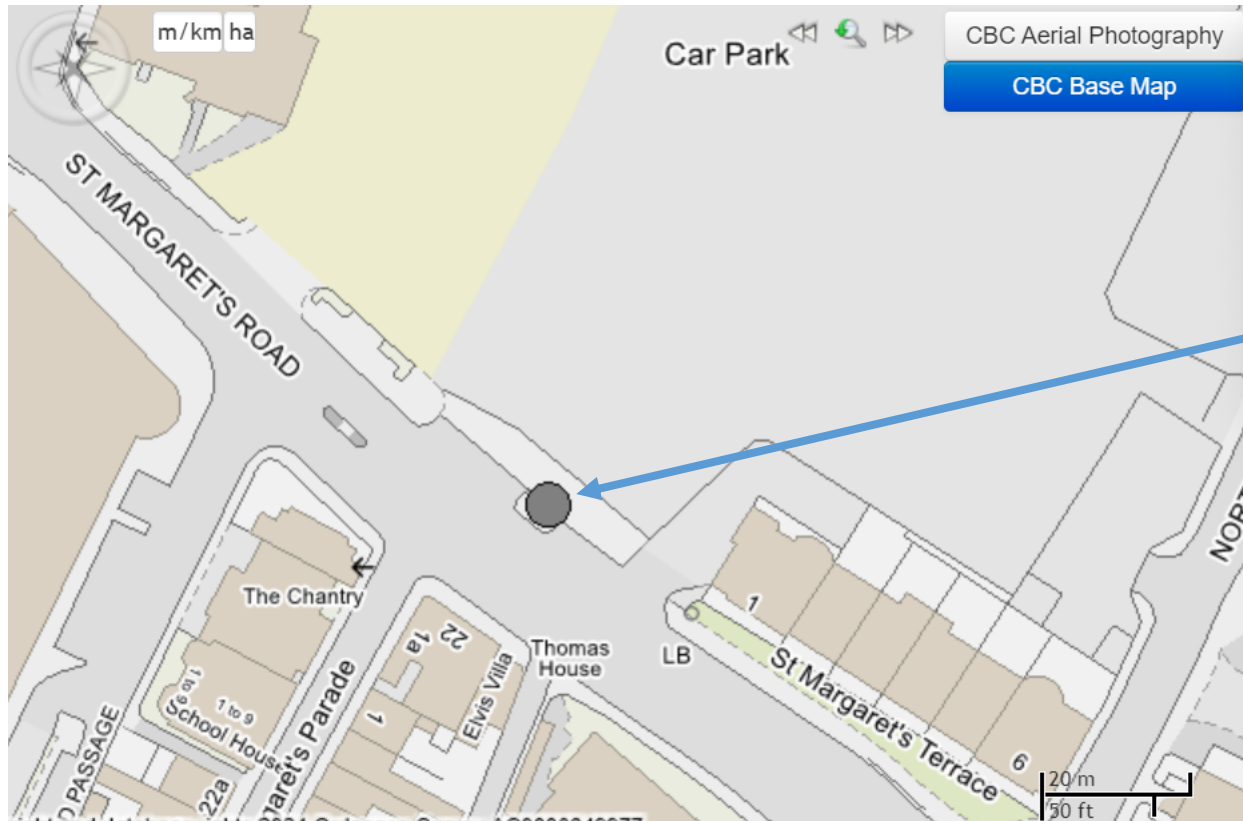


24-00814-TREEPO – Opposite 22 St Margaret's Road

TPO to protect one London plane tree opposite 22 St Margaret's Road

Having received an objection to the provisional TPO from the applicant to develop Car Park North Place, the application is at planning committee to determine whether to confirm the TPO



Site plan

Plane tree sits in pavement adjacent to the highway south of Car Park, North Place (note circle is indicative of tree's location, not crown spread).



View of plane from St Margaret's Road



View of plane from St Margaret's Terrace



Damage to pavement to south of tree

Reason for TPO

- Response to planning applications 23/01119/PREAPP (meeting only) and 24/00236/FUL
- Application 24/00236/FUL would remove this tree
- Tree of high value (has good form, appears in good condition, has long 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.

- At pre-app stage, it was made clear that the tree must be retained in the design and layout of the proposed development. Given the size of the site, it can't be reasonably argued that the removal of the tree is necessary to accommodate the proposal.

NPPF

Paragraph 136 states:

*Planning policies and **decisions should ensure** that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and **that existing trees are retained wherever possible.***

Objection

Site notices were put up on St Margaret's Road. One objection was received from Rob Buckland, Senior Technical Manager for Wavensmere Homes (applicant to develop Car Park North Place - 24/00236/FUL).

Summary of objection:

- Tree leans towards Car Park, North Place
- Roots disturbing footpath to south of tree – potential hazard for pedestrians, especially those with additional mobility needs
- Likely continued disturbance of footpath, possible disturbance of highway, potential encroachment / damage to proposed development

No other letters were received – either in support or objection.

Addressing the objection

- The tree's lean does not appear to be an issue for its long-term stability. Google Streetview suggests that the angle has not worsened in recent years.
- There is some disturbance to the pavement to the south of the tree. However, the pavement to the north is very wide and easily accommodates the tree and pedestrian access. This area of pavement is stable.
- Disturbance to the highway is unlikely for many decades, if at all. Some disturbance could be accommodated in such a wide highway.
- The proposed development should have taken account of the tree. The purpose of a TPO is not to prohibit development – the size of this site should accommodate the tree and development.

Recommendation – confirm TPO

The TPO is justified:

- The tree is high value with a long safe useful life expectancy. It appears to be in good condition and has good form. The threat to the tree is clearly established – a planning application which seeks to unnecessarily remove the tree.
- It has excellent public visibility and is very significant in a section of a centrally-located street with few other large trees.
- Development adjacent to the tree is possible and proposals should have accommodated the tree (as per pre-application advice).
- Local and national policy support the retention of this high value tree where alternative layouts for development can and should've been submitted.

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