

Mr and Mrs Harman  
9 Barnmead Way  
Burnham on Crouch  
Essex, CM0 8QD  
26 July 2017

Dear Jackie Gilbert

Your ref: TPO 8/17

**Town and Country Planning Act 1990 – Section 330**

**District of Maldon Tree Preservation order 8/17 at 9 Barnmead Way, Burnham on Crouch**

Please see enclosed completed Notice of Tree Preservation Order and a petition from local residents.

We object to the Tree Preservation Order imposed, as the residents of the property and land owners into which the two oriental planes (will now be referred to T1 and T2).

We would like the Planning Department to consider the following objections for the Tree Preservation Order for both T1 and T2:

1. T1 and T2 are not in a conservation area.
2. According to Kew Gardens *Platanus Orientalis* (Oriental Planes) are not an endangered species nor are they native British or Essex trees with any significant historical interest. Therefore there is not a requirement to protect T1 and T2 for their uniqueness and vulnerability.
3. All of the arboriculturalists (5 different experts) we had to look at the trees and advise us on appropriate maintenance said they were significantly too large for a small residential garden. T1 and T2 are on a boundary line with number 7 Barnmead Way and 1 Woodcutters. All 3 properties are suffering from the branches touching their houses and greenhouse (7 Barnmead). T1 and T2 used to be managed and kept within a reasonable size, however the previous occupier of 9 Barnmead Way did not attempt to crop them in their 5 years residence and as they are prolific growers the trees now stand at approximately 60 meters tall with a very large canopy that covers best part of 3 residential gardens the root system on these trees are believed to match the crown of the tree so will be under the foundations of at least 3 properties. These trees can grow to 90 meters tall. Our garden is only 25 meter square. According to horticultural description of these trees their use is for parkland, country estates and other urban large spaces. Not for a small residential garden. Because of the large canopies of the trees, it also makes them vulnerable in high winds (which we are having an increasing amount due to climate change), and dead wood debris and sometimes loose limbs are breaking away causing damage to our own and neighbouring gardens. It is a risk waiting to do serious damage or accident.

4. According to Kew gardens the hairs from the fruits of the trees can cause bronchial problems in people. 2 of the arboriculturalists said they would only work on the trees when they are not in fruit or flower because they are a health hazard when breathing in the spores for their employees. These branches are a meter away from our bedroom window where my 5 and 3 year old sleeps. I do wonder if the amount of times my children have fallen ill with colds and chest infections over the past couple of months have any correlation with the trees and their spores?
5. The council have made the order because "they provide amenity value to the surrounding area". In whose opinion? I submit a petition from local residents who disagree with the council. They do not add value other than from an ecological one. As the owners of T1 and T2, we want to eventually replace these trees with a more suitable selection of buddleias, and our collection of acers and native trees. Amongst a herbaceous border with native flowers and shrubs to provide valuable food and habitat for butterflies, insects, our resident wild hedgehog amongst other wildlife. We are keen gardeners and like our children to be involved as much as possible we understand about the importance of trees but these really are not suitable for the area and are seen to be more of a hazard and a risk to the surrounding area.
6. The council have proposed that our planning application dated 06 June 2017 (for which it is now clear that we did not need to do as we were given incorrect guidance from yourself about being in a conservation area) for T1 and T2 to be pollarded may prove detrimental to the health and appearance of T1 and T2.

T1 and T2 as discussed in point 3 are too big for a residential garden. They are a health risk to people when in flower and fruit see point 4. These trees cannot be left to just grow to their maturity at 90 meters. These trees are meant to be in parks and large open area (point 1). They need to eventually be removed and replaced with suitable ecological fauna and flora (point 5).

In summary, we clearly object to the Tree Preservation Order for T1 and T2 as they do not add amenity value to the area and they are the wrong trees by way of size and potential health hazard to those who breathe in the spores. The trees have no part to play in a small garden and need to be removed in manageable stages, as to not to disturb and weaken any more than what the root system has already damaged to the foundations of the surrounding houses and public roads and footpaths.

The trees will be replaced with trees and other plants that would benefit the local eco-system.

Looking forward to an objective response.

Yours sincerely

A black rectangular redaction box covering the signature of Mr and Mrs Harman.

