

Planning & Environment COMMITTEE A G E N D A

**For a Meeting to be held on Tuesday 30th July 2024
at 7.30pm
at Champions Manor Hall, Hullbridge Road,
South Woodham Ferrers**

**Membership:
Councillor D Thompson Chairman
Councillor S Wilson Vice-Chairman**

Councillor M Sismey
Councillor P Ferry
Councillor A Shearring

Councillor G Piesse
Councillor J Birch

Councillor A John
Councillor M O Brien

Local residents are welcome to attend this meeting. At the meeting, your elected Councillors will take decisions affecting YOU, the Community, and the Town. At the beginning of the meeting there is an opportunity for you to make representations, answer questions and give evidence in respect of any item of business on the agenda. The public may participate for up to 15 minutes for this purpose. If you have any queries, please telephone the Town Clerk on 01245 321 817. Please join us.

**Karen Atkins
Town Clerk
24th June 2024**



1. Apologies if Absence

To RECEIVE apologies for absence.

2. Dispensation considerations

To consider any dispensations, as required. Standing Order 12. Dispensation requests shall be in writing and submitted to the Town Clerk as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.

3. Declarations of Interest

Any Member declaring an interest is asked to state whether this is a pecuniary registerable or non-registerable interest. Clarification, if required, can be sought prior to the meeting with the Chairman or the Town Clerk.

4. Confirmation of Minutes

To APPROVE the minutes of the meeting held on 25th June 2024 as a true record.

5. Public Questions

In accordance with Standing Order 3.e to allow up to 15 minutes for members of the public to make representations, answer questions and give evidence in respect of any item of business covered by the Committees terms of reference. At the close of this item members of the public will no longer be permitted to address the Committee; Members with pecuniary interests will also not be permitted to speak, address the Committee on those interests and must leave the meeting when the item in relation to their interest is being discussed.

6. Budgetary Position

The budgetary position as at 24/7/2024 is attached to the agenda.

7. Previous Planning Decisions and Appeals

To note the City Council planning decisions which differ from the Town Council recommendations will be circulated prior to the meeting.

8. Planning Applications

To consider and agree comments on the planning applications as detailed on the list circulated and displayed on the Town Council notice board and website.

9. Items to Note

- Essex County Council have acknowledged responsibility and ownership of the bench on Trinity square and will make the area safe. The Town Council have passed on details and contract of original supplier.
- A new bird box will be placed at the garden of Remembrance to replace a rotten box removed when a tree was felled. This will be placed in the same location for nesting birds
- The Town council have reported to Essex Highways and to Essex County Councillor Massey requesting maintenance on the Sainsburys roundabout.
- Ther SSO (street Service Operative) has completed over 91 maintenance jobs around SWF.
- The SSO will be cleaning all road signs and the Town Sign at Millenium Place over the next few months.
- The new bench agreed for the Fen has been ordered and will be installed on when delivered.
- The Chelmsford City Council Love Your parish day is scheduled for on or around the 8th of August 2024. Report of work requested is attached to the agenda.

10. The Fen

Environment Officer to give a verbal update. Report sent under separate cover.

11. Motorcross on the Fen

Committee to discuss a report from a resident about motorcross bikes on the Fen.

12. John Cox

- Environment officer to update on the working party meeting on Tuesday 16th of July 2024.
- Officer to update on work in progress at John Cox
- Committee to consider applying for the Rural England Prosperity Fund Grant 2024 for John Cox improvements.

13. Tree Policy

Committee to review the Tree Policy to be recommended to Council for approval on the 22nd of October 2024.

14. Land at Creekview

Committee to discuss the land at Creekview Road owned by Chelmsford City Council and to consider a request for maintenance of the site going forward.

15. Report to Council

To note items for report to the next Council meeting is on 22nd of October 2024.

16. Media Coverage

To consider whether any items on this agenda warrant a media release and if applicable agree a Councillor to comment.

17. Next Meeting

The next meeting of the Planning and Environment Committee will be on 27th of August 2024 at 7.30pm.

Any member who is unable to attend the meeting should send their apologies and reason to the Town Clerk prior to the meeting.

Detailed Income & Expenditure by Budget Heading 24/07/2024

Month No: 4

Cost Centre Report

	Actual Year To Date	Current Annual	Variance Annual	Committed Expenditure	Funds Available	% Spent	Transfer to/from EMR
300 Environment General							
4325 Litter Control	1,702	2,800	1,098		1,098	60.8%	
4328 Tree Works	0	3,500	3,500		3,500	0.0%	
4700 Street Furniture & Signage	0	4,000	4,000		4,000	0.0%	
4705 Hanging Baskets	12,572	13,200	629		629	95.2%	
4710 Roundabout Sponsorship	0	2,000	2,000		2,000	0.0%	
4720 Fenn Maintenance	679	4,500	3,821		3,821	15.1%	
Environment General :- Indirect Expenditure	14,953	30,000	15,047	0	15,047	49.8%	0
Net Expenditure	(14,953)	(30,000)	(15,047)				
310 Garden of Remembrance							
1300 Garden of Remembrance Income	4,130	14,300	10,170			28.9%	
Garden of Remembrance :- Income	4,130	14,300	10,170			28.9%	0
4010 Water	69	150	81		81	45.7%	
4760 GoR Supplies	1,904	5,000	3,097		3,097	38.1%	
4765 GoR Maintenance	1,475	6,200	4,725		4,725	23.8%	
4770 GoR Security	0	5,000	5,000		5,000	0.0%	
Garden of Remembrance :- Indirect Expenditure	3,447	16,350	12,903	0	12,903	21.1%	0
Net Income over Expenditure	683	(2,050)	(2,733)				
Grand Totals:- Income	4,130	14,300	10,170			28.9%	
Expenditure	18,400	46,350	27,950	0	27,950	39.7%	
Net Income over Expenditure	(14,270)	(32,050)	(17,780)				
Movement to/(from) Gen Reserve	(14,270)						

TOWN AND COUNTRY PLANNING ACT 1990**Agent:**

Mr Ashley Robinson
A R Property Designs
112 Inchbonnie Road
South Woodham Ferrers
Chelmsford
CM3 5ZW

Applicant:

Mr G SNEL
33 Keats Square
South Woodham Ferrers
Chelmsford
Essex
CM3 5XZ

PLANNING PERMISSION

LOCATION: **33 Keats Square South Woodham Ferrers Chelmsford Essex CM3 5XZ**
PROPOSAL: **Single storey domestic outbuilding to be used as ancillary accommodation.**
APPLICATION NO: **24/00581/FUL**
DATE RECEIVED: **26 April 2024**
DRAWING NO(s): **01/B; L1/A;**

The Council has given consideration to the application and plans as specified above, and hereby gives notice of its decision to **GRANT PLANNING PERMISSION** subject to the following: -

Condition 1

The development hereby permitted shall begin no later than 3 years from the date of this decision.

Reason:

In order to comply with Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Condition 2

The development hereby permitted shall be carried out in accordance with the approved plans and conditions listed on this decision notice.

Reason:

In order to achieve satisfactory development of the site

Condition 3

The proposed outbuilding hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the main dwelling known as 33 Keats Square.

Reason:

The occupation of the outbuilding separate to the dwelling would be harmful to the occupiers and future occupiers of the main dwelling and therefore contrary to the development standards as set out within Appendix B of the Local Plan.

Notes to Applicant

- 1 Hours of work during construction

In order to cause minimum nuisance to neighbours, the applicant is strongly advised to