

MAIN CASE

Proposal: Confirmation of Tree Preservation Order E/07/10

Location: Vicarage Farm, 2 Cross Green, Wicken, Cambs.

Applicant: N/A

Agent: N/A

Reference No: TPO/E/07/10

Case Officer: Cathy White, Senior Trees Officer

Parish: Wicken

Ward: Soham South

Ward Councillors: Councillor Duckworth,
Councillor Humphreys
& Councillor Parramint

[K253]

1.0 **THE ISSUE**

1.1 To determine whether to confirm a Tree Preservation Order (TPO) for one Cedar tree in the front garden of Vicarage Farm, 2 Cross Green, Wicken, Cambs. This matter is being referred to Committee due to objections received in the 28 days consultation period that ended on 6th October 2010, and for the requirement to confirm the TPO within six months to ensure the tree is protected for public amenity.

2.0 **RECOMMENDATIONS**

2.1 The Cedar tree is a significant specimen tree that contributes to the amenity of the local landscape of Cross Green, Wicken. It is recommended that this TPO be confirmed, without modifications, for the following reasons:

1. The Cedar tree could continue to be managed by professional pruning rather than felling. Pruning would alleviate the nuisance problems experienced by the owners with branches growing close to telephone wires servicing several houses in Cross Green. Pruning would also increase the amount of light to the front of the house and reduce the amount of moisture uptake by the tree.
2. Although it is agreed if left unchecked, the potential mature size of the Cedar tree would eventually become too domineering in the current

location, by cyclical pruning the Cedar tree could be left in place for 10-20 years more.

3. Following consultation, Wicken Parish Council expressed the view that the Cedar tree should be retained and supported the tree preservation order, but agreed the tree would eventually outgrow its location.

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 Tree surgeons, acting on behalf of the owners, submitted a tree work application to the Council on 3rd August 2010 giving the required six weeks notice of the proposed removal of a Cedar tree from the front garden of Vicarage Farm, 2 Cross Green, Wicken, within the Wicken Conservation Area. The owners were concerned that the Cedar tree was an unsuitable specimen that would outgrow the front garden, overshadowing their property, draining moisture from the front garden and whose branches were interfering with adjacent telephone wires. The Cedar tree had been previously pruned.
- 4.2 Wicken Parish Council and neighbouring residents were consulted and given the response from Wicken Parish Council, a TPO was served on the Cedar tree under Section 201 of the Town & Country Planning Act 1990. The TPO was made on 6th September 2010 and after the statutory consultation period, requires confirmation within six months.
- 4.3 To ensure the Cedar tree is retained a TPO was served, as the Council cannot refuse the proposed removal of a tree within a Conservation Area when given the required six weeks notice. The Cedar tree was healthy, visible to the public from Cross Green, Wicken, and was of merit, contributing to the tree cover in this location.
- 4.4 The Trees Officer inspected the site and considered the Cedar tree was worthy of retention. The Trees Officer considered the Cedar tree could be further managed by pruning to greatly reduce the problems experienced by the owners due to overshadowing, drying out of the soil and interfering with the telephone wires.
- 4.5 Concerns were expressed by the owners at Vicarage Farm, 2 Cross Green, Wicken about the serving of the TPO on the Cedar tree, and objections were received in writing during the statutory consultation period. (A copy of the letter from the owners will be circulated to the Committee prior to the meeting.)

The concerns raised were in summary:

- The Cedar tree is not in a suitable location in the front garden. It is oppressive and dominates the front of the house, blocking light and casting excessive shade over the front garden, draining the soil of moisture.
- The branches of the Cedar tree interfere with the telephone wires, that also service several neighbouring properties. The Statutory Body has the right to prune the tree at any time without the Council's consent and this is likely to lead to an even more misshapen tree in coming years.
- A previous application to reduce the tree has not been refused even though with professional pruning it has resulted in a misshapen tree that does not add to the attraction of the house or Cross Green.
- The tree will need constant attention over the years and the owners are willing to plant a more suitable tree in their front garden to replace the Cedar tree now rather than in a few years time, to permit the new tree to establish sooner.

5.0 **CONCLUSIONS**

- 5.1 Whilst the determining if a tree is of sufficient amenity value or not is to some extent subjective, the Trees Officers remain of the opinion that this Cedar tree is visually important within the local street scene and makes a positive contribution to the character of the area. A TPO would be an appropriate measure to safeguard the tree.
- 5.2 The Cedar tree was last professionally pruned in August 2009 with an overall crown reduction and crown lift. The TPO will not prevent the owners managing the Cedar tree in the future, using approved professional tree management techniques that would reduce the nuisance factors raised by the owners.
- 5.3 This TPO will ensure the retention of the Cedar tree as part of the local landscape. The TPO status gives recognition of the visual importance of the tree and the positive contribution the tree makes to the character of the area, as supported by Wicken Parish Council during the consultation.

Background Documents

TPO E/07/10
Letter from owners at
Vicarage Farm, 2 Cross
Green, Wicken.
E mail from Wicken
Parish Council.

Location(s)

Cathy White,
Senior Trees
Officer
Room No. 012
The Grange
Ely

Contact Officer(s)

Cathy White
Senior Trees Officer
01353 665555
cathy.white@eastcamb.gov.uk

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 Core
Strategy 2009