

Report to Area Plans Sub-Committee South

Date of meeting: 27 November 2013



**Epping Forest
District Council**

Subject: FELLING OF PRESERVED BIRCH (TPO/EPF/60/10).

At: Buckhurst Hill Baptist Church, Palmerston Rd.

**Officer contact for further information: Chris Neilan (01992 564546)
Democratic Services: Adrian Hendry (01992 564246)**

Recommendation(s):

- 1. To note the request from the church that agreement be given to the felling of T2, Birch, subject of TPO/EPF/60/10**
- 2. To consider the following options:**
 - a. To require a resubmission of details under the tree protection and landscape conditions applying to EPF/1511/10, covering its felling and replacement, for approval under delegated powers;**
 - b. Additionally to require a TPO felling application in respect of T2, Birch, for approval by the area planning subcommittee.**

Background

- 1.** Tree Preservation Order TPO/EPF/60/10 protects 2 hollies, an oak and a birch on the northern boundary of the church. It was confirmed by this committee, on 26 October 2010, following consideration of an objection from the church.
- 2.** The birch is an attractive tree, some 10m in height, in good health and with a life expectancy estimated at 20- 40 years.
- 3.** A revised planning application for alterations and extensions to the church building (EPF/1511/10), showing retention of the 4 trees, was approved under delegated powers, subject to conditions including tree protection and landscaping.
- 4.** An application to discharge tree protection and landscape conditions (EPF/1373/13) was submitted for approval, in July 2013, but not agreed.
- 5.** Work has nevertheless commenced; excavations have now revealed that the building as agreed is incompatible with safe retention of the birch.
- 6.** The architect for the church has requested that the LPA agree that the birch may be felled, subject to a comprehensive landscape scheme for the frontage. All site works have now ceased until a way forward has been properly agreed. Discussions have taken place as acceptable details in respect of both conditions, including semi mature

trees to compensate for the birch, and it is expected that an acceptable submission could be made and approved quickly.

7. The submission from the architect is included as Appendix 1. The final paragraph sets out the financial issues arising from any additional delay, and in particular that a requirement to make a specific TPO felling application would be likely to lead to the abandonment of the project, with ensuing costs for the church.

Discussion

8. The agents for the church have demonstrated a genuine desire to retain the birch, and explored the engineering possibilities available to attempt to enable this.
9. It is now clear that the approved extension and the tree are not compatible.
10. The birch's value is not so great that any objection to its loss would have been raised by the specialist officer, had its removal been demonstrated to be necessary to enable the approved scheme.
11. The changes necessary to the design of the new entrance and its disabled access to allow retention of the birch would be such that a revised full planning application would be required.
12. To require a TPO felling application, in addition to the resubmission of tree retention and protection details, would cause a significant additional delay and so result in heavy costs for the church.
13. It is stated that either of these situations would effectively end the project.

Conclusion

14. That in all the circumstances it would be appropriate to agree that the agents for the church are required to submit revised landscape and tree retention/ protection details, without any requirement to make a separate TPO application in respect of the removal of the birch.