**The Woodland Trust**
Kempton Way
Grantham
Lincolnshire
NG31 6LL

**Telephone**
01476 581111
**Facsimile**
01476 590808
**Website**
woodlandtrust.org.uk

Three Rivers District Council
Planning and Development
Three Rivers House
Northway
Rickmansworth
WD3 1RL

20th August 2025

Dear Matthew Roberts,

**Reference: 25/1020/OUT**
**Proposal: Outline planning application for up to 256 homes (C3 use class) (including affordable and self/custom build housing), housing with care (C2 use class), a children's home (for looked after children) (C2 use class) together with associated access (including off-site highway works), parking, open space and landscaping (appearance, layout, landscaping and scale as reserved matters). | Land East Of Oxhey Lane Oxhey Lane Carpenders Park Hertfordshire**

Please find a summary of the Woodland Trust's comments below, followed by further detail and advice. Our comments are based on a review of the information provided in the planning application. We are an evidence-led organisation, using our policy and planning expertise to assess impacts of development on ancient woodland and veteran trees.

**Summary**
The Trust **objects** to this application, in its current form, due to the deterioration of multiple veteran trees

Details on the trees of concern are outlined in the table below, including the tree numbers provided within the arboricultural information submitted as part of this application.

| Tree No. | Species | Categorisation | Impact |
|---|---|---|---|
| T21, T23, T26, T27 | Common Oak | Veteran | Deterioration due to:<br>- encroachment on the root system and rooting environment<br>- significant development surrounding the tree |
| T41, T64, T66 | Common Oak | Veteran | Deterioration due to encroachment on the root system and rooting environment |
| T53 | Common Oak | Veteran | Deterioration due to significant development surrounding the tree; potential encroachment on the root system and rooting environment |
| T68 | Common Oak | Veteran | Potential deterioration due to encroachment on the root system and rooting environment |

Veteran trees are irreplaceable habitats and should be protected from loss, deterioration or harm. Natural England and Forestry Commission have identified impacts of development on ancient and veteran trees within their standing advice (see Annex). This guidance should be considered Government's position with regards to development impacting ancient or veteran trees. The applicant should ensure that the proposed works will not result in any detrimental impact on veteran trees in line with paragraph 193(c) of the National Planning Policy Framework (NPPF) and Natural England's standing advice.

**Impact on Veteran Trees**

Ten veteran trees have been identified within the Tree Survey. The development would introduce a considerable number of new dwellings and associated infrastructure in close proximity to nine of these trees and significantly alter the landscape they sit within.

Whilst BS 5837 guidelines state that trees should have a root protection area of 12 times the stem diameter (capped at 15m), they also recognise the additional care and attention required to ensure the long-term retention of veteran trees. Paragraph 5.2.4 of the guidelines states, "*particular care is needed regarding the retention of large, mature, over-mature or veteran trees which become enclosed within the new development*" and that *"adequate space should be allowed for their long-term physical retention and future maintenance*".

Natural England and Forestry Commission's standing advice states: "*For ancient or veteran trees (including those on the woodland boundary), the* ***buffer zone should be at least 15 times larger than the diameter of the tree****. The buffer zone should be* ***5 metres from the edge of the tree's canopy if that area is larger than 15 times the tree's diameter****. This will create a minimum root protection area. Where assessment shows other impacts are likely to extend beyond this distance, the proposal is likely to need a larger buffer zone.*"

Works Proposed Within Root Protection Areas (RPAs)

Various forms of work are proposed within the RPAs of veteran trees, and we anticipate adverse impacts occurring to the affected trees during both the construction and occupational phases of the development.

None of the veteran trees on site appear to have been given root protection areas calculated at 15 times the stem diameter. The impacts discussed below relate to works proposed within the 12x stem diameter RPA. If given 15x RPAs, there would be additional impacts to veteran trees across the site. For example, it is likely that an access road and drainage pipes would be within T21's RPA if calculated at 15 times the stem diameter, and a footpath and tree protection fencing would be within the 15x RPA of T68.

**Built Infrastructure**

An access road is proposed partially within the RPA of T26. The plans also appear to show an area of hardstanding partially within the RPAs of T26 and T27. The surface water and foul water sewer pipes go through the RPA of T26, and the foul water rising main drainage pipe appears to be within the RPA of T23.

These works have the potential to result in root severance and damage, soil compaction, disturbance within the rooting environment impacting existing soil structure and condition, soil contamination, and loss of available rooting area resulting in reduced water and nutrient

availability for the trees. Cumulatively, these impacts are likely to affect the overall, and future, vitality of these trees and result in their long-term deterioration.

