

## PLANNING COMMITTEE – 23 JANUARY 2020

### PART I - DELEGATED

#### 5. CONSIDERATION OF OBJECTIONS AND CONFIRMATION OF THE THREE RIVERS (LAND ADJACENT JUNCTION 20 OF M25, WATFORD ROAD, HUNTON BRIDGE) TREE PRESERVATION ORDER 2019, TPO 897 (DCES)

##### 1. Summary

- 1.1 To consider representations made in respect of the Three Rivers ((Land Adjacent Junction 20 of M25, Watford Road, Hunton Bridge) Tree Preservation Order 2019 (TPO897). This report sets out the officer recommendation to confirm the order.

##### 2. Details

- 2.1 The Three Rivers (Land Adjacent Junction 20 of M25, Watford Road, Hunton Bridge) Tree Preservation Order 2019 was made on 7 August 2019. This Order protects ten individual Oak trees, one individual Ash, and one individual Elder tree, one Area of semi-mature trees on the Southwest side of the site; one Group of one Oak, six Beech, one Lime and one Ash (G1); one group of ten Hornbeam, one Silver birch and four Norway Maple (G2) and one group of seven Lime, one Cedar, one Oak and one Wellingtonia (G3) and a Woodland with various Oak, Hazel, Ash, Hawthorn, Blackthorn, Elder and Holly trees. .

This TPO was made in response to the receipt of an outline planning application for the construction of a new Motorway Service Area (MSA) comprising: amenity building, 80 bedroom lodge, drive-thru coffee unit, fuel filling station with retail shop, together with associated car, coach, motorcycle, caravan, HGV and abnormal load parking (19/0646/OUT). This planning application is still pending consideration however, a decision on confirmation of this TPO does need to be made prior to 7 February 2020. A full visual inspection and TEMPO evaluation of the trees was carried out prior to the making of the TPO.

- 2.2 An objection to the making of the Order, was received from the planning consultant representing the applicant/prospective developer of the outline planning application, dated 6 September 2019.

##### 3. Officer's Summary of Objections Received

- 3.1 Do not understand why the Council has decided to impose a TPO on site.
- 3.2 The strategy was to retain as many existing trees as possible, especially at the boundaries to promote a screen.
- 3.3 Our plan shows TPO superimposed the proposed layout and that W1, G1, G2, G3, T1, T2, T3 will remain, with part of A1 to be removed.
- 3.4 An arboricultural assessment has been provided along with the planning application with details whether the trees could be retained or not and that the layout has retained a vast majority of the trees. They state that the topography of the site was created during the construction of the M25 and so the environment is not historic.
- 3.5 Of the 13 trees to be removed 4 are categorized as "U" trees. G2 is to be removed in total due to the fact that the trees within it are classified as category "C". 150m length of G3 will also be removed.
- 3.6 We are committed to plant 1,100 trees with the development.

#### **4. Officer Response to Objection**

- 4.1 This TPO has been made in order to protect the existing live trees on site which contribute significantly to the character and visual amenity of the area particularly from the A41 and from the opposite side of the valley to the east.
- 4.2 All trees located in the middle of the field (T1 to T12) and in the groups G1, G2 and G3 are mature and semi-mature trees with a high amenity value and big contribution to the character of the area. These trees are the key point of this TPO.
- 4.3 From the developer's proposed layout and from their objection letter, paragraph 6, all trees on G1, G2 and G3 are to be felled even if they mention that G3 will be just partially felled. All these trees are mature trees and the most of them with a good individual form or providing very important value as part of a group. A1 even being an area of semi-mature trees is an area full of wildlife, and provides a green corridor along the A41 which can reduce the visual impact of the road and provide a contribution to carbon sequestration and retention. Trees T4 to T12 are all mature trees except T10 that is a semi-mature tree but all them, are very valuable as trees and with public amenity value, being visible from the Watford Road (A412), Langleybury Lane and from the other side of the Gade Valley to the east.
- 4.4 Dead and very decayed trees were not included in this TPO. If any trees should die or become dangerous subsequent to the confirmation of the Order, they will be exempt from the requirement for consent and may be removed. There will however be an arising replacement planting obligation.
- 4.5 G2 is a very valuable group of Hornbeam trees with one Silver birch and 4 significant size Norway maple trees. G3 is composed by 7 Lime trees, 1 Cedar, 1 Oak and 1 Wellingtonia. All trees are mature and form an interesting mix of broadleaf trees and conifers. Some of the trees may need some tree work but there is no arboricultural reason that the trees should be felled at this time.
- 4.6 The number of trees planned to be planted can only be seen as a compensation for the carbon emissions of the M25 however will never fully compensate for the loss of mature and semi-mature trees felled as they are irreplaceable. Their historical and amenity value will likely never be replaced.

