

MAIN CASE

Proposal: Confirmation of Tree Preservation Order E/06/10

Location: Land to East of 127 to 139 Centre Drive, Newmarket,
Suffolk.

Applicant: N/A

Agent: N/A

Reference No: TPO/E/06/10

Case Officer: Cathy White, Senior Trees Officer

Parish: Ely

Ward: Cheveley
Ward Councillors: Councillor Cresswell
Councillor Poole

[K191]

1.0 **THE ISSUE**

To confirm a Tree Preservation Order (TPO) for six individual trees and three groups of trees on land to the east of 127 to 139 Centre Drive, Newmarket, Suffolk. This matter is being referred to the Committee, as there is a requirement to confirm the TPO within six months to ensure the trees are protected for public amenity.

2.0 **RECOMMENDATIONS**

The trees are considered to contribute to the public amenity and to the biodiversity and green infrastructure of the local area. It is recommended that this unopposed TPO be confirmed, without modifications, as no objections were received in the 28 days consultation period that ended on 3rd October 2010.

3.0 **COSTS**

If a TPO is made and confirmed, then subsequent applications made for tree works would carry with them an opportunity to claim compensation if, as a result of the Council's decision, the applicant suffers any loss or damage within 12 months of that decision being made.

4.0 **BACKGROUND**

- 4.1 The Trees Officer was consulted on the proposed development under planning application reference 10/00683/OUT for a new dwelling at land to the east of 127 to 139 Centre Drive, Newmarket and noted the proposed development would require the removal of a mature Lime tree for access purposes. The Lime trees included in the TPO are a vestige of historic plantings and continue to be a determining element of the local landscape character. The trees that are protected under this Order are considered to contribute to the public amenity, biodiversity and green infrastructure of the local area and were not then protected.
- 4.2 Whilst visiting the site the Trees Officer identified three groups of trees; G1 of 4 lime trees, G2 of 5 Lime trees and G3 of 2 Pine trees, worthy of protection by a TPO. Six individual trees, 4 Lime trees, 1 Pine tree and 1 walnut tree were also identified for protection. The trees were not protected at this stage, and could therefore be removed or inappropriately pruned at anytime in the future without requiring the consent of the Council. Protecting the trees by a tree preservation order ensures these trees are fully considered in relation to any proposed development of this site.
- 4.3 The trees are in reasonable health, and visible to the public from an access track running from Centre Drive, between 125 and 127 Centre Drive, Newmarket, and from adjacent neighbouring gardens and land. The TPO allows for replacement tree planting when these trees need to be removed, ensuring the continuation of tree cover in the local landscape.
- 4.4 To ensure the six individual trees and the three groups of trees are protected and retained within the local landscape, a TPO was served under Section 201 of the Town & Country Planning Act 1990. The TPO was made on 3rd September 2010 and after the statutory consultation period, requires confirmation within six months.
- 4.5 No written objections to the serving of the TPO were received.

5.0 **CONCLUSIONS**

- 5.1 The TPO is unopposed and should be confirmed without modifications. This will ensure the three groups of trees and the six individual trees are protected and their contribution to the amenity, biodiversity and green infrastructure of the local area are fully considered in relation to any proposed development of the site likely to impact on the trees, and any future tree work is carried out to an approved, professional arboricultural specification and standard. The TPO status gives recognition of the visual

importance of the trees and the positive contribution the trees make to the character of the area.

<u>Background Documents</u>	<u>Location(s)</u>	<u>Contact Officer(s)</u>
TPO E/06/10 Town & Country Planning Act 1990 Town & Country Planning (Trees) Regulations 1999 DETR Tree Preservation Orders A Guide to the Law and Good Practice (March 2000) East Cambridgeshire District Local Plan 2000 and TPO records. Planning Application 10/00683/OUT	Cathy White, Senior Trees Officer Room No. 012 The Grange Ely	Cathy White Senior Trees Officer 01353 665555 cathy.white@eastcambs.gov.uk