

**AGENDA ITEM NO.20**

**PLANNING COMMITTEE**

<b>Date</b>	<b>27 JUNE 2012</b>
<b>Title</b>	<b>TPO 04/2012, 2 YEW TREES AT 93 HIGH STREET, MARCH</b>

**1. PURPOSE**

The purpose of this report is to advise members of the current situation in respect of confirmation of a Tree Preservation Order (TPO) at 93 High Street, March, and to determine an appropriate course of action.

**2. SUMMARY**

Matters relating to the issue and confirmation of a TPO are normally dealt with by delegated powers and confirmations are only referred to this Committee where objections to the Order are received. The 2 yew trees are considered to be worthy of retention as they make a significant contribution to the landscape amenity value of the conservation area and the setting of the Listed Building. The trees are healthy specimens and have long term potential. The decision to seek the retention of these trees was made in March 2012.

The trees subject to this TPO are 2 Yew trees located to the front of 93 High Street, March.

**3. RECOMMENDATION**

It is therefore recommended that members confirm the TPO in respect of the specified trees at 93 High Street, March.

<b>Forward Plan Reference No.</b> (if applicable)	Not applicable
<b>Portfolio Holder(s)</b>	Not applicable
<b>Report Originator</b>	Sheila Black, Senior Planning Officer
<b>Contact Officer(s)</b>	Graham Nourse, Chief Planning Officer (Delivery)
<b>Background Paper(s)</b>	F/YR11/0670/TRCA

## **1. BACKGROUND**

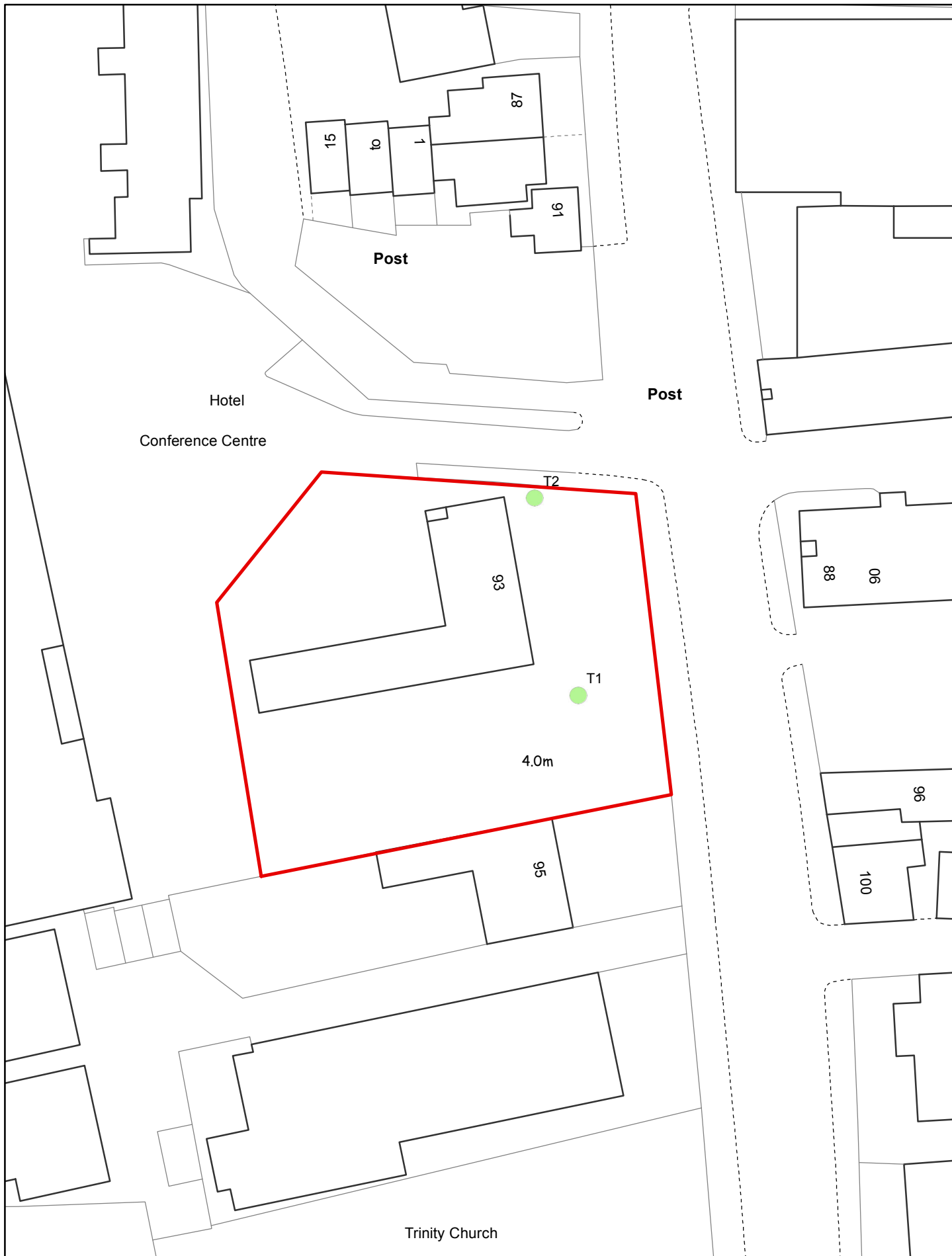
- 1.1 During the consideration of two applications for the removal of trees in a Conservation Area (planning reference F/YR12/0146/TRCA and F/YR12/0180/TRCA), it became apparent that the aforementioned trees were worthy of preservation and the Authority sought to issue a TPO. The Order was subject to a 28 day period for the receipt of any objections prior to final confirmation.
- 1.2 A letter was received from the Oliver Cromwell Hotel objecting to the TPO raising the following points:

The tree causes the objector and pedestrians' nuisance;

- The objector considers that the trees are responsible for structural damage to the Listed Building;
- The objector and the Cambs County Council Registrars Department have problems with the berries from the trees creating a hazard on the surrounding footpaths.

## **2. ASSESSMENT**

- 2.1 The Order, which encompasses the aforementioned trees, is detailed on the accompanying plan.
- 2.2 Matters relating to the issue and confirmation of a TPO are normally dealt with by delegated powers and confirmations are only referred to this Committee where objections to the Order are received. The decision to seek the retention of the trees was made in March 2012.
- 2.3 The placement of a TPO does not prevent tree works or even removal, but gives the Local Planning Authority control over 'inappropriate' works.
- 2.4 The data provided by Morton Consulting Engineers Ltd is inconclusive as to whether the trees are causing/contributing to foundation movement and a full site investigation will be required. Until such time as a full investigation is carried out there is inadequate evidence to implicate the trees. This investigation will entail bore holes/trial pit logs, soil analysis including Atterberg limits, root identification and a minimum of 12 months level monitoring. This is the level of detail required by the Secretary of State when determining appeals against TPO'd trees. Should the site investigation clearly implicate the trees then there would have to be consideration of an engineered solution as the landscape level of the amenity and character provided by the trees should be retained.
- 2.5 It is, therefore, recommended that the TPO is confirmed whilst further investigative work is undertaken to determine a way forward for these 2 yew trees.



Created on: 15/06/2012

© Crown Copyright and database  
rights 2012 Ordnance Survey 10023778

**TPO04/2012**  
**93 High Street, March**  
Scale = 1:500

