

## PLANNING COMMITTEE – 24 MAY 2018

### PART I - DELEGATED

#### **5. Consideration of objections and confirmation of the Three Rivers (1 The Orchard on the Green, Croxley Green) Tree Preservation Order 2018 TPO885. (DCES)**

##### **1. Summary**

- 1.1 To consider objections made in respect of the Three Rivers (1 The Orchard on the Green, Croxley Green) Tree Preservation Order 2018 TPO885. This report sets out the officer recommendation to confirm the order.

##### **2. Details**

- 2.1 On 16 January 2018 Three Rivers District Council received a Conservation Area Notice (18/0174/TCA) under s.211 of the Town and Country Planning Act 1990 to fell a Poplar and an Oak growing at 1 The Orchard on the Green, Croxley Green. On 21 February 2018 the Tree Bulletin included a recommendation that a Tree Preservation Order should be made in response to 18/0174/TCA as 'Both trees are highly visible from the Green and contribute to the character of the Croxley Green Conservation Area'. The Three Rivers (1 The Orchard on the Green, Croxley Green) Tree Preservation Order 2018 TPO885 was made on 27 February, objections were received on 28 March.

- 2.2 Application 18/0597/TPO was received on 28 March and is awaiting determination. This application was made by an Arboricultural Contractor and is supported by further detail in support of the removal of the trees. The main reasons given in support of the removal of the trees is the ongoing maintenance affects the amenity value of the trees.

##### **3. Officer Summary of Objections**

- 3.1 The Poplar Tree 1 is situated approximately 5m from the extension to the rear of 2 Green Lane. Branches overhang the roof and if they were to fail would fall on the roof. Roots lift the patio and break through the lawn.
- 3.2 The Poplar Tree 1 has had branch failures which have fallen into the garden of 1 The Orchard on the Green. If they were to fall in a southerly direction substantial damage could be caused to the neighbouring property.
- 3.3 The Poplar Tree 1 was reduced substantially only 4 years ago and to reduce the cost of continual maintenance the proposal is to replace with a flowering Japanese Cherry.
- 3.4 The Oak Tree 2 is only 5.5m from the corner of the house and requires continual maintenance to reduce it overhanging the house. Damage has also started to occur to the drive. The proposal is to replace with a flowering Japanese Cherry.

##### **4. Officer Response to Objections**

- 4.1 It is possible to make an application to carry out works to a protected tree. Applications to carry out reasonable works are generally granted consent by Three Rivers District Council. Applications are regularly received to carry out works to give clearances from structures.
- 4.2 The detail included in Conservation Area Notice 18/0174/TCA made no reference to structural concerns within the crown of the tree. The subsequent application 18/0597/TPO which was made by an Arboricultural Contractor makes reference to branch failures which took place before the crown reduction works were carried out four years ago. No reference is made to structural concerns within the tree. Reference is made to the

requirement to repeat the reduction works to reduce future risk of branch failure. Reference is also made to the removal of the tree eliminating the cost for the ongoing maintenance.

4.3 The ongoing maintenance costs should not be a considered a sufficient reason to remove a tree which is a significant landscape feature.

4.4 See paragraph 4.1.

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

5.1 There are three options available to the Committee:

5.1.1 Confirm the Order without modification.

5.1.2 Confirm the Order subject to modification to remove one of the trees.

5.1.3 Not to confirm the Order. This would mean that the trees would not be provided statutory protection and could be removed or worked on without any further notification requirement.

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

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

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

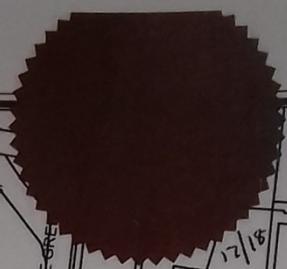
7.1 None specific.

## **8. Recommendation**

8.1 Option 1, to confirm the Order without modification.

Report prepared by: Terence Flynn, Landscape Officer  
Background Papers - TPO885 file

*One to merge*



### TPO 885

## Three Rivers (1 The Orchard on The Green, Croxley Green) Tree Preservation Order 2018

Date: 27th February 2018 Scale: 1:1250

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