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| <u>Location:</u> | Land on the North Side of Baldock Road, Royston, Herts, SG8 9NT |
| <u>Proposal:</u> | Tree Preservation Order   |
| <u>Ref. No:</u>  | TPO/0215  |
| <u>Officer:</u>  | Vicki Wood  |

## 1.0 **Proposal**

- 1.1 Confirmation of Tree Preservation Order TPO/00215 (2024) – G1 - Group of trees comprising of All trees of various species.

## 2.0 **Site History**

- 2.1 In accordance with The Town and Country Planning Act 1990 (as amended) and The Town and Country Planning (Tree Preservation) (England) Regulations 2012, North Hertfordshire Council served a provisional Tree Preservation Order under TPO/00198 (2020) dated 12<sup>th</sup> March 2020. However, the Tree Preservation Order was not formally confirmed hence the need to revisit this which resulted in the serving of provisional Tree Preservation Order TPO/00215 (2024) dated 07 November 2024 which provides for a period of 6 months (up to 07 May 2025) for the Local Planning Authority to confirm the Order.

- 2.2 Following the serving of the current provisional Tree Preservation Order an application was submitted under 24/02836/TPO to remove 2 x Field Maple, 1 x Alder trees and a group of whips on land between Hampshire Road and Baldock Road. These works were required to achieve acceptable highways visibility. A group of whips had been planted to initially improve the entrance to the Show Home. This application was granted on 30<sup>th</sup> January 2025 with a condition requiring the planting of 3 x native trees in suitable positions along the front boundary with Baldock Road following the removal of the 2 x Field Maple and Alder trees. The condition also provides for the replacement of any of the newly planted trees to be replaced with another tree of the same size and species if a tree fails to become established or dies within 2 years of planting. For clarification the condition reads as follows:

*'The Field Maple and Alder trees when felled shall be replaced with suitable native trees with a girth size of 8-10cm as agreed in writing by the Local Planning Authority.*

*The replacement trees shall be planted in suitable positions along the front boundary with Baldock Road within the first available planting season following the felling unless otherwise agreed in writing by the Local Planning Authority.*

*In the event of a replacement tree(s) failing to become established or dying within two years of planting, another tree(s) of the same species and planting size shall be planted in their place in the first available planting season.*

*Reason: To safeguard and enhance the appearance of the Group Tree Preservation Order.'*

### 3.0 **Representations**

3.1 A period of 28 days from the date of service of a provisional Tree Preservation Order provides for comments to be made. In this case, one objection has been received from the Owner/Occupiers of 1, Rosecomb, Royston SG8 9FL and raises the following concerns:

- The tree preservation order appears to run the length of their border fence where there are a number of trees and bushes that need regularly trimming or lopping to stop damage to their fence or property.
- Works to the trees would result in an unnecessary process where such works are simply to prevent overhang.
- Process of applying to carry out works to trees is not clear to residents.
- Clarification as to what is covered under the Tree Preservation Order in terms of a 'Tree' as there are a number of bushes and wasteland plants which border their boundary.

### 4.0 **Planning Considerations**

#### 4.1 **Site and Surroundings**

4.1.1 The site lies on the east side approach to Royston town centre where a relatively recent housing development exists to the north of Baldock Road and Therfield Heath to the south, a local nature reserve and Site of Special Scientific Interest (SSSI).

#### 4.2 **Key Issues**

4.2.1 When considering whether to confirm the TPO, it is essential that certain matters are considered, these are: any impact on the local environment in terms of loss of amenity if the trees were to be removed; any benefit in their retention for the present and the future and other relevant factors such as flora and fauna.

#### 4.3 **Consideration**

4.3.1 Trees represent an important environmental, economic and amenity resource within the built and natural environment. They are recognised within the England Trees Action Plan 2021-2024; Tree Preservation Orders and Trees in Conservation Areas 2014 and the North Hertfordshire Council Tree Strategy 2017 and Climate Change Strategy 2020-2025. In addition to these, Section 14 (Meeting the challenge of climate change, flooding and coastal damage) of the NPPF (2024) and Policies SP12 – Green Infrastructure, biodiversity and landscape and NE1 – Landscape of the North Hertfordshire Council Local Plan 2011-2035, all of which seek to support the contribution trees make to the natural environment.