We note that a 'no-dig' solution is proposed for the access road within T26's RPA. We would refer the applicant to sub-clause 7.4 (Permanent hard surfacing within the RPA) of the BS 5837:2012 which states that ***"This subclause does not apply to veteran trees, where it is recommended that no construction, including the installation of new hard surfacing, occurs within the RPA".***

It is not appropriate to undertake construction work or propose new hardstanding within the RPA of a veteran tree. This is contrary to NPPF 193(c), Natural England and Forestry Commission standing advice, and BS guidelines. All veteran trees on site should be afforded an un-encroached buffer zone in line with Natural England and Forestry Commission's standing advice, and no development works should be undertaken within this area.

**Footpaths**
Footpaths are shown within the 12x RPAs of T23, T26, T27, T41, T64 and T66. Siting footpaths in close proximity to these trees will increase the human activity in their vicinity, which will in turn increase the need to manage the trees for safety reasons. Veteran trees typically feature significant deadwood habitat of great value for biodiversity, e.g. retained deadwood in the crown, broken or fractured branches, trunk cavities and wounds. As they age, the trees will inevitably shed limbs and branches, presenting a risk to their surroundings. As such, the health and safety risks associated with these trees will change and result in a requirement for more intensive management. This will lead to a loss of habitat from sanitisation of such trees through removal of deadwood, as well as the potential for consequential decline or need for removal. Increased footfall will likely also impact the root systems and rooting environment around the trees, for example by reducing soil porosity and affecting water, oxygen, and nutrient delivery capability.

We note the plans label the footpath positions as indicative and state: "*Will be aligned outside the RPAs of trees identified for retention. Where realignment not feasible then a 'no-dig' surface solution will be utilised*.". For veteran trees, we advise that 'no-dig' solutions are not appropriate and should not be considered - any works within the root protection areas of veteran trees is likely to affect their long-term vitality and future retention. All footpaths should be repositioned outside of the RPAs of the veteran trees on site to ensure the trees have adequate space within the development for future movement and growth, to protect the tree roots and rooting environment, and to reduce the risk of intensified management.

**Tree Protection Fencing**
Tree protection fencing is shown within the 12x RPAs of T21, T23, T26, T27, T41, T64 and T66. This should be repositioned outside of the 15 times RPA buffer of all veteran trees to ensure they are afforded construction exclusion zones of an appropriate size, and to prevent adverse impacts such as ground compaction from vehicles or stockpiles occurring during construction.

<u>Landscape Change</u>
The site currently consists of open grassland fields. The introduction of significant amounts of hardstanding has the potential to affect the quality and quantity of ground and surface water across the site and result in adverse hydrological impacts on the veteran trees. It may also

result in the contamination/pollution of the rooting environment of the trees, for example from surface water run-off from roads. The applicant should demonstrate there will be no adverse hydrological impacts to any veteran trees on site as a result of the development.

Significant Development Surrounding Trees

NE/FC standing advice is clear that 15 times the tree's diameter is the **minimum** buffer that should be afforded to veteran trees. Given the site context, we consider there are multiple veteran trees that will require larger buffers and additional mitigation measures to ensure they are not subject to deterioration as a result of the development.

The proximity of built infrastructure will increase for all veteran trees on site, however there are some of particular concern. T23 will be closely bounded by housing with care to the west, and an access road and residential development to the east. T26 and T27 both have residential development proposed to the east and west and are closely bounded by a footpath on the eastern side. T26 also has an access road to the north. T21 and T53 both have substantial blocks of residential development to the north and south of them.

The development will lead to a substantial change in the immediate environment of these trees, and they will become far more vulnerable within the landscape as a result. In addition to issues already discussed (soil compaction, root damage, intensified management etc.) we are concerned about the increased risk of accidental damage and vandalism to the trees.

In the case of these trees, it is unlikely that the minimum veteran tree buffer will be sufficient to prevent adverse impacts occurring to the trees. We would advise that T21, T23, T26, T27, and T53 should be afforded larger buffer zones, and additional mitigation measures should be considered to prevent the long-term deterioration of these trees. Examples of measures which may be appropriate in this situation include knee-high fencing around the buffer zone to prevent access; signage explaining the ecological importance and increased vulnerabilities of veteran trees; and a specific veteran tree management plan being included in the LEMP (ideally done by a specialist e.g. VET-cert arborist).