Mr and Mrs Harman

# Petition to object to the Maldon District Council Tree Preservation Order no 8/17,

## 9 Barnmead Way, Burnham on Crouch



**The Council has made the order because: The trees provide amenity value to the surrounding area. Works have been proposed that may prove detrimental to their health and appearance.**

**Petition summary and background:**

In summary, we object to the Tree Preservation Order for the 2 Oriental Planes, that reside on the boundary of 9 Barnmead Way, for the following reasons:

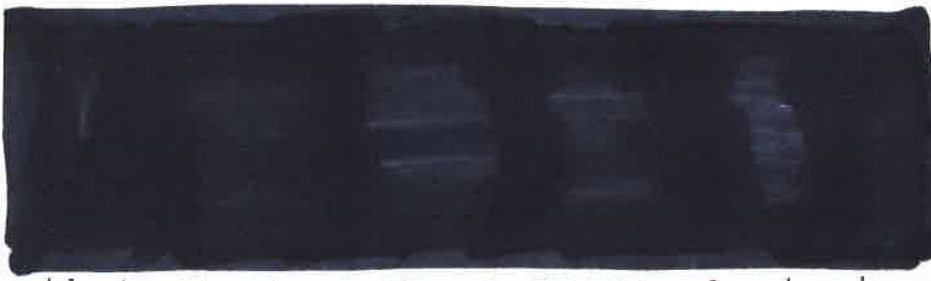
1. The trees do not add amenity value to the area. They are far too large for a small 25 meter square residential garden. The trees' canopies cover the best part of 3 gardens and are very close to the residential buildings. According to most horticulturalists, Oriental Planes are not suitable for small residential gardens they are for open park land and country estates.
2. The fruits on the trees have a potential health hazard to those who breathe in the spores. There has been a link made to bronchial problems and a couple of tree surgeons have refused to work on the trees whilst they have fruit as a potential hazard.
3. Apart from benefiting the eco system, the trees are not a native nor do they offer any historical benefit to the area.
4. The residents would prefer the total removal of the trees in manageable stages, as to not to disturb and weaken any more than what the root system has already damaged, to the foundations of the surrounding houses, public roads and footpaths. This is with an understanding that the occupiers of 9 Barnmead Way will replace the trees with other trees, fauna and flora that would contribute to a sustainable and healthy eco system for our local and native wildlife.

