

Agenda Item 66.

Development Management Ref No	No weeks on day of committee	Parish	Ward	Listed by:
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TPOs 1502 and 1503 of 2015	6 months	Arborfield Barkham	Arborfield Barkham	
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Applicant	WBC			
Location	Arborfield SDL			Postcode n/a
Proposal Type	TPO CONFIRMATION			
PS Category				
Officer	Chris Hannington,			

FOR CONSIDERATION BY Planning Committee on 11th November 2015
REPORT PREPARED BY Head of Development Management and Regulatory Services

SUMMARY

TPOs 1502 and 1503 of 2015 are the latest TPOs for the SDL site at Arborfield and protect trees removed from earlier TPOs to which objections had been made by the developer's Arboricultural consultants. The issues raised are dealt with on a tree by tree basis in the report. Members are requested to confirm the TPO.

RECOMMENDATION

Confirm TPOs 1502 and 1503 unaltered with the exceptions that:

- The Tree of Heaven (*Alianthus altissima*) shown as part of G1 in the provisional TPO 1502/2015 is to be shown as T6 on the confirmed TPO.
- Removal of T3, T4, T5 from TPO 1502/2015 as they are already covered by another TPO.

PLANNING POLICY

- Town and Country Planning Act (1990) Sections.197 and 198 of the – Duty to make provision for the preservation and planting of trees when granting permission and power to make TPOs:

197. Planning permission to include appropriate provision for preservation and planting of trees.

It shall be the duty of the local planning authority—

- (a) to ensure, whenever it is appropriate, that in granting planning permission for any development adequate provision is made, by the imposition of conditions, for the preservation or planting of trees; and
- (b) to make such orders under section 198 as appear to the authority to be necessary in connection with the grant of such permission, whether for giving effect to such conditions or otherwise.

198. Power to make tree preservation orders.

- (1) If it appears to a local planning authority that it is expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area, they may for that purpose make an order with respect to such trees, groups of trees

or woodlands as may be specified in the order.

(2) An order under subsection (1) is in this Act referred to as a “tree preservation order”.

- Local Plan Policy CCO3:

2. Development proposals should demonstrate how they have considered and achieved the following criteria within scheme proposals

d) Protect and retain existing trees, hedges and other landscape features

e) Incorporate high quality, ideally, native plant and landscaping as an integral part of the scheme.

- Core Strategy Policy CP1:

Planning permission will be granted for development proposals that:

1) Maintain or enhance the high quality of the environment

- Core Strategy Policy CP3

Planning permission will be granted for proposals that:

c) Have no detrimental impact upon important ecological, heritage, landscape (including river valleys) or geological features or water courses

d) Maintain or enhance the ability of the site to support fauna and flora including protected species

f) Contribute to a sense of place in the buildings and spaces themselves and in the way they integrate with their surroundings (especially existing dwellings) including the use of appropriate landscaping;

- NPPF

Section 109. The planning system should contribute to and enhance the natural and local environment by:

- protecting and enhancing valued landscapes, geological conservation interests and soils;

- recognising the wider benefits of ecosystem services;

- minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government’s commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;

PLANNING HISTORY

O/2014/2280 -Outline planning permission granted 2/4/2015 for 2000 residential units at Arborfield Garrison

150162- The first reserved matters planning application for 113 units on “parcel o1” on the agenda

O/2014/2179 -(Marino Land)_Resolution to grant planning permission for 1500 resident units on land at Hogwood Farm, subject to s.106 (not yet completed – planning permission has not been issued to date). Committee date 14/10/2015.

ASSESSMENT

Six TPOs were served on the Arborfield SDL site in 2014: TPO Nos. 1480, 1481, 1490,

1491, 1492, and 1493 with the intention of protecting a framework of selected trees on this important development site. Objections to these TPOs were raised in a letter from the Developers Arboricultural Consultants Simon Jones Associates Ltd (SJA) in December 2014. The letter objected to placing TPOs on a number of individual trees, groups of trees and woodland areas on the SDL site on various grounds. Many of the issues raised were addressed prior to the confirmation of the TPOs. However, no agreement was reached regarding some of the trees which were removed from the original TPOs to allow these to be confirmed unchallenged. These are now subject to the TPOs: 1502/2015 and 1503/2015 that the Planning Committee is now requested to confirm.

General issues of concern in the applicants letter include the following:

- Trees are of low quality
- Trees are of low landscape value due to their location and size
- Trees only have short term potential

The applicant argues that because of the above issues, the removal of the trees would not have a significant impact on the environment or its enjoyment by the public and no reasonable degree of public benefit will accrue from placing a TPO on these trees. However, none of the trees listed by the applicant as being of concern are graded less than a C. The British Standard - 5837 (2012) Trees in relation to design demolition and construction describes grade C trees as 'trees of low quality with an estimated remaining life expectancy of at least 10 years, or young trees with a stem diameter below 150mm'.