**Planning Policy**

The National Planning Policy Framework, paragraph 193, states: "*When determining planning applications, local planning authorities should apply the following principles:-*

*c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons[70] and a suitable compensation strategy exists;"*

Footnote 70 defines exceptional reasons as follows: "*For example, infrastructure projects (including nationally significant infrastructure projects, orders under the Transport and Works Act and hybrid bills), where the public benefit would clearly outweigh the loss or deterioration of habitat."*

There is **no wholly exceptional reason** for the development in this location and as such this development in its current form does not comply with national planning policy.

**Conclusion**

Veteran trees are irreplaceable habitats and must be protected from loss, deterioration or harm. The Woodland Trust **objects** to this application on the basis of deterioration of multiple veteran trees.

The applicant must demonstrate that all veteran trees on site will be appropriately protected from detrimental impact and harm in line with paragraph 193 of the NPPF. The applicant should provide un-encroached buffer zones for all veteran trees on site. If the minimum veteran tree buffer of 15x RPA is proposed, the applicant should provide clear evidence to demonstrate this will provide effective mitigation from anticipated impacts.

Please contact us at planningcasework@woodlandtrust.org.uk if it would be helpful to discuss any of the points raised.

Kind regards,

Frankie Moughton-Small
Woods Under Theat team

Annex

**Natural England and Forestry Commission's standing advice:-**
***Ancient woodland, ancient trees and veteran trees: advice for making planning decisions***

***Direct and indirect effects of development:-***

*Development, including construction and operational activities can affect ancient woodland, ancient and veteran trees, and the wildlife they support on the site or nearby.*

*Direct effects of development can cause the loss or deterioration of ancient woodland or ancient and veteran trees by:-*

- *damaging or destroying all or part of them (including their soils, ground flora or fungi)*
- *damaging roots and understorey (all the vegetation under the taller trees)*
- *damaging or compacting soil*
- *damaging functional habitat connections, such as open habitats between the trees in wood pasture and parkland*
- *increasing levels of air and light pollution, noise and vibration*
- *changing the water table or drainage*
- *damaging archaeological features or heritage assets*
- *changing the woodland ecosystem by removing the woodland edge or thinning trees - causing greater wind damage and soil loss*

*Indirect effects of development can also cause the loss or deterioration of ancient woodland, ancient and veteran trees by:-*

- *breaking up or destroying working connections between woodlands, or ancient trees or veteran trees - affecting protected species, such as bats or wood-decay insects*
- *reducing the amount of semi-natural habitats next to ancient woodland that provide important dispersal and feeding habitat for woodland species*
- *reducing the resilience of the woodland or trees and making them more vulnerable to change*
- *increasing the amount of dust, light, water, air and soil pollution*
- *increasing disturbance to wildlife, such as noise from additional people and traffic*
- *increasing damage to habitat, for example trampling of plants and erosion of soil by people accessing the woodland or tree root protection areas*
- *increasing damaging activities like fly-tipping and the impact of domestic pets*
- *increasing the risk of damage to people and property by falling branches or trees requiring tree management that could cause habitat deterioration*
- *changing the landscape character of the area*

***Mitigation measures***

*Mitigation measures will depend on the type of development. They could include:-*

- *putting up screening barriers to protect ancient woodland or ancient and veteran trees from dust and pollution*
- *measures to reduce noise or light*
- *designing open space to protect ancient or veteran trees*
- *rerouting footpaths and managing vegetation to deflect trampling pressure away from sensitive locations*
- *creating buffer zones*

***Use of buffer zones***

*Buffer zones can protect ancient woodland and individual ancient and veteran trees and provide valuable habitat for woodland wildlife, such as feeding bats and birds. The size and type of buffer zone should vary depending on the:-*

- *scale and type of development and its effect on ancient woodland, ancient and veteran trees*
- *character of the surrounding area*

*For example, larger buffer zones are more likely to be needed if the surrounding area is:-*

- *less densely wooded*
- *close to residential areas*
- *steeply sloped*

***Buffer zone recommendations***

*Where possible, a buffer zone should:-*

- *contribute to wider ecological networks*
- *be part of the green infrastructure of the area*

*A buffer zone should consist of semi-natural habitats such as:-*

- *woodland*
- *a mix of scrub, grassland, heathland and wetland*

*The proposal should include creating or establishing habitat with local and appropriate native species in the buffer zone.*

*You should consider if access is appropriate. You can allow access to buffer zones if the habitat is not harmed by trampling.*

*You should not approve development proposals, including gardens, within a buffer zone.*

*You should only approve sustainable drainage schemes if:-*

- *they do not affect root protection areas*
- *any change to the water table does not negatively affect ancient woodland or ancient and veteran trees*