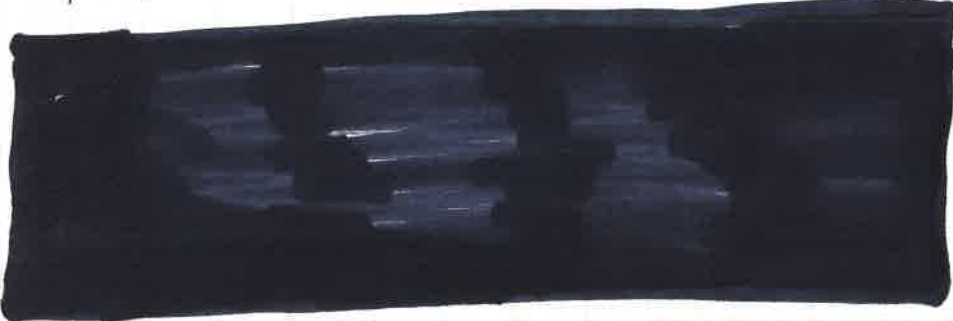
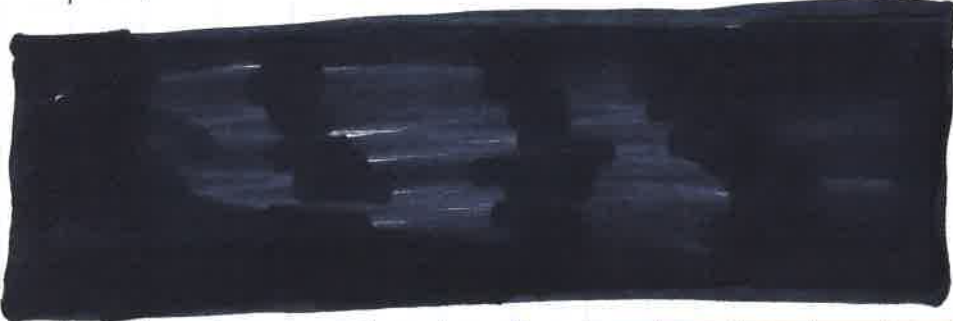
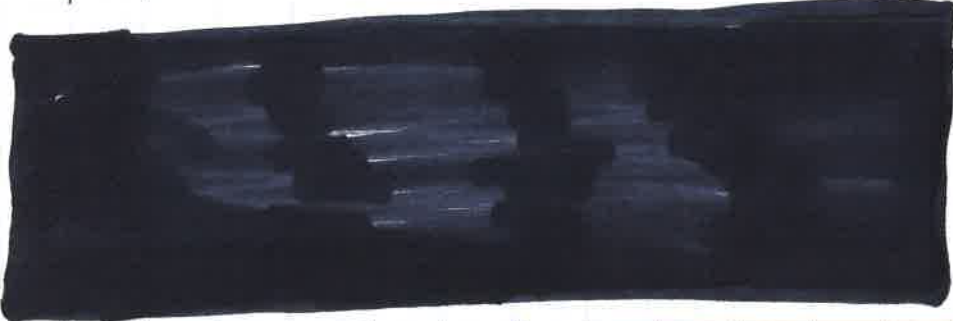
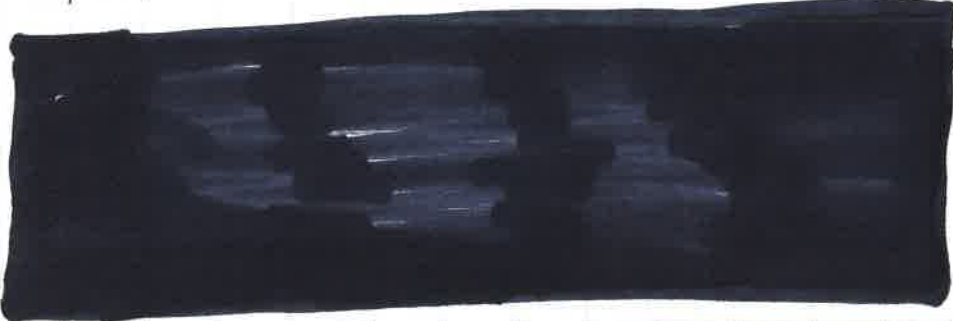
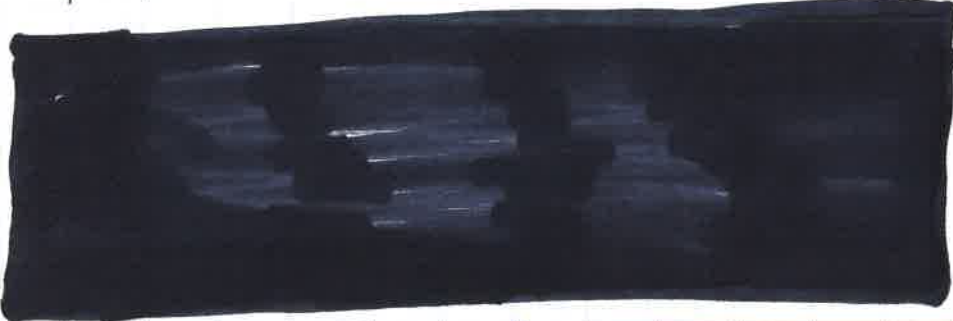
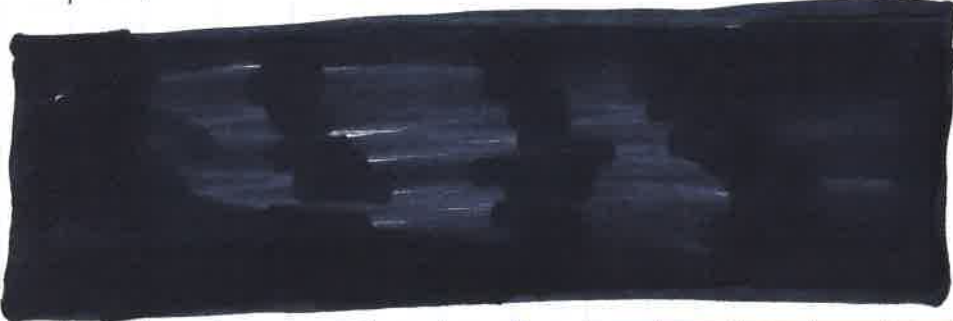
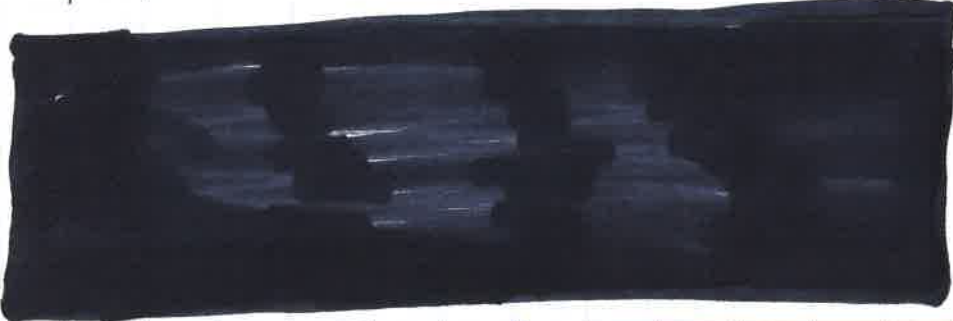
