 1 – Trees

Cheltenham Plan

Policy GI2 and GI3

4. CONSULTATION RESPONSES

4.1. Two site notices were put up nearby on St Margaret's Road. The provisional TPO received one objection (from a representative of Wavensmere Homes).

The objection to the TPO is:

- The tree is leaning and asymmetrical
- Uplift of the footpath causing an obstruction to the safe use of the pavement (especially by users of the pavement with mobility issues)
- Potential for damage to the highway caused by roots
- Potential for encroachment / damage to proposed development site

5. OFFICER COMMENTS

- 5.1 The tree is in good physiological condition (historically it has been managed by CBC). Despite the lean and the asymmetric crown, the tree has high amenity value
- 5.2 It is growing at an angle and there is a bias to the north in the crown spread. The ground at the base of tree (to the south) has swollen and paving further away has become disturbed leaving the ground undulating. However, the pavement is undisturbed to the north of the tree and pavement access is good on that side. Given the distance to the road, significant disturbance to that surface is unlikely.
- 5.3 The tree has high amenity value. It is mature though not fully grown and is visible from many angles and a fair distance. There is a lack of significant (or small) street trees along this stretch of St Margaret's Road making this tree a significant feature of the street scene.
- 5.4 A threat to the tree has been established - 24/00236/FUL would seek to remove the tree.

6. CONCLUSION AND RECOMMENDATION

- 6.1 A threat to a high value tree has been established. Therefore, a TPO is expedient and appropriate for this tree.
- 6.2 Development at this site is possible while retaining the tree.
- 6.3 On this basis the recommendation is to confirm the TPO without modification.

Addenda:

Objection:

Good morning,

Further to the receipt of the attached TPO order to be applied to the category A London Plane, we are writing to formally object to the TPO being applied to the tree.

The tree itself has been categorised as a category A tree, however when reviewed on site, you will note that the tree is leaning significantly towards the development site (current car park). We believe this is likely caused by limb removals on the carriageway side of the tree causing the tree to be asymmetrical. Whilst we understand the works to remove limbs would have been required historically in order to remove obstructions to the Highway, this will have been a significant contributing factor to how the tree presents today. You will also note that the root system to the tree on the footpath side (St Margaret's Road), appear to be causing significant uplift to the footpath causing the surface finishes to be lifted hence leading to issues with trip hazards and risk of accidents or difficult for disabled users.

Given that the London Plane tree will likely continue to cause issues with the adopted footpath, potential root damage to the Highway itself and not to mention future concerns with potential encroachment/damage to the proposed development apartment block; we object to the application of the TPO on this London Plane tree.

Kind regards,