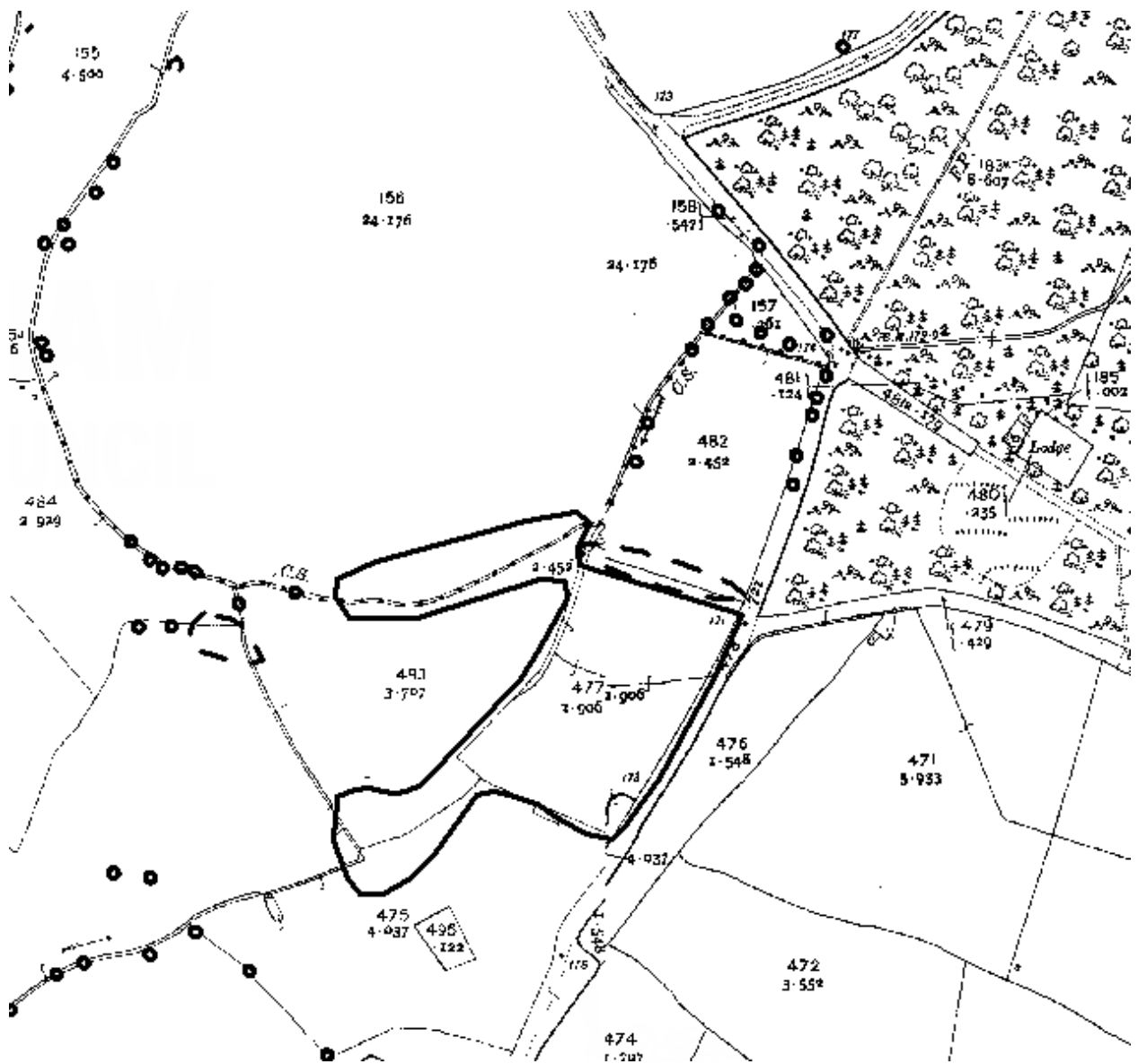
Category 'C' trees can be retained. On this site where heritage and landscape is important, and where trees can buffer the impact of development, it is importance that Category 'C' trees should be retained. Their loss or retention should be considered as part of the layout of the SDL development.

There is the opportunity to apply for permission to carry out remedial works to trees or to apply to fell and replace. The process of applying for permission to carry out tree works is not considered unreasonable or burdensome especially given the resources available in a large scale SDL development. Government advice and, indeed statute, is clear that LPAs should protect trees on development sites by the serving of TPOs and part of the role of protecting trees on development sites is to buffer the impacts of new development on the landscape and allow time for new landscape schemes to establish.

