

PART I - DELEGATED

5. **Consideration of Objections and Confirmation of Three Rivers (34 Abbots Road, Abbots Langley No.2) Tree Preservation Order 2016 (DCES)**

1. **Summary**

- 1.1 To consider objections made in respect of the Three Rivers (34 Abbots Road, Abbots Langley No.2) Tree Preservation Order 2016. This report sets out the officer's recommendations to confirm this Order subject to modification to correct an error in the title of the plan.

2. **Details**

- 2.1 The Three Rivers (34 Abbots Road, Abbots Langley No.2) Tree Preservation Order 2016 protects a Copper Beech growing in the rear garden. The tree is visible from Abbots Road.

In November 2015 Three Rivers District Council was contacted by a resident of Abbots Road, Abbots Langley. They were concerned that a large tree in their garden was going to be worked on by one of their neighbours without their consent. The Three Rivers (36 Abbots Road, Abbots Langley) Tree Preservation Order 2015 (TPO840) was made on 23 November 2015 using this information and without a site visit. Following the serving of TPO840 the neighbour at 34 Abbots Road contacted Trees and Landscape to ask for a site visit to clarify the location of the tree.

The Beech tree straddles the boundary between two properties but most of the trunk is within the garden of 34 Abbots Road. The plan for TPO840 showed the tree in the wrong location and the description in the schedule incorrectly identified the location of the tree. A decision was made by Trees and Landscape to allow TPO840 to lapse and to make a new TPO correcting the inaccuracies of TPO840.

On 5 May 2016 The Three Rivers (34 Abbots Road, Abbots Langley) Tree Preservation Order 2016 (TPO858) was made. An objection was received with regard to this order however, due to an administrative error the confirmation of TPO858 was not brought before Planning Committee. TPO858 was invalidly confirmed on 1 September and then revoked on 22 September following a letter from the objector.

On 22 September 2016 the Three Rivers (34 Abbots Road, Abbots Langley No.2) Tree Preservation Order (TPO869) was made. The covering letter which was sent with TPO869 to the objector advised that the confirmation of TPO869 would be put before the first available Planning Committee and all of their objection letters would be made available and that they need not formally object to TPO869.

Section 2.2 contains a brief summary of the points raised in the objection letters.

Section 2.3 contains the Officer response to each of the sub paragraphs in section 2.2.

2.2 **Officer Summary of Objections**

- 2.2.1 The Copper Beech Tree which is the subject of this TPO is under good management.

2.2.2 There is no threat to the tree so the TPO is not necessary.

### 2.3 **Officer Response to Objections**

2.3.1 A site visit was made on 25 November 2015 and the tree did appear to be under good management. Protecting the tree with a preservation order need not interfere with any future good management. It will just require this future good management to be subject to consent from this Council.

2.3.2 The events of November 2015 indicate that the tree is the subject of a dispute between the two neighbouring properties and this could be seen as a threat. If the TPO is not confirmed either neighbour could exercise their 'common law' right and work on the parts of the tree which over sail their boundaries.

### 3. **Options/Reasons for Recommendation**

3.1 There are two options available to the Committee:

- (a) Confirm the Order subject to modification to correct the title on the plan by adding 'No.2' to the name of the order.
- (b) Not to confirm the Order. This would mean that the tree/s would not be provided statutory protection and could be removed or worked on without any further notification requirement.

### 4. **Policy/Budget Reference and Implications**

4.1 The recommendations in this report are within the Council's agreed policy and budgets.

### 5. **Financial, Legal, Staffing, Environmental, Community Safety, Customer Services Centre, Communications & Website, Risk Management and Health & Safety Implications**

