

## PLANNING COMMITTEE – 17 JANUARY 2019

### PART I – DELEGATED

#### 5. **Consideration of objections and confirmation of the Three Rivers (THE OLD BUTCHERS SHOP, THE GREEN, SARRATT) Tree Preservation Order 2018 TPO892. (DCES)**

##### 1. **Update**

1.1 This report was presented to Planning Committee on 15 November 2018 at which time members of Planning Committee resolved to defer the decision in order to allow the owner of the property and objector to the making of the Order the opportunity to submit an arboricultural report to support his objection to the making of the Order. Despite assurances that a report would ensue, to date no such report has been received and as such the original Committee report is being represented to members together with the original recommendation to confirm the Order without modification.

1.2 A further update is that on 8 January 2018 the Council was sent a copy of a short tree report and letter regarding damage to clay drains at the property. The owner of the property has also emailed the Council to confirm they are willing to replace the tree the subject of the Order with a substantial replacement of a mature nature elsewhere in the garden. An officer has reviewed the new documentation and it is the officer's view that the tree report does not introduce anything new and the advice of the drainage company is to replace the existing clay drains with a new uPVC drain in a new trench. The officer recommendation to Members remains to be option 1 to confirm the Order without modification.

##### 2. **Summary**

2.1 To consider objections made in respect of the Three Rivers (The Old Butchers Shop, The Green, Sarratt) Tree Preservation Order 2018 TPO892. This report sets out the officer recommendation to confirm the order.

##### 3. **Details**

3.1 On 1 August 2018 Three Rivers District Council received a Conservation Area Notice (18/1588/TCA) under s.211 of the Town and Country Planning Act 1990 to fell an Oak growing at The Old Butchers Shop, The Green, Sarratt. On 15 August 2018 the Tree Bulletin circulated to Members of the Council included a recommendation that a Tree Preservation Order should be made in response to 18/1588/TCA as 'The property is adjacent to the Post Office and the tree is highly visible from the Green'. The Three Rivers (The Old Butchers Shop, The Green, Sarratt) Tree Preservation Order 2018 TPO892 was made on 8 August 2018, objections were received on 25 October 2018.

3.2 On 16 October 2018 Three Rivers District Council received Planning Application 18/2096/FUL. This application is for 'two storey rear extension, demolition of single storey outbuildings behind the old slaughter house and removal of existing conservatory'. 18/2096/FUL is not supported by any Arboricultural documents and impacts directly on the Oak tree protected by TPO892.

##### 4. **Officer Summary of Objections**

4.1 The tree has been worked on previously (as per applications 07/0859/TCA and 14/0869/TCA), so the tree is not in an original 'state'.

4.2 The tree is growing in very close proximity to a foul water drain that serves at least 17 properties (the drain passes through the root zone).

- 4.3 The manhole in the grounds of The Old Butchers Shop is in the root zone. It would be beneficial if a new tree was planted in a location to be agreed and where its location would not be the cause of potential damage and ongoing maintenance to a necessary utility.

## **5. Officer Response to Objections**

- 5.1 The works previously carried out under 07/0859/TCA and 14/0869/TCA do not make the tree any less worthy of protection with a Tree Preservation Order. The tree is highly visible from the Green and is growing next door to the Sarratt Post Office.
- 5.2 No evidence has been presented to show that the tree is causing problems to the foul water drain.
- 5.3 No evidence has been presented to show that the tree is causing problems to the manhole in the grounds of The Old Butchers Shop.

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

- 6.1 There are two options available to the Committee:
- 6.1.1 Confirm the Order without modification.
- 6.1.2 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.

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

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

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

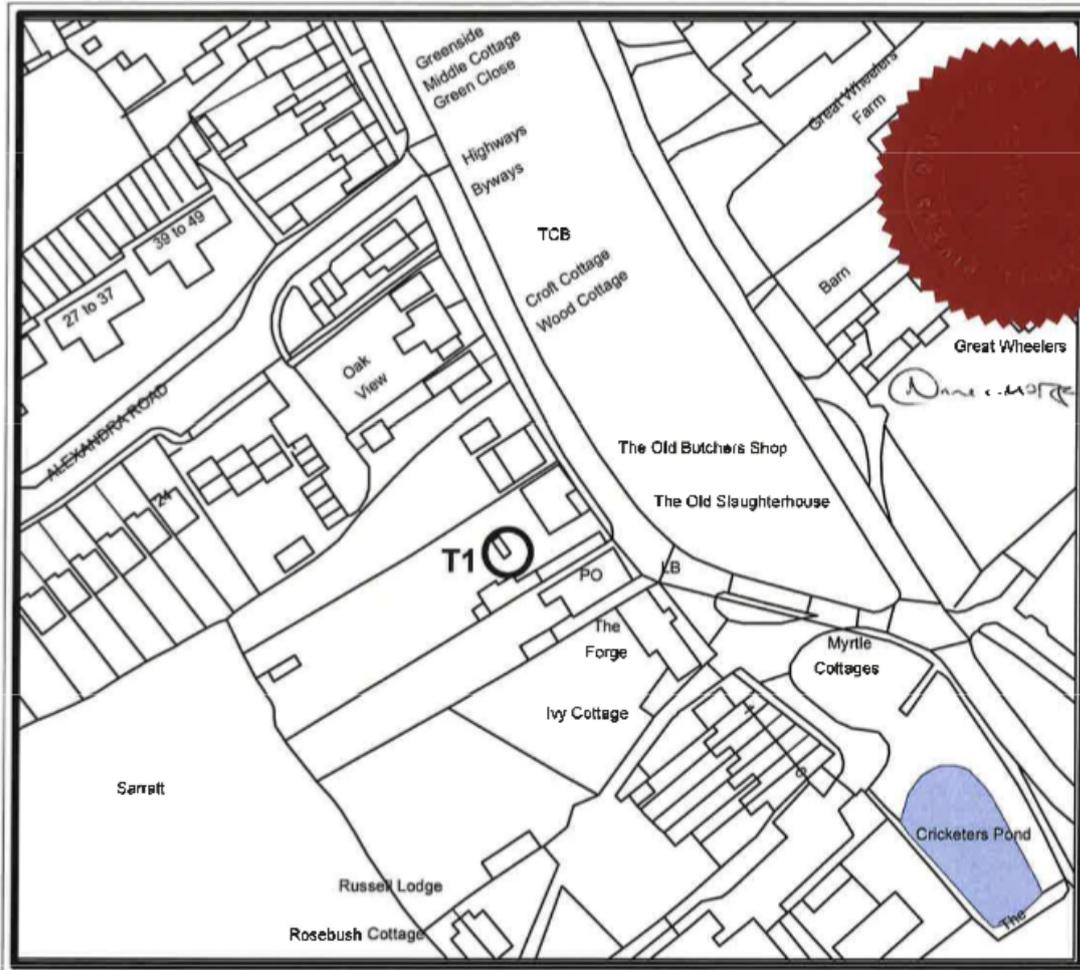
- 8.1 None specific.

## **9. Recommendation**

- 9.1 Option 1, to confirm the Order without modification.

Report prepared by: Terence Flynn, Landscape Officer updated by Julie Hughes, Principal Landscape Officer

Background Papers - TPO892 file



**TPO 892**

**Three Rivers (The Old Butchers Shop, The Green, Sarratt) Tree Preservation Order 2018**

Date: 8th August 2018 Scale: 1:1250

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