

# A428 Black Cat to Caxton Gibbet improvements

TR010044

Volume 9

9.27 Updated Arboricultural Impact Assessment Plans

Planning Act 2008

Rule 8(1)(k)

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Rules 2010

October 2021

Infrastructure Planning

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**The Infrastructure (Examination Procedure)  
Rules 2010**

**A428 Black Cat to Caxton Gibbet  
improvements  
Development Consent Order 202[ ]**

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# 1 Introduction

- 1.1.1 This document has been produced by National Highways (the Applicant) to address Cambridgeshire County Council's response to Q1.10.1.2 **[REP1-051]** regarding the correction of information relating to trees protected by Tree Preservation Order (TPO) contained in Parts 2 to 5 of the Arboricultural Impact Assessment **[APP-184 to APP-187]**. Parts 2 and 3 of the Arboricultural Impact Assessment **[APP-184 to APP-185]** contain the Tree Constraints Plans **[APP-186 and APP-187]** and Parts 4 and 5 contain the Tree Protection Plans.
- 1.1.2 Based on the methodology presented in Part 1 of the Arboricultural Impact Assessment **[APP-183]**, the Tree Constraints Plans are prepared to show the position of the trees (in relation to the Order Limits) and the spatial constraints associated with them. The Tree Protection Plans are prepared to identify trees to be removed or retained as a result of the Scheme and to illustrate how retained trees are to be protected.
- 1.1.3 This document also updates and corrects the Applicant's responses to Q.1.7.1.1 and Q1.7.1.3 **[REP1-022]**.

## 2 Errors Identified

- 2.1.1 Following a review of the Tree Constraints Plans, the Applicant has identified the following errors:
- Although noted in the legends, information obtained from the host authorities relating to Tree Preservation Orders (TPO) on individual and grouped trees within the Scheme's Order Limits was omitted from the Tree Constraints Plans **[APP-184; APP-185]**.
  - A numbering error was made in the legend of each of the Tree Constraints Plans **[APP-184; APP-185]** which incorrectly stated that the drawing set comprises a total of 72 drawings – this should have stated a total of 73 drawings in each legend.
  - Sheet 73 was omitted from the Tree Constraints Plans **[APP-184; APP-185]** – this should have been included in the drawing set.
- 2.1.2 In addition to the errors identified in the Tree Constraints Plan, a review of the Tree Protection Plan was also completed, this review identified the following error:
- A duplicate figure was incorporated within Sheet 73 of the Tree Protection Plans **[APP-186; APP-187]** – this erroneously presented the same information as that illustrated on Sheet 72 within the drawing set.
- 2.1.3 The following plans have been updated by the Applicant to correct the above errors and omissions and replace those included in Parts 2 to 5 of the Arboricultural Impact Assessment **[APP-184 to APP-187]**.
- Tree Constraints Plans (Overview and Sheets 1 to 73).
  - Tree Protection Plans (Overview and Sheets 1 to 73).
- 2.1.4 These updated plans should be read in conjunction with Part 1 of the Arboricultural Impact Assessment **[APP-183]**, which remains unaffected by the changes.
- 2.1.5 The Tree Constraints Plans show the groups of trees and locations of individual trees which are subject to Tree Preservation Orders (TPOs) and groups of trees which are subject to provisional TPOs. As identified in Part 1 of the Arboricultural Impact Assessment **[APP-183]**, some of these trees have been removed or the geographical information available regarding their location was not previously ground-truthed. The Tree Constraints Plan show both the TPO areas, individual TPO designated trees and all other trees which have been mapped because of their proximity to the Scheme.
- 2.1.6 The Tree Protection Plans identify the trees (including those protected by TPOs) to be retained; the existing trees, tree groups or hedges to be removed; and the root protection areas for retained trees. The Tree Protection Plans also include information about the location of tree protection fencing, construction exclusion zones and construction working zones.

### 3 Corrections to responses in Appendix to Q.1.7.1.1 and Appendix to Q1.7.1.3

- 3.1.1 This document also amends responses made in the Appendix to Q.1.7.1.1 **[REP1-022]** regarding compliance with Advice Note 15, where the Applicant stated “*as there are currently no trees subject to a TPO is not necessary to include a plan within the dDCO*”, and the Appendix to Q.1.7.1.3 **[REP1-022]** which states “*There are currently no trees subject to tree preservation orders within the Order Limits*”.
- 3.1.2 The Scheme will result in the removal and partial removal of groups of trees protected by TPOs and the removal of individual trees protected by TPOs. The detail of these protected trees is already set out in Part 2 of Schedule 8 (Hedgerows and trees) to the dDCO **[REP1-003]**.
- 3.1.3 The response to Q1.7.1.1 referred to an appendix explaining how the dDCO had been prepared to comply with the Planning Inspectorate’s Advice Note 15, Drafting Development Consent Orders. In particular, the response referred to paragraph 22.2 and Good practice point 6 of Advice Note 15 which states that the dDCO should include a schedule and plan identifying trees likely to be affected which are protected by TPOs or are protected by virtue of being within a conservation area.
- 3.1.4 The table should have stated that the Scheme would impact trees protected by TPOs and as such reference to a plan identifying those protected trees will be included within Part 2 of Schedule 8 to the dDCO **[REP1-003]**, which already lists the trees subject to a TPO within the Order Limits. The updated dDCO and relevant plan will be submitted at Deadline 4.
- 3.1.5 In order to correct the error in Appendix to Q1.7.1.3, the table should be read so that the column setting out the specific bodies for the 'relevant planning authority', as referred to within Article 46(2)(c), are Central Bedfordshire Council, Bedford Borough Council, Huntingdonshire District Council and South Cambridgeshire District Council.