



21 March 2022

Dear Ms Thatcher

21/2758/FUL Tree Works: Environmental Impact, Loss to Amenity and Landscape

The Twickenham Riverside Trust (the Trust), owner of the Diamond Jubilee Gardens (the Gardens), has given careful consideration to the information contained within planning application 21/2758/FUL.

This objection relates to proposals for the near wholesale removal and uprooting of trees within the Gardens and, subsequent to this, the removal of 7 mature trees from the Embankment.

The Trust maintains that the current planning application:

1. Inadequately mitigates against onsite environmental losses
2. That in real terms, the scheme fails to deliver a minimum 10 per cent net gain in biodiversity, as is a statutory requirement.
3. Further to this, that the proposals fail to compensate against general loss to amenity incurred by the scheme.
4. That a concerted effort has not been made (through various design stages) to retain existing trees.

The Planning Department commented on the Applicant's proposed tree works on 10 December 2021 (this document was made publicly available on 25 February 2022). The Trust had simultaneously identified many of the same issues. These are echoed within the Trust's objection with further additions.

Of the existing 26 trees within the Gardens, 12 are to be removed altogether. Endeavours will be made to relocate a further 12 important trees. It should be noted that this high-cost and high-risk strategy is open to potential failure. Only 2 trees will be kept in their existing

location, however tree (T38), is characterised in the Arboricultural Survey, as being “poor” in condition with a limited life expectancy.

a) Black Poplar - reference T34 in the Arboricultural Survey

To be relocated to the Embankment

Planted by HRH Princess Alexandra in 2012, to commemorate the Queen’s Diamond Jubilee and to celebrate the opening of the Gardens to the public. A much-loved community asset and key feature of the public open space currently it carries significant cultural weight. Its balsam scented leaves provide a sensory experience for visitors contributing to their well-being and general enjoyment of the gardens. Relocating the tree to an area outside of the Gardens’ will greatly diminish its value resulting in a considerable loss to existing Garden users and the wildlife therein.

Black Poplar’s are known to live up to 200 years. The Arboricultural Survey, submitted with the planning application, records T34 as “young” indicating that “less than one-third of its natural life span has been spent”. However, it is reported to have just “10+ years life left” as opposed to the “40+ years” assigned to the nearby *Hornbeams* (T36 and T37). Despite its healthy appearance the tree’s condition is noted as “Fair” reportedly owing to “wet-rot decay at an old pruning wound”. In the event that the tree is suffering “wet-rot” it would be ill-advised to move the specimen to the floodplain where it would likely suffer, as is currently proposed. This specie of tree is given special mention in the borough’s Biodiversity Action Plan.

Local importance aside, *Black Poplars* are considered to be significant nationally owing to their ability to support an abundance of wildlife and being notably rare. According to the Woodland Trust, *Black Poplars* are the most endangered native timber tree in Britain with only 600 individual female examples remaining in the wild.

b) Group of 16 pleached London Planes – reference G2, G3 and G4 in the Arboricultural Survey. Combined canopy of 128m².

Proposed tree works:

G2 = 4 pleached *London planes* – 1 to be removed, 3 to be kept in situ

G3 = 8 pleached *London planes* – 7 to be relocated and one to be removed

G4 = 4 pleached *London planes* – all 4 to be relocated

The *Planes* create a valuable visual display owing in part to their pleached form. Nurtured to grow in an arrangement framing the Gardens' two petanque pitches, they have been trained to provide a natural overhead canopy affording sun protection during play on hot days. Outside of general petanque usage, the asset lends itself to Thai Chi and a host of other activities including public events laid on by the Trust throughout the calendar year. The trees were seen heavily adorned with festive baubles, festooned in lights this previous Christmas forming a showcase for the Gardens.

The planning application fails to consider the 16 trees as a cohesive unit thus their true value has not been adequately assessed. Dismantling the grouping of 16 trees would be catastrophic to their aesthetic and function. The asset positively contributes to the health and well-being of existing users and enhances the overall experience within the Gardens. Favoured by town planners, *London Planes* are often referred to as the Lungs of London, owing to their ability to tackle pollution through carbon storage. The loss of the *Plane* grove would be a substantial environmental loss and significant loss of amenity.

The Arboricultural Survey notes the *Planes* are in "Good" condition that between one-third and two-thirds of their natural lifespan has been spent. Accordingly, the specimens have been noted as "Middle-aged", despite having small stem diameters of "160mm". Their estimated remaining contribution is logged at just "20+" years. It is widely accepted that healthy *London Planes* can be expected to live beyond one hundred years. It is noteworthy that *London Planes* have vigorous root systems making them difficult to relocate.

c) Row of mature, broadleaf Hornbeams – reference T35, T36, T37 and T38 in the Arboricultural Survey. Combined canopy of 87m².