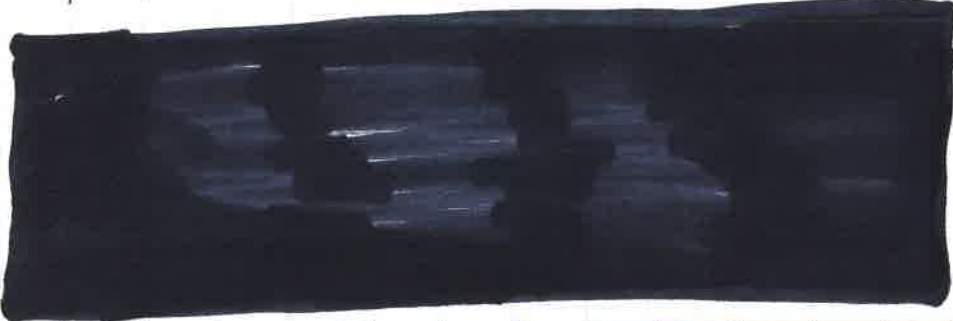
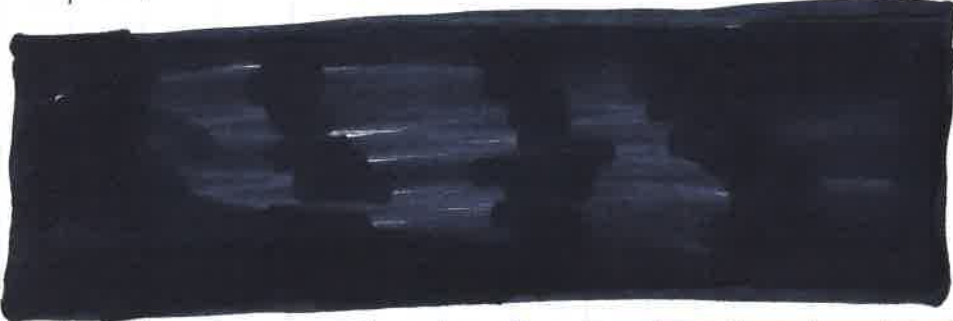
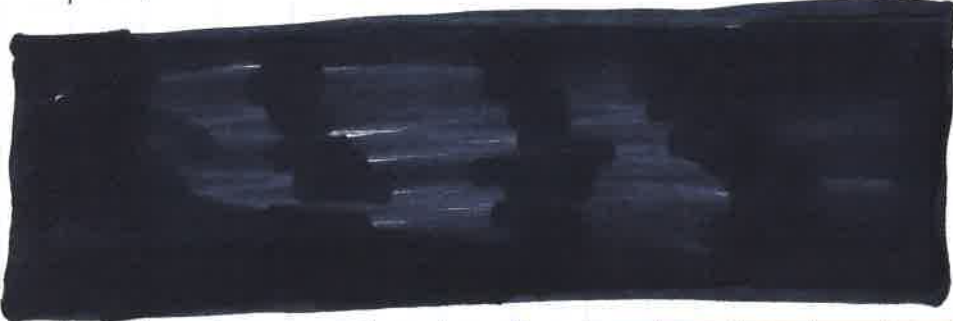
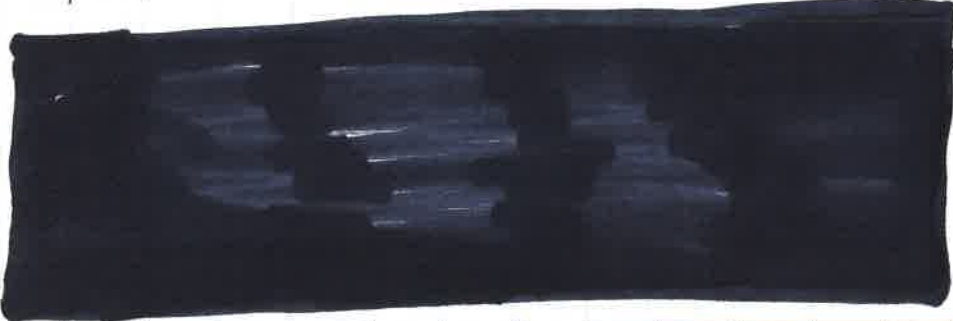
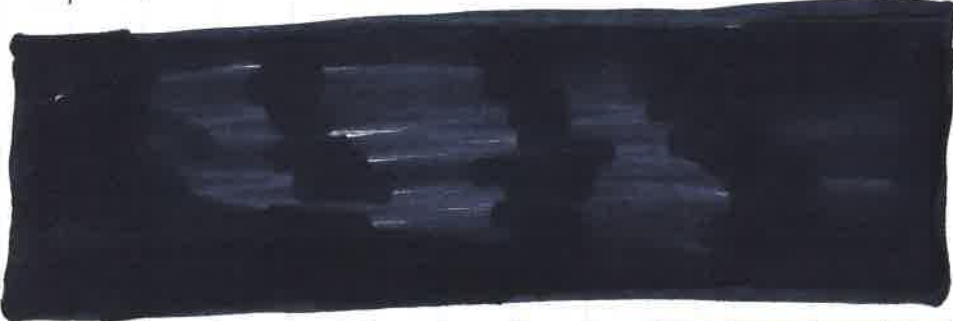
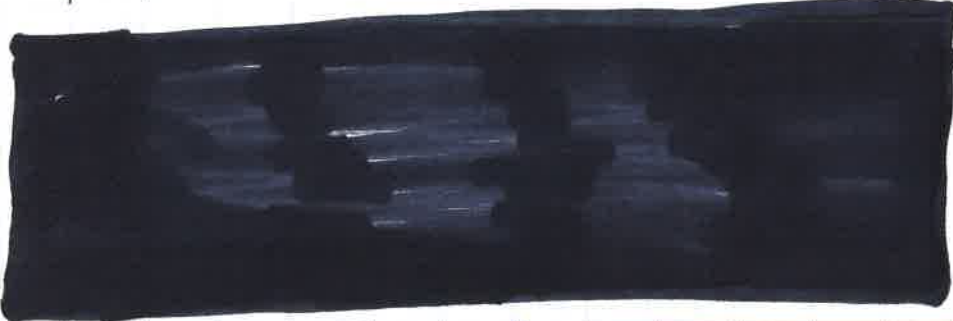
**Action petitioned for:**

