

**MAIN CASE**

Proposal: Confirmation of Tree Preservation Order E/01/14  
Location: The Vicarage, High Street, Chippenham, Cambs.  
Applicant: N/A  
Agent: N/A  
Reference No: TPO/E/01/14  
Case Officer: Cathy White, Senior Trees Officer  
Parish: Chippenham

Ward: Fordham Villages  
Ward Councillor: Councillor Michael Allan  
Councillor Joshua Schumann

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**[N275]**

1.0 **THE ISSUE**

1.1 To confirm a Tree Preservation Order (TPO) for group G1 comprising of five Poplar trees and group G2 comprising of two Poplar trees, in the grounds of The Vicarage, High Street, Chippenham. This matter is being referred to Committee as there is a requirement to confirm the TPO within six months to ensure the trees are protected for public amenity.

1.2 **A site visit has been arranged for 11.20am, prior to the Committee meeting.**

2.0 **RECOMMENDATIONS**

2.1 The seven Poplar trees together form a visually significant group that contributes to the amenity of the local landscape in the centre of Chippenham village. It is recommended that this TPO be confirmed, without modifications, for the following reasons:

1. If all seven Poplar trees are removed in one operation, the detrimental visual impact on the local landscape will be great. An alternative option could be considered, of the phased removal of selected Poplar trees with poorer form within the groups, and replacement with new planting of tree species more suited to this garden location, with the management of retained Poplar trees by pollarding.
2. Following consultation, several local residents and Chippenham Parish Council objected to the removal of all seven Poplar trees in one operation because of the significant impact on the local landscape in the heart of the village.
3. The seven Poplar trees are clearly visible to the public when viewed from the High Street and New Street, Chippenham.

### 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 Order was made because the Council received a notice of intent to remove the 7 Poplar trees in one operation, in the Chippenham Conservation Area. The Council cannot refuse and cannot condition or enforce replacement planting when considering applications giving notice of tree work in Conservation Areas.
- 4.2 The TPO was served under Section 201 of the Town & Country Planning Act 1990, on 7<sup>th</sup> February 2014:
  - to prevent the two groups of Poplar trees from being removed all at the same time, creating a significant loss of tree cover and a negative impact on the visual landscape in the centre of Chippenham village.
  - to give time for public consultation.
  - to consider alternative options for the management of the seven Poplar trees, including the opportunity to condition replacement planting.
- 4.3 Following the statutory consultation period of 28 days, confirmation of the TPO is required within six months after the date the TPO was served. The seven Poplar trees are visible to the public from the High Street and New Street, Chippenham, and the trees contribute to the tree cover in this location.
- 4.4 Objections to the serving of the TPO on the seven Poplar trees were received in writing from the applicants during the statutory consultation period. A copy of the objections received from the site owner and their

professional arboriculturalist were circulated to Planning Committee Members prior to the meeting. The concerns raised were in summary:

- Most Poplar trees have a tendency to break under stress, especially during high winds or after periods of drought.
- Concern of the site owners for the safety of the occupants of the parsonage.
- Given the proximity of the road and footpath, there is considered a risk to people and property. The longer the trees are left with heavier timber, the greater the risk of failure.
- Whilst there is appreciation for the loss of amenity value, there are far more stable tree species available that could be used as replacements.

4.5 Comments were received during the consultation period from Chippenham Parish Council and 21 local residents, supporting the serving of the TPO and objecting to the proposed removal of the 7 Poplar trees. These comments were also circulated to Planning Committee Members prior to the meeting.

The comments in summary were the Poplar trees are an integral part of the village and should be maintained, after having been neglected for many years and now require some drastic tree surgery by either professional pollarding or crown reduction to preserve them.

## 5.0 **CONCLUSIONS**

5.1 Whilst the determining if the seven Poplar trees, as two groups, are of sufficient amenity value or not is to some extent subjective, the Senior Trees Officer remains of the opinion that collectively the two groups of Poplar trees are visually important within the local street scene and make a positive contribution to the character of the area. The loss of the seven trees in one operation would dramatically change the visual landscape at the centre of Chippenham village.

5.2 A TPO would be an appropriate measure to allow an opportunity to refuse the simultaneous removal of all seven Poplar trees and give an opportunity to consider alternative options.

5.3 An alternative proposal would be phased removal, selecting out the Poplar trees with poorer form, along with suitable replacement planting and with the management of the retained Poplar trees by pollarding, thus addressing the comments made by the objectors and supporters of the TPO.

5.4 The TPO will not prevent the owners managing the Poplar trees in the future, by appropriate tree surgery specifications.

- 5.5 This TPO will ensure the suitable management of the current 7 Poplar trees and retention trees on this site tree, by conditioning suitable replacement tree planting for any of the Poplar trees removed in the future. The TPO will also confirm the visual importance of collective group of trees and the positive contribution the trees make to the character of the centre of Chippenham village.
- 5.6 The recommendation is to confirm the TPO without modifications.

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**Background Documents**

TPO E/01/14  
 Town & Country Planning Act 1990  
 Town & Country Planning (Tree Preservation)(England) Regulations 2012  
 National Planning Policy Guidance from 6<sup>th</sup> March 2014  
<http://planningguidance.planningportal.gov.uk/blog/guidance/tree-preservation-orders/how-are-offences-against-a-tree-preservation-order-enforced-including-tree-replacement/>

East Cambridgeshire District Core Strategy  
 2009 & draft Local Plan 2013  
 Tree Work Application 14/00010/TRE

**Location(s)**

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

**Contact Officer(s)**

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