Proposed tree works:

T35 = *Hornbeam* – to be removed

T36 = *Hornbeam* – to be removed

T37 = *Hornbeam* – crown lifted

T38 = *Hornbeam* – crown lift

The *Hornbeams'* year-round leaf cover provide natural screening separating the Gardens from the service road and commercial premises to the rear of King Street. Delineating the public open space from the adjacent built environment. Additionally, the row of mature trees

function as a buffer protecting users of the Gardens from noise disturbance commonly associated with urban settings. Owing to a likely increase in noise level following the scheme's implementation and with further development expected soon to the rear of King Street, the *Hornbeams* will prove to be of even greater value going forward. And will help to stem acoustic noise that will arise resulting from the high density of buildings onsite. Particular regard ought to be given to the positive contribution the trees would make once the children's play area is re-sited, adjacent to the service road.

King Street is repeatedly identified as a leading contributor of airborne pollution in the borough, while the borough itself is notably an Air Quality Management Area (AQMA). This uniquely proximate row of mature, broadleaf *Hornbeams*, with a combined canopy spread of 87m², play an integral role in mitigating against localised atmospheric particulate pollution. Additionally, in the future, the trees will help curtail the Urban Heat Island effect resulting from dense concentrations of pavement and buildings associated with the scheme.

Greater consideration should to be given to retaining T36, 15m in stature, in "Good" physical condition, the Arboricultural Survey records its estimated life expectancy to beyond 40 years.

The proposed works to the *Hornbeams* will negatively impact the Gardens' environment, the character of its landscape and all-round visitor experience including health and well-being.

d) Extended row of Pin Oaks adjacent to The River Thames on the Embankment – reference T58, T59, T60, T61, T62, T63 and T64, in the Arboricultural Survey.

Proposed tree works: Wholesale removal of the 7 *Pin Oaks*. Combined canopy of 98m².

The impressive avenue of "Middle-aged" *Pin Oaks* is a much-valued community asset and an important feature of the riverside landscape. Highly regarded for its seasonal interest, it has a combined canopy of 98m² providing an abundance of shade (enabling users of the Embankment to prolong their stay). It is envisaged that artic lorries will continue to use the Embankment in order to service the working boatyards on nearby Eel Pie Island. The 7 trees would help tackle localised atmospheric particulate pollution. And with regards to ecology, the row is an important foraging line for endangered bats who rely on the Thames corridor to feed.

e) Proposals for the wholesale removal of 87m of native hedgerow from the Gardens.

The Applicant proposes to off-set the loss of the Garden's extensive native hedgerow by replanting one of equal measure elsewhere within in the borough. The mitigation is of no value to existing users of the Gardens or the wildlife therein. Specific attention should be paid to The Hedgerow Regulations Act (1997).

To finish, the Trust asks that a more rigorous and comprehensive arboricultural survey is undertaken to include an accurate assessment of existing trees' contribution to amenity, the environment and character in relation to landscape value. Many of the trees are considered to be valuable community assets which contribute to the well-being and enjoyment of existing users in addition they enhance the character and serenity of the riverside.

That onsite biodiversity losses, as a result of the scheme, are adequately calculated to enable true mitigation, resulting in the statutory requirement of a 10 per cent net gain in biodiversity to be met.

Thank you for your consideration in these matters.

With my best wishes

Luke Montgomery-Smith
Chair, Twickenham Riverside Trust

The Trust's objection draws specific attention to the following policies:

National Planning Policy Framework:

174 (a) – *protecting and enhancing valued landscapes*

174 (d) – *minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures*

174 (e) – *Preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of [...] air, water or air pollution [...].*

Development should, wherever possible, help to improve local environmental conditions such as air [...] quality [...].

175 – plans should [...] allocate land with the least environmental or amenity value [...], take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure.

180 (a) if significant harm to biodiversity resulting from the development cannot be avoided [...], adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.

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

185 – Planning policies and decisions should also ensure that the new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.

185 (a) – Mitigate and reduce to minimum potential adverse impacts resulting from noise from the new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life.

185 (b) – Identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational amenity value.

186 – Planning policies should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas [...], and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified [...] and green infrastructure provision and enhancement.

187 – Planning policies and decisions should ensure that the new development can be integrated effectively with [...] community facilities. Existing [...] facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an [...] existing community facility could have a significant adverse effect on new development in its vicinity, the applicant should be required to provide suitable mitigation before the development has been completed.

