

Tree Preservation Order Confirmation Report

Confirmation of Tree Preservation Order reference TPO/EPF/21/12 at Dolphin Court, High Road, Chigwell

Recommendation

That Tree Preservation Order TPO/EPF/21/12 be confirmed without modification.

Background

Tree Preservation Order TPO/EPF/21/12 protects 7 trees, individually specified, on the northern and western boundaries of Dolphin Court with High Road and Hainault Road Chigwell.

The tree of concern to the objector is T1 Ash. This is situated close to the boundary with 1 Hainault Road.

The Tree Preservation Order was made at the request of some of the residents of Dolphin Court as a result of a disagreement about the felling of one of the trees in particular. Given the location, and in particular the visual importance of the particular trees, a selective order was made on those trees of most public value.

Objection

The objection is on the basis that:

- 1) Ash Trees are not generally attractive trees and only warrant a TPO in special circumstances, which, in this instance does not exist.
- 2) The tree is a potential threat to foundations and the TPO may prevent proper pruning or crown reduction. This will increase worry and cause difficulty with insurance. As a pensioner and widow this is a concern to the objector.
- 3) The unfettered growth of the tree will cause an increase in maintenance through leaves in the gutters and on the driveway, as well as unnecessary and undesirable shading and infringe the objector's views.
- 4) Additionally the objector feels that Tree Preservation Orders have "got out of hand" in Epping Forest District. She supports tree protection in principle but feels that TPOs should be made only where trees are of special importance which she feels here is not the case. She feels that the reason for the number of TPOs is that the relevant officers wish to have bigger departments and more responsibility; as a result they made no distinction between trees which are important to the environment and those which are not.

Director of Planning and Economic Development's Response

The ash is a young mature tree close to Hainault Road. As such it contributes strongly to general public amenity. The need for the TPO as stated above came from a disagreement between owners of the flats about the proposal to fell one of the other preserved trees and was referred to officers by one of the ward members. It was considered that the local planning authority should make the order to ensure that proper consideration was given to those trees of most importance visually. An assessment was made of public contribution of the trees and only those on or immediately adjacent to the boundary and of significant public value were protected.

In relation to the specific points, this particular tree is a good young tree growing strongly. There are to officers' knowledge no intentions to reduce the tree. Nevertheless the tree could be managed under the TPO, subject to an application and justification being provided.

It is not agreed that ash trees are not attractive; their light shade can be very welcome in urban gardens and they make fine urban trees. There is a general concern in respect of Ash Dieback disease; in the worst case scenario a TPO could give the council influence on choice of replacement. There is no evidence to support a concern that preserved trees will devalue adjacent properties unless subsidence damage is actually occurring, which does not appear to be the case. While large urban trees can cause issues such as blocking of gutters this has to be balanced against their general contribution to the quality of life. A TPO can assist in making sure that such trees are not lost unnecessarily, but consent may be given for necessary works. The objector has been offered a meeting Council's Landscape Officer to discuss her concerns.

In relation to the final point of objection, numbers in the Trees & Landscape have been constant over many years despite the greatly increased number of TPOs and consequent yearly increase in the number of TPO applications.

Conclusion

T1, ash, has significant amenity value. The objections do not amount to a substantive reason for omitting it from the order. It is therefore recommended that TPO/EPF/21/12 order be confirmed without modification.