

## **Report to Area Plans Sub-Committee South**

**Date of meeting: 29 April 2015**

**Subject: CONFIRMATION OF TREE PRESERVATION ORDER EPF/17/13  
100 Princes Road, Buckhurst Hill, Essex.**



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### **Recommendation(s):**

**That Tree Preservation Order 29/14 is confirmed without modifications.**

### **REPORT**

#### **Background**

1. TPO/EPF/29/14 was made on 12<sup>th</sup> of December 2014 to protect two birch and a cherry situated along the front boundary with Princes Road. The trees have high visual amenity in the street scene.
2. A status check was made to the Council prior to the proposed removal of the trees due to their size, shading and detrimental impacts on the property and tree owners.
3. The trees have been assessed for their visual contribution, life expectancy, and importance of location.
4. The trees' preservation guarantees replacement in the event of future applications to fell them being considered acceptable.

#### **Objections to the Tree Preservation Order**

5. There have been two objections to the Order:

##### 100 Princes Road.

The tree owner states that his wife has starting suffering from hay fever due to the pollen from the two birches. This respiratory problem prompted the enquiry to the council to find a reputable tree surgeon to remove the trees.

The trees have been planted very close to boundary and property walls, services and drains, giving rise to concerns for damage to all of these structures and service runs, which poses a stressful risk to people and property.

A plan for a new landscape design to front and rear gardens is in mind to include trees and shrubs in an improved and attractive scheme with pollen issues particularly in mind.

#### 98 Princes Road.

The trees were planted as saplings at number 100 to improve the appearance of the development's show home 20 years ago. Now they are too big for the space they are in and are something of an eyesore.

There are a large number of street trees in the area, including several within a 50 metre radius. The subject trees are neither unusual nor aesthetically pleasing and therefore there is no advantage in retaining them.

The cherry tree can only become dangerous over time, being so close to a possibly shallow footed wall, which is regularly passed by children at play. The safety risk of the possible collapse of the wall is an unacceptable problem.

The trees were planted for a short term sales impact and not considered for their long term impacts. Now that they are oversized and less attractive it is not certain that they will survive in the long term. This might be because they were planted onto tarmac. This might undermine the objective of the TPO.

#### **Head of Planning Services Comments**

##### General comments

6. These two healthy, 8 metre tall birches have good form. They can be expected to thrive for another 40 years and provide all year round interest to those living in and using Princes Road. The cherry is an ornamental variety that adds colourful interest and softens the 12 metre long, 1.8 metre high brick wall that dominates the pavement in front of the property.

7. The proximity of the two birches to the house might demand different pruning management choices in the future to encourage the crown to develop above the first floor windows.

##### Response to objections:

8. It should be noted that pollen is abundantly produced by all tree species, such as those growing in the nearby woodland. Therefore, while hay fever symptoms must be given weight in considering whether there is justification of the future removal of one or both birches, further diagnosis should be undertaken to eliminate other possible causes for this common but unpleasant seasonal allergy.

9. The size and proximity of the trees must be assessed in the context of an urban setting. In general terms these are not large trees but are planted in a confined space, with limited room to develop a broad crown spread. This variety of birch appears to have an upright habit, which lends itself to crown lifting and only minor spread control. This might be managed even at this close distance from the house by pruning lower side growth while the top of the crown is allowed to develop into tall spires.

10. Tree roots can damage to walls, drains, service pipes and houses but there needs to be clear evidence of this before such highly visible assets should be lost. It

is widely accepted that birch are among tree species least likely to cause root related problems.

11. The stated intention to redesign the garden with trees and shrubs selected to reduce the symptoms of hay fever may be supported in a future application, where alternative tree species might be located further from the house. This can only be assured if the existing trees are protected by the order where replacements are stipulated as a condition of any such consent.

12. The neighbour objection states that the two birch trees are now too big, an eyesore and won't be missed due to several other trees within a 50 metre radius. However, the original landscape plan, required by the Council's landscape officer as a planning condition and not simply as a marketing ploy would have given full consideration to provide the most suitable trees for small gardens.

13. The trees are at a point in the road where they have a strong, long term, visual effect in greening and softening the prominent brick walls bounding the new development.

14. The presence of street trees on the other side of the road helps to create an avenue effect, which reduces the detrimental impact of this densely built development.

15. It would appear that, despite apparently being planted on tarmac, the trees have established well and there is no reason to assume that they will not thrive into the future.

### **Conclusion**

16. It is recommended that, in the interests of public amenity, the order be confirmed without modification. The order will allow the Council to ensure that any future application to fell any or all of the trees will be considered for the safeguarding of public amenity value; in accordance with Council local landscape planning policy LL7.