

Decision Notice

Duty to Consult on Street Tree Felling

Consultation Number: TEN003418

Notice was given under S115 of the Environment Act 2021 and 96A of the Highways Act 1980 that this tree is proposed to be felled.

The objections received in relation to T1, Oak, have been considered, but having reviewed all reasonable alternative solutions, we find that felling is necessary to abate the legal nuisance that the tree is currently causing. The objections raised the following issues:

- **Amenity value of the tree-** The tree does have high amenity value and although alternative solutions such as crown reductions and pollarding have been considered, a structural engineer has advised that these would be insufficient to allow repairs and to prevent future damage, even if maintained.
- **Minor damage to footway-** The damage to the footpath is minimal and has not been considered in relation to the felling.
- **Suitable evidence relating to the damage caused-** Results of level monitoring and bore hole investigations were submitted to Essex County Council and demonstrated clear seasonal movement to the front and rear of the property and that Oak tree roots were present beneath the foundations. An independent structural engineer was contacted for comment who confirmed retention of the tree would not prevent future damage due to the soil type and building foundation depth.

Replacement planting will be carried out in the next available planting season after the scheme has been completed (November to March inclusive) and will be maintained to aid establishment, if budgets allow.



Date of decision notice: 31 July 2025

The Arboricultural Team at Essex County Council.