We, the undersigned, are concerned residents who urge the Planning Department, Maldon District Council to reconsider the proposed Tree Preservation Order no 8/17 under the terms of A Guide to Tree Preservation Procedures. On the basis that they do not add amenity value to the surrounding area. They are a hazard because of their size to property and a potential health risk which is airborne when the trees are in fruit.

**Town and Country Planning Act 1990 – Section 330 Petition for the objection of District of Maldon Tree Preservation order 8/17 at 9 Barnmead Way, Burnham on Crouch**

Page 1

Printed name	Signature	Address	Comment	Date
KELLY NICHOLS		1 WOODCUTTERS C/O 8PE	THE TREES ARE VERY DANGEROUS	20/7/17
Andrew Niccours		~	To large & hitting My House	20/7/17
KEITH HOBSON		5 BEAUCHAMPS C/O 8PR	THE TREES ARE VERY DANGEROUS & I'M NEED OF TRIMMING TO A SAFE SIZE.	21/7/17
JANET HOBSON		5 BEAUCHAMPS C/O 8PR	THE TREES ARE IN DESPERATE NEED OF TRIMMING	21/7/17
MRS HELEN AXCELL		4 BEAUCHAMPS C/O 8PR	TOO LARGE & DANGEROUS TO LOCAL HOUSING NEEDS.	21/7/17
DEMIS AXCELL		4 BEAUCHAMPS C/O 8PR	Health hazard, danger to people & property.	21/7/17
BRENDA RANDS		7 BEAUCHAMPS C/O 8PR	Tree too tall	21/7/17
EDMUND RAMS		7 BEAUCHAMPS C/O 8PR	NEED TRIMMING	21/7/17
CHINE YEGHAN		8 BEAUCHAMPS C/O 8PR	TO TALL HEALTH HAZARD HAVE NEED TO WANT FOR INJURY OF ADJACENT PROPERTY BEFORE COUNCIL ACT.	21/7/17
RON WOODHAM		6, BEAUCHAMPS.	LOSS OF STABILIZE SIGNS SAY INFORMED ME IT WAS DUE TO THIS TREE. TOO TALL	21/7/17
TIM WILLIAMS		34 Beauchamps C/O 8PR	This is an eyesore	22/07/17
MANDY WILLIAMS		" "	" "	22/07/17
Georgia Rolph		5 Barnmead way C/O 8AD	To tall and is a wealth hazard.	25/7/17