The applicant has objected to the TPO on woodland area W1 because it contains self-seeded trees growing around the south and west sides of the bund that borders this woodland. However much woodland including some of our very best woodland (all ancient woodland included) is self-seeded. Additionally many of the groups and individual trees included in many TPOs nationwide are hedgerow trees which would also have been self-seeded and the fact that a tree, a group or even a woodland is 'self-seeded' should be no barrier to its protection by means of the serving of a TPO.

The applicant has also challenged that Part of W1 contains tree species that have colonised this area rather than having been part of the [original] woodland. However, different age and species structures are all part of the mosaic that is woodland habitat

and are consistent with the model of the development of the woodland W1 that I outline above. The OS map of 1911 – 13 shows this origin of the whole woodland clearly (NB outline of Woodland W1 shown as thick black line centre of map):



Comparing this with the most up to date aerial photograph of 2010:



W1 is located in an area currently allocated in the outline planning consent as a SANG – public open space. The value of this land as SANG can only be increased by the presence of the woodland which, because of the visual screening and audio-buffering of woodland trees, has the capacity to accommodate more people per hectare than other land-use types whilst still allowing for the quiet enjoyment of the countryside.

The attached table addresses each of the points raised in the applicant's (SJA) letter about each tree, group or woodland originally covered in one of the six earlier TPOs and now covered by the two new TPOs 1502 and 1503.

REPRESENTATIONS

Letter from S Jones Associates in objection to the TPOs as addressed above

CONCLUSION

For the reasons given above Committee is requested to confirm this TPO as per recommendation.

CONTACT DETAILS		
Service	Telephone	Email
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TPO	Tree	No. of trees	Species	Comments
1502/2015	T1	1	Alder	Tree near the NW side of the site – reasonable life expectancy and form, Some amenity value particularly because of its location near the periphery, of the site
	T2	1	White willow	Good sized tree, close to another with signs of decay in base. Retain in the medium term.
	T3,T4, T5	3	Willow Spp.	Currently shown in TPO 1493/2014 and therefore already protected
	T6	1	Tree of Heaven <u>Alianthus altissima</u>	A good tree that could be retained. This tree formerly included in G1 but is actually located near the group not in the group.
	G1		1 x Red Oak, 1 x Tree of Heaven, 2 x Cherry,	A group of trees in a corner of the site most are shown to be of higher category and to be retained. The exception being the Tree of Heaven described in the SJA letter as a ‘suppressed specimen’ and an ‘inessential component of the group’. However the SJA letter does describe the tree as of moderate quality and of medium-term potential. I recommend this tree is retained in the group designation.
	G2	11	11 x Silver maple	The SJA letter objects to one of the group but confirms that the tree has moderate landscape value and medium-term potential.
1503/2015	T1	1	Butan Pine	Tree is a good specimen of some 10m height (SJA letter estimates 9.5m). SJA letter describes the tree as of moderate quality and of long term potential but of low landscape value because it is not currently visible and is an ‘inessential part of the group in which it stands’. This species, from Afghanistan, may have historic resonances in its current military context and, in a new layout as the site is developed, and as it grows is likely to gain greater landscape value. I recommend this is retained
	T2	1	Atlas Cedar	A tree described in the SJA letter as ‘of moderate quality’ and ‘of long-term potential’ but discounted because of perceived low landscape value. I consider the landscape value and amenity of the tree will be raised as the site is opened to development and more receptors (people) have an opportunity to enjoy it.
	T3	1	Maple	Currently protected by tree protection fencing at the time of my most recent site visit 28/10/15. Good tree worthy of retention in a new layout where there amenity value will be

				likely to be enhanced because of greater public accessibility
	T4	1	Maple	Currently protected by tree protection fencing at the time of my most recent site visit 28/10/15. Good tree worthy of retention in a new layout where there amenity value will be likely to be enhanced because of greater public accessibility
	T5	1	Silver birch	Currently protected by tree protection fencing at the time of my most recent site visit 28/10/15. Good tree worthy of retention in a new layout where there amenity value will be likely to be enhanced because of greater public accessibility
	T6	1	Oak	Good old hedgerow oak, likely very high amenity given location in proposed SANG. Long term potential, especially, in this location.
	G1	3	3 x silver birch	Described by SJA as 'moderate quality and of medium term potential'. Quality description may be because of more natural form of trees. Currently protected by tree protection fencing at the time of my most recent site visit 28/10/15. Good trees worthy of retention in a new layout where there amenity value will be likely to be high because of greater public accessibility
	G2	2	2 x silver birch	Described by SJA as 'moderate quality and of medium term potential'. Quality description may be because of more natural form of trees. Currently protected by tree protection fencing at the time of my most recent site visit 28/10/15. Good trees worthy of retention in a new layout where there amenity value will be likely to be high because of greater public accessibility
	W1	n/a	Trees of whatever species in the area marked	See notes in body of this Committee report