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

- 5.1 There are 2 options available to the Committee:
- 5.1.1 Option 1: To confirm the Order.
- 5.1.2 Option 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.
- 5.1.3 If the TPO is confirmed and then planning permission is granted, this will mean that any trees could be felled which were necessary to implement the planning permission. This may obviously be subject to any planning conditions that it was considered relevant to impose to ensure both the protection of trees to be retained, or to ensure suitable replacement planting.

#### **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**

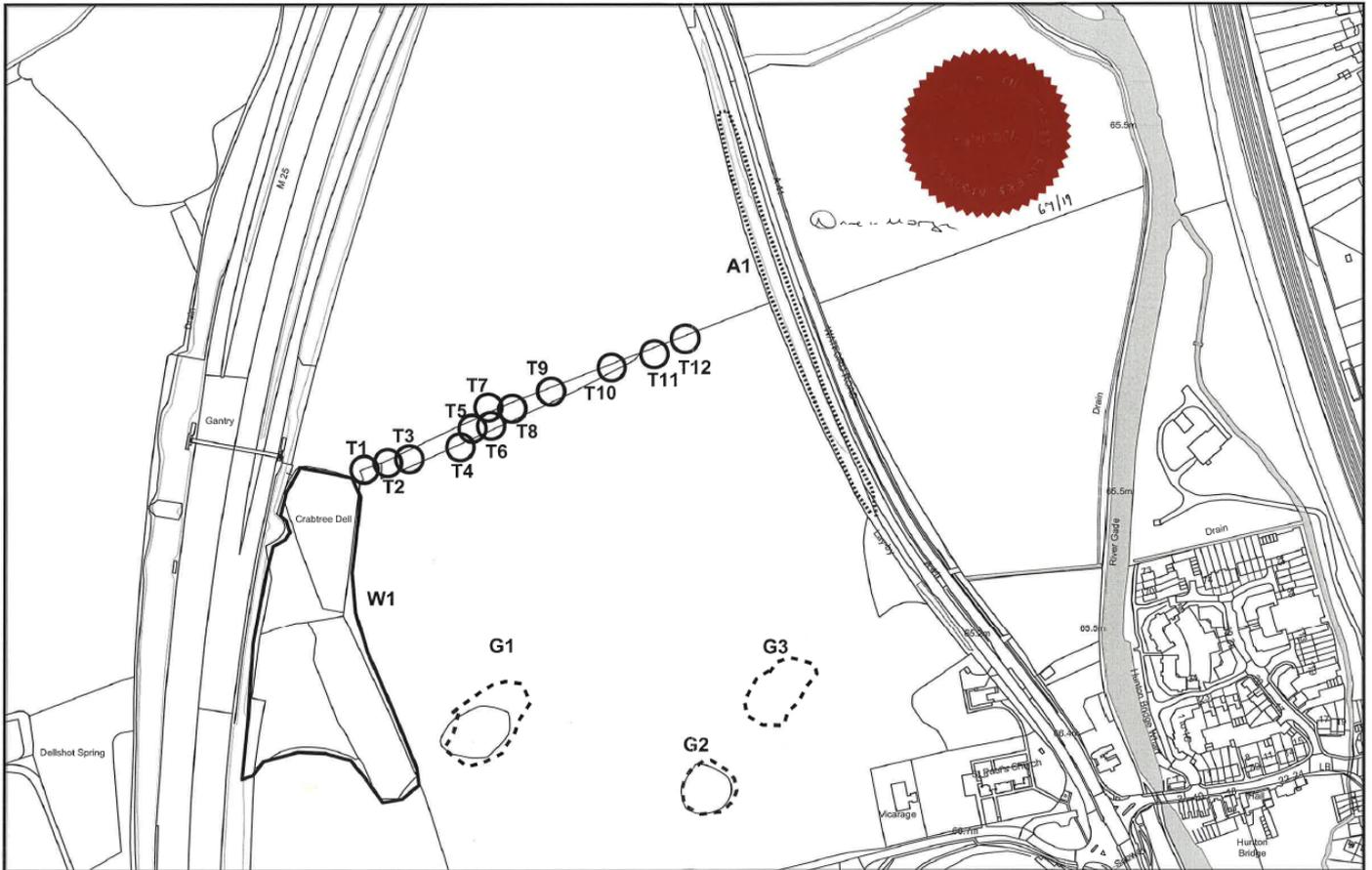
7.1 None specific.

**8. Recommendation**

8.1 Option 1, to confirm the Order without modification.

Report prepared by: Angela Borges (Tree and Landscape Officer)

Background Papers 1- TPO897 doc



Three Rivers (Land Adjacent Junction 20 of M25, Watford Road, Hunton Bridge) Tree Preservation Order 2019. Date: 7th August 2019 Scale 1:2500

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**TPO 897**

