



**Epping Forest
District Council**

Report to Area Plans West Sub-Committee

Date of Meeting: 22 September 2010

Subject: CONFIRMATION OF TREE PRESERVATION ORDER EPF/71/10 Grange Court, Waltham Abbey, Essex

**Officer contact for further information: Christopher Neilan (01992 56 4117).
Democratic Services Officer: Mark Jenkins (01992 56 4607)**

Recommendation:

That Tree Preservation Order EPF71/10 is confirmed subject to the deletion of T7 Horse Chestnut from the schedule 1 and the plan of the Order.

Background:

This is a re-protection order, aiming to protect trees previously covered by a County order dating from 1953. The new Order is based on a consultant's survey, assessing (from a distance) those trees of most public visual amenity. Several of the trees are modestly sized, pollarded Horse Chestnuts, included for their collective addition to the character of the area. They are visible from the adjacent open space, as a boundary feature. A Poplar is included in the order. This is also a lapsed pollard; having grown unchecked for 30 years or so it is now very large.

The Grounds of Objection/ observations made ;

Following the service of this Order observations, amounting in part to an objection have been received, in respect of four of the seven trees, from the owner of 25 Grange Court. Three are in his own garden, and one the Poplar, is next door, in No 27. They are as follows:

T2 Black Poplar has grown to a great height through lack of maintenance. Annually, in July, the foot long seed floss drops and covers the vicinity to a depth of a foot. Doors and windows cannot be left open due to the airborne fibres. 2009 was particularly bad and prompted an inspection from an Essex County Council Tree Officer, who granted permission for 65% of the crown to be removed. To date no work has been carried out and this presents a health and safety issue to persons and property.

T5 and T6 Horse Chestnut have been pollards for more than 10 years and show signs of foot decay and Bleeding Canker. They will need felling in the near future for safety reasons.

T7 Horse Chestnut no longer exists having been felled in late 2009 after inspection by Essex County Council, on the grounds that it was severely diseased, and therefore exempt from the order.

The Director of Planning & Economic Development comments:

The comments on the Poplar T2 are aimed at the difficulty in having the tree pruned, rather than objecting to the TPO. The owner of the tree has been granted a recent consent for a 50% reduction; it is hoped that this will be undertaken shortly. The TPO assists, in the sense that it gives officers a reason to be involved, and to encourage proper management. The reduction will help with, although not eliminate, the nuisance of the seeds, and should resolve the genuine fears in respect of safety.

T7 Horse Chestnut has been confirmed as felled, due to infection by Honey Fungus and Bleeding Canker. It appears that this was before the current TPO was made; the order therefore does not have any effect in respect of the tree, and so should be deleted from the Order. In respect of T5 and T6, also Horse Chestnut, an inspection has shown that they are indeed affected as described, T5 being rather worse than T6. The importance of the order is therefore only to secure replacement planting. The owner will wish to remove T5 shortly, and this can be done under an exemption; subject to Members' decision Officers will write to require replacement and suggest a species resistant to Honey Fungus.

Conclusions :

It is recommended that the Order is confirmed subject to the modification of removing T7 Horse Chestnut from the First Schedule and Plan of the Order, and on the understanding that Officers will encourage the reduction of T2, and use the Order in respect of T5 and 6 as described, to secure replacement planting.