Printed name	Signature	Address	Comment	Date
NICOLA HARMAN		9 Barnmead Way . B.O.C.	The trees do not add amenity value and need to be removed.	20/7/17
MARC HARMAN		9 Barnmead Way . B.O.C.	The trees are too big for garden and cure health hazard. TAKE MORNING LIGHT & LEAVED CAUSE PROBLEMS.	20/7/17
JULIE TORRANCE		11 BARNMEAD WAY B.O.C.	TAKE MORNING LIGHT & LEAVED CAUSE PROBLEMS.	22/7/17
PETER FINCH		17 BARNMEAD WAY	This tree is too large for the situation	22/7/17
Hazel Aveson		15 Barnmead Way	Tree too large for garden	22/7/17
Ryan Aveson		" " "	" " "	22/7/17
KATHY LIDBURY		7 BARNMEAD WAY	NOT A LOCAL AMENITY VERY MUCH A LOCAL NOISANCE	22/7/17
PEGGY LIDBURY		" " "	TAKES LIGHT OUT OF GARDEN TOO BIG FOR GARDEN	23/7/17
LINDA McLEWAN		6, Barnmead Way	Far too big for garden	23/7/17
JOHN McLEWAN		" " "	100 large for a garden.	25.7.17
VAN SING		1. Barnmead Way	" " " in garden	22/7/17
DEAN MASON		3 BARNMEAD WAY	TO ALLOW MORE SUN IN THE GARDEN	25/7/17
LISA ROLPH		5 BARNMEAD WAY	TO CLEAR FOR HOUSE GARDEN	25/7/17

**7 Barnmead Way  
Burnham on Crouch  
CM0 8QD**

10 July 2017

Ms Jackie Gilbert  
Tree Officer  
Maldon District Council  
Princes Road  
Maldon  
CM9 5DL



Dear Ms Gilbert

**Tree Preservation Order no 8/17  
9 Barnmead Way, Burnham on Crouch**

Further to your letter dated 29 June 2017, I would like to make the following points:

- I realise that the trees on this plan are not drawn to scale but would, nevertheless, point out that they are not by any means contained within the boundaries of 9 Barnmead Way. The Tree no 2 overhangs my garden by several metres, blocking valuable light from my greenhouse and providing perches for wood pigeons whose guano thickly covers the greenhouse roof and surrounding areas of flower beds and lawns. Additionally the canopy provides a rain shadow and the roots draw moisture from the ground creating permanent drought conditions in a substantial area of my small garden. As I am a very keen gardener this loss of good growing space is very inconvenient.
- The tree in question is not an ancient one pre-dating the housing development. It was planted by the original purchasers of no 9 in the early eighties and was large but far from mature when I moved to no 7 in 1987. It has grown very fast and although I do not know its current size *Platanus orientalis* grows to 30 metres or more and has a spreading crown. I understand it is a popular shade tree in parks across the world but it is definitely not suitable for a very small suburban garden with close neighbours where it blocks all of the sky that would otherwise be visible from my sitting room window.
- In high winds this huge tree thrashes about alarmingly. Some years ago a large branch broke off in a storm and landed in the garden of no 9. Having happened once, this could easily happen again with potentially fatal consequences. With the increasing frequency of damaging high winds it is certainly not impossible that the entire tree could be uprooted and fall on any one of the surrounding houses where the risk of death or severe injury to the occupants would be virtually certain, especially if it happened at night.

- The tree also produces fibrous fruit which are known to produce an allergic reaction in some people and can be especially problematic for children. Since the houses in Barnmead Way and Woodcutters are family sized houses this poses a substantial health issue.
- Your guide to tree preservation indicates that an order is likely to be placed on a tree that brings 'significant amenity benefit to the local area'. I would suggest that in this case the benefit is in fact extremely limited since the tree is tucked in a corner of a short, quiet cul-de-sac and is seen by very few people. Set against the extremely significant dis-benefits it brings to those who live nearby it would seem unreasonable for the Council to confirm the proposed preservation order.

Yours truly

A large black rectangular redaction box covering the signature of Kathy Lidbury.

Kathy Lidbury

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