

Report to Area Planning Subcommittee South



**Epping Forest
District Council**

Date of meeting: 26 May 2010

Subject: Confirmation of Tree Preservation Order EPF/35/10
Trent Road, Buckhurst Hill

Officer contact for further information: Christopher Neilan (Ext 4117)
Democratic Services: R Perrin

Recommendation:

That TPO/EPF/35/10 be confirmed without modification.

Background

Tree Preservation Order 35/10 aims to protect a single Hawthorn tree standing at the front of 5, Trent Road, Buckhurst Hill. It is set somewhat to the side of the property and within a private right of way that extends to the back of No 5, serving also as a rear entrance for No's 6 and 7 Trent Road.

Objection to the Tree Preservation Order:

An objection has been received from the owner of 6 Trent Road, supported by a petition. The petition is signed by residents of Hills Road, Church Road and from 6 properties within Trent Road.

The petition carries no information other than that the signatories request that the order be revoked. The reasons given by the objector in her letter is as follows: that the tree is self seeded; that it is large, unclipped and uncared for, and that it is blocking her right of way.

The Director of Planning and Economic Development comments as follows:

There is no dispute that the lower branches from the Hawthorn currently block the private access. However, the Councils' Principal Officer Landscape and Arboriculture has written to all concerned to agree that the lower branches may be removed, providing it is done carefully, as work that may be considered "de minimis" and thus exempt from the need for formal permission. This would allow reasonably free use of the access. He has further advised that it would accord with policy to grant consent for a pruning of the crown of the tree, subject to a proper application being made.

Before making the order careful consideration was given to whether the amenity value of the tree provided sufficient justification. The original request for a TPO cited the lack of other trees, and in particular it's attractive show of spring flowers and berries in autumn, and the importance of retaining it against the likelihood of its being removed to clear the access.

The form of the houses in Trent Road limits space for any greenery directly on the street. The rear garden of one property, in Church Road, has a tree within it that

rises above the wall to have some impact on the street scene. Otherwise the protected tree is the only significant greenery within the very urban setting. As stated in the request Hawthorn is attractive throughout the summer, as well as good for wildlife, and responsive to careful pruning. In this context, therefore, it is felt, after carefully weighing the issue, that the making of the order to prevent removal of the tree was justified.

Further it is considered that the slight difficulty or limitation that would be experienced in using the private right of way following removal of the lower branches as already agreed is not sufficiently great that it justifies removal of what is an important asset in this particular location.

Conclusion

Despite the objection and the petition it is therefore concluded that the public interest would be best served by confirmation of TPO/EPF/ 35/10, without modification.