5.1 None specific.

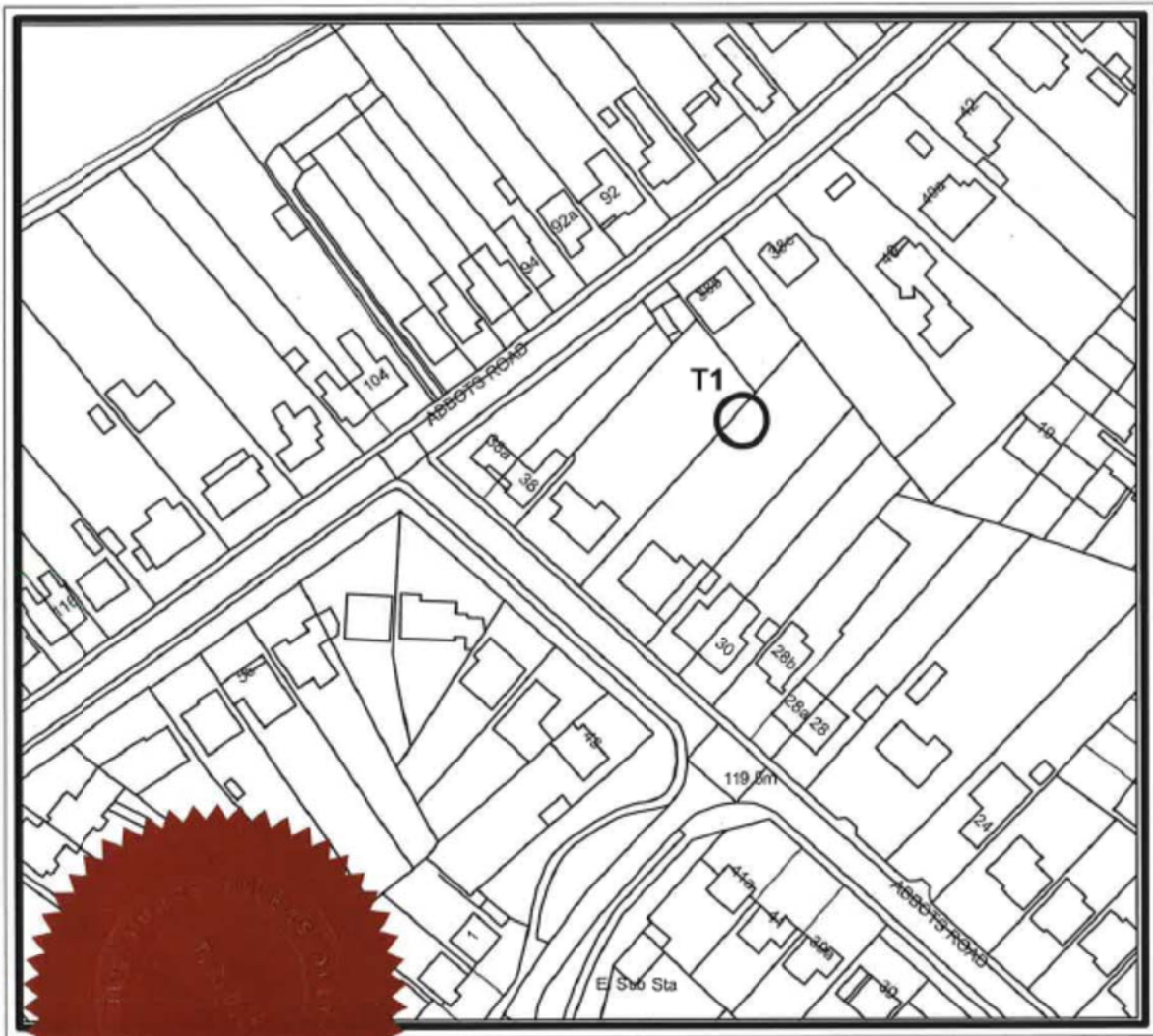
### 6. **Recommendation**

6.1 That the objection is noted but that the Three Rivers (34 Abbots Road, Abbots Langley No.2) Tree Preservation Order 2016 is confirmed subject to modification to correct the title on the plan by adding 'No.2' to the name of the order.

Report prepared by: Terence Flynn, Landscape Officer

### **Background Papers**

- TPO869 file



83/16 *Chris Hope*  
**Three Rivers (34 Abbots Road, Abbots Langley)  
Tree Preservation Order 2016**

**TPO 869**

Date: 22nd September 2016 Scale: 1:1250

Chris Hope, Head of Leisure Services, Three Rivers District  
Council, Three Rivers House, Northway, Rickmansworth, WD3 1RL



Reproduction from the Ordnance Survey map with the permission  
of the Controller of Her Majesty's Stationery Office (c) Crown copyright.  
Unauthorised reproduction infringes Crown copyright and may lead  
to prosecution or civil proceedings.

Three Rivers District Council Licence No. 100018686