

<p>TO CONSIDER AN OBJECTION TO THE MAKING OF A TREE PRESERVATION ORDER, No. 11/2010, At Langdale and Windermere Road, Great Notley, Braintree</p>	<p>Agenda No: 6</p>
<p>Corporate Priority: The Environment is Clean and Green Report presented by: Tessa Lambert, Development Control Manager Report prepared by: External consultant</p>	
<p>Background Papers: Tree Preservation Order 11/2010 file ECC Tree Preservation Order 3/60 Letter of objection dated 22nd April 2010 Letter addressing objections dated 30th April 2010 TEMPO Assessment (Tree Evaluation Method for Preservation Orders)</p>	<p>Public Report</p>
<p>Options:</p> <ol style="list-style-type: none"> 1) To confirm the Tree Preservation Order in the interests of amenity. 2) Not to confirm the provisional Tree Preservation Order and allow the owner to prune/fell the tree as he sees fit. 	<p>Key Decision:</p> <p>NO</p>
<p>Executive summary</p> <p>This report is to consider the objection raised by the owner of 14, Buttermere, Great Notley, to the making of Tree Preservation Order No. 11/2010 in so far as it relates to the trees in the rear garden of his property.</p> <p>Tree Preservation Order 11/2010 was made in March 2010 to provide continuity of protection following the revocation of Essex County Council Tree Preservation Order 3/60.</p>	
<p>Decision:</p> <p>That Tree Preservation Order No. 11/2010 is confirmed.</p>	
<p>Purpose of Decision:</p>	

To seek confirmation of a Tree Preservation Order	
Corporate implications [should be explained in detail]	
Financial:	N/a
Legal:	N/a
Equalities/Diversity	N/a
Customer Impact:	N/a
Environment and Climate Change:	If the order is not confirmed there is a risk that the visual amenity of the area will be diminished, and the trees ability to contribute to climate change adaptation will be reduced/lost.
Consultation/Community Engagement:	Statutory process for notifying relevant parties
Risks:	Loss of trees the subject of the TPO
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Background

On 31st March 2010, Tree Preservation Order No.11/2010 was served on the owners of a total of 90 trees in the Langdale and Windermere Road area of the White Court Estate at Great Notley. The Order was made to ensure continuity of protection of the most important trees on the Estate following the decision by Essex County Council to revoke the original 'blanket' Order made in 1960 (ref: 3/60). All of the trees were assessed using the 'TEMPO' (Tree Evaluation Method for Preservation Orders).

Following service of the Order, an objection was received to the inclusion of trees, within group G.4 of the Order. in the rear garden of 14, Buttermere, Great Notley. This objection was in the form of a letter dated the 22nd April 2010 from the owner of 14, Buttermere (see Appendix 1 to this report). The response to that objection, dated the 30th April, is attached as Appendix 2. This was followed by a letter, dated the 4th June, seeking a response to the earlier letter of the 30th April.

At the time of writing this report, no response to these letters have been received.

Comments

The trees, 2 oak and 1 lime, have been properly assessed against recognized criteria, and the objector has not sought to challenge their assessed amenity value. The issue is the proximity of the trees to the house, and the mess they create.

The letter of the 22nd April fully addresses the issues raised by the objector.

Should this Order be confirmed, it is open to the objector to apply for an appropriate consent to carry out works to the trees.

No objections have been received to the inclusion of any other trees in this Order.