4.3.2 Prior to the making of the provisional Tree Preservation Order, a visual assessment of the trees was undertaken by Maydencroft arboricultural consultants. The assessment looked at the condition of the trees at that time (October 2024) taking into account their landscape and amenity value. The recommendation is for their retention and the suggestion is for a Group Tree Preservation Order.

4.3.3 In terms of the objection received, it is accepted that the natural growth of trees means there will be a degree of overhang and in this case the overhang is to a

residential garden and dwelling. The confirmation of the provisional Tree Preservation Order would not mean that the owner/occupiers of that or of any other property would not be able to undertake works to the trees. However, an application for 'Works to tree covered by a Tree Preservation Order' would need to be submitted to and approved by the Local Planning Authority prior to undertaking such works. There is no local authority fee payable to submit an application to undertake works though there may be times when an application would need to be accompanied by an arboricultural assessment which would incur a fee in its own right. Given the position of the trees, there are limited properties to which a Tree Preservation Order would impact to any significant degree.

4.3.4 Given the public amenity and landscape value the trees present in providing a visual screen between the development and the open countryside and vice versa, a Tree Preservation Order is the most appropriate way to afford the trees a level of protection.

4.3.5 The assessment undertaken by Maydencroft concludes that some historic soil disturbance between Baldock Road and the tree belt has taken place which may have contributed towards environmental changes to the root systems of the Beech trees which is likely to be a contributor in their decline. In addition to this, there is evidence of Ash dieback, sooty bark disease and Dutch elm disease which is likely to spread over time and will adversely affect the health of the trees.

## 5.0 **Environmental Implications**

5.1 Trees contribute a key role in helping to tackle the climate emergency and creating a greener district. They not only directly remove carbon dioxide from the atmosphere and provide us with oxygen but also deliver many other benefits including: providing visual public amenity; softening or complementing the effect of the built environment; displaying seasonal changes and providing opportunities for biodiversity; making places more comfortable in noticeable ways by contributing to screening and shade; reducing wind speed and turbulence; reduce flooding by intercepting snow and rainfall and reducing sun glare.

5.2 Trees are also a key element of the green infrastructure network, contributing to urban cooling and providing microclimate effects which help reduce energy demands on buildings. They therefore represent a key resource that can significantly contribute to climate change adaptation.

## 6.0 **Legal Implications**

6.1 Whilst there is unlikely to be any financial implications to the Council directly, the assessment notes that the tree belt requires urgent health and safety works due to the standing dead and declining trees present within falling distance of the highway.

## 7.0 **Human Rights Act Implications**

7.1 No implications are considered likely under the Human Rights Act 1998.

## 8.0 **Alternative Options**

8.1 None.

## 9.0 **Conclusion**

- 9.1 Whilst there is evidence of standing dead and diseased trees within the tree belt, it is important that it is protected as it provides the housing development with a buffer from visible traffic, noise and pollution from Baldock Road. The loss of the tree belt would be particularly detrimental for residents but would also have a negative impact for the road users and walkers using Therfield Heath.
- 9.2 Over time, given the condition of many of the trees there will be losses, however, a Tree Preservation Order would ensure native mixed replacement species are planted which would, over the longer term, not only strengthen, but would improve the quality of the tree belt and ensure its retention for future generations.
- 9.3 Should members decide not to confirm the provisional Tree Preservation Order, no protection would be afforded to the tree belt which could result in its loss at any point in time.
- 9.4 In view of the importance of the tree belt, it would be appropriate, in my view, to confirm provisional TPO/00215 (2024) dated 07 November 2024.

10.0 **Recommendation**

- 10.1 That the provisional Tree Preservation Order (TPO/00215) is **CONFIRMED**