188 – *The focus of planning policies and decisions should be on whether proposed development is an acceptable use of land.*

The London Plan:

Policy 7.21 – *Trees and woodlands: Should be protected, maintained, and enhanced, following the guidance of the London Tree and Woodland Framework (or any successor strategy). In collaboration with the Forestry Commission the Mayor has produced supplementary guidance on Tree Strategies to guide each borough’s production of a Tree Strategy covering the audit, protection, planting and management of trees and woodland. This should be linked to a green infrastructure strategy.*

Policy 7.18 – *Protecting open space: ensure that open space needs are planned in accordance with green infrastructure strategies to deliver multiple benefits*

Policy 7.19 – *Biodiversity and access to nature: Development Proposals should wherever possible, make a positive contribution to the protection, enhancement, creation and management of biodiversity*

Policy 5.8 – *Responding to climate change has to be an integral and essential part of the development process and not a set of ‘bolt-ons’ – increasingly, this will be seen as a key part of ensuring buildings are fit for purpose into the future.*

Policy 5.11 – *All development to make the fullest contribution to the mitigation of climate change – that is limiting the extent of future change beyond what is already locked in.*

Local Plan Policies:

LP10 – *Local Environmental Impacts: Air Quality and Noise and Vibration*

LP12 – *Green Infrastructure: To ensure all development proposals protect, and where opportunities arise enhance, green infrastructure. With specific reference to **Small local parks** Gardens, sitting out areas, children’s play spaces or other areas of a specialist nature, including **and open spaces** nature conservation areas as well as visual amenity (**less than 2 ha**).*

a) *the need to protect the integrity of the green spaces and features that are part of the wider green infrastructure network; improvements and enhancements to the green infrastructure network are supported;*

b. its contribution to the wider green infrastructure network by delivering landscape enhancement, restoration or re-creation;

c. incorporating green infrastructure features, which make a positive contribution to the wider green infrastructure network.

Policy LP 13 – Green Belt, Metropolitan Open Land and Local Green Space: with specific regard to the removal of 7 pin oak trees from the Embankment adjacent to the wildlife corridor and the introduction of a pontoon onto the river.

Policy LP 15 – Biodiversity: Where development would impact on species or a habitat, especially where identified in the relevant Biodiversity Action Plan at London or local level, or the Biodiversity Strategy for England, the potential harm should: 1) firstly be avoided (the applicant has to demonstrate that there is no alternative site with less harmful impacts). 2) secondly be adequately mitigated; or 3) as a last resort, appropriately compensated for.

Policy LP 16 – Trees, Woodlands and Landscape: A) The Council will require the protection of existing trees and the provision of new trees, shrubs and other vegetation of landscape significance that complement existing, or create new, high quality green areas, which deliver amenity and biodiversity benefits. B) To ensure development protects, respects, contributes to and enhances trees and landscapes.

1) resist the loss of trees, including aged or veteran trees, unless the tree is dead, dying or dangerous; or the tree is causing significant damage to adjacent structures; or the tree has little or no amenity value; or felling is for reasons of good arboricultural practice.

2) resist development which results in the damage or loss of trees that are considered to be of townscape or amenity value; the Council will require that site design or layout ensures a harmonious relationship between trees and their surroundings and will resist development which will be likely to result in pressure to significantly prune or remove trees;

Landscape - require the retention of important existing landscape features where practicable

Policy LP18 – River Corridors. With specific regard to the removal of 7 pin oak trees from the Embankment adjacent to the wildlife corridor and the introduction of a pontoon onto the river.

Policy LP 20 – *Climate Change Adaptation. With specific regard to the Urban Heat Island Effect resulting from dense concentrations of pavement and buildings associated with the scheme.*

Emerging Local Plan

6) *Increasing biodiversity and the quality of our green spaces, and greening the borough*

- *Richmond has a large amount of green space which is used by the public and has great social value. However, it needs protecting, especially with pressures for housing and business space.*
- *The Local Plan will emphasise the maintenance and improvement of biodiversity and wildlife habitats, and the retention of important landscape features.*
- *It is proposed to develop a bespoke Urban Greening Factor model for the borough, and to further enhance open and green spaces.*

The Twickenham Area Action Plan

Policy 7.5.2.1 – *Any proposals will be required to meet key design principles to ensure they do not adversely impact on the character of the Riverside.*

Policy 7.5.2.3 – *To open up and redevelop the remaining area of the former pool site, which adjoins the recently refurbished Diamond Jubilee Gardens*

Policy 7.5.4.2 – *Landscaping of the Embankment to enhance areas of public open space.*

Policy 7.5.5.2 – *To improve the environment of the Embankment and to take into account the unique riverside setting (to conserve and enhance Twickenham Riverside Conservation Area).*

Policy 7.5.5.4 – *Retention of significant trees*

Policy 7.5.5.5 – *Each phase must take account of the overall future layout*

Borough Specific Policy

Air Quality Action Plan: *with specific regard to protecting parks to ensure safe, clean environments are available to residents and visitors to use.*

The Biodiversity Action Plan – *With specific regard to Black Poplar Trees (Some trees may be protected using Tree Preservation Orders under the Town and Country Planning (Trees)*

Regulations 1999. These are normally only served where it is known that a tree is under threat from felling. And Veteran trees, Broadleaved trees, native hedgerows and bats.

Climate Change Strategy – *with specific regard to Improving Air Quality, Green Infrastructure and Biodiversity*

Tree Policy – *With specific regard to recognising the value of its tree resource and understanding that there are Social, Economic and Environmental benefits.*