

**Report to Area Planning Sub-Committee  
East**



**Epping Forest  
District Council**

**Date of meeting: 17 November 2010.**

**Subject: Confirmation of Tree Preservation Order TPO/EPF/99/10 – Land  
Adjacent to the A414, Section 1.**

**Responsible Officer: Chris Neilan (01992 564117).**

**Democratic Services: Gary Woodhall (01992 564470).**

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**Recommendation:**

**(1) That Tree Preservation Order TPO/EPF/99/10 be confirmed without modification.**

**Report:**

Background

1. Tree Preservation Order TPO/EPF/99/10 became effective on 29 June 2010. It was made as one of a number of strategic TPOs protecting trees along the A414 from Ongar to North Weald. The particular order covers a total of 13 trees, within Coles Yard, and in adjacent properties to the east.
2. All of the trees are Oak; most are large and mature trees but the order includes a number of smaller trees close to the Talbot Roundabout and in the front of Choles Yard, included for their potential longer term contribution to public amenity.

Objection

3. An objection has been received from agents for the owners of Coles Yard, R E Coles Ltd. The trees concerned are T1 to T6 inclusive. T1 and T6 are not owned by the objector, the objection is as a result of the encroachment of branches, and the need to manage that encroachment.
4. The objector explains generally that trees T1-T6 inclusive are not considered worthy of a Tree Preservation Order, with the comment that, since the main stated aim of the order is to protect visual amenity for the benefit of users of the A414 the attention of drivers should be focussed on the road, rather than adjacent trees. The imposition of the Order imposes severe constraints and costs upon tree owners, and that therefore this should not be done indiscriminately. It is contended that none of the trees has any significant public amenity value.
5. The specific grounds of objection are as follows:
  - (a) T1: This tree does not appear to be visible at all from the A414, and is half hidden behind the buildings. It has no visual amenity. There is a foreseeable need to have it pruned, and the owner does not wish to have to go through the ensuing bureaucratic nightmare.

(b) T2- T5: These trees are on an industrial site and appear to have sprung up haphazardly. T2 & T3 are 2 metres apart, and their canopies intertwine. Similarly with T2 & T5, which are a little further apart. The trees are only visible from the roundabout, and have little visual amenity for users of the A414.

(c) T6: This is situated behind the builder's yard, which partially obscures it. The top half is only visible from the roundabout. It has no visual amenity, and is not even an oak, as stated in the Order.

#### Comments of the Director of Planning & Economic Development

6. The several Tree Preservation Orders protecting trees along the A414 are of a strategic nature. The instructions for the survey, undertaken by an Arboricultural Consultant following on from the Essex County TPO re-protection programme, was to protect those trees which were of most current value and which might be threatened in the event of future improvements or realignments to the A414 were that to take place, and also those younger trees of most amenity potential along what is an important strategic route.

7. In relation to the reasons given for the Order, the majority of the protected trees are immediately adjacent to car users, who form a relevant part of the population, even allowing for the road safety responsibilities of drivers. Users of the A414 who then turn into the B181, the North Weald High Road, or indeed who leave North Weald by this route will be aware of all these trees. The rationale given for the Order is not intended to be exhaustive; the decision on confirmation can legitimately take into account the wider value of the trees to public amenity.

8. In extending the Order to trees it was taken into account that this was an industrial site, and that it might well be at any time the wish of current or future owners to intensify its use, at which time there would be likely to be a threat to any unprotected trees.

9. T1 is a large and fully mature Oak. It is a well shaped and attractive tree of considerable stature. It is glimpsed from the A414, but has great visual importance from the High Road from where it is clearly visible over the industrial buildings. It is not hidden in any meaningful degree.

10. T2, T3, T4 and T5 are relatively young Oak Trees, collectively forming a strategically important group. As stated in the objection, they are in pairs, T2 & 3 being younger, and more closely grouped. They are in good health, and, standing at the entrance to the site are all visible from the adjacent A414, and also from the High Road. Should any redevelopment of Coles Yard be proposed these trees would be of particular importance, and it would be a priority to ensure that they were retained.

11. T6 is a mature tree, although not as large or old as T1. It is an Oak, as stated in the Order. It set to the rear of the adjacent reclamation yard. It is able to be seen through the hedge from the A414, and glimpsed from the high Road. However, as a more mature tree it contributes to public amenity as one of a group of larger trees, around the reclamation yard, and also protected by the order.

#### Conclusion

12. All 6 Oaks contribute to the setting of the entrance to the village and T 2-6 have particular significance as a result of their proximity to the major transport route. Taking this together with the importance of safeguarding them in respect of any future

development of Coles Yard or road realignment the Order is fully justified.

13. It is recommended therefore that TPO/EPF/99/10 be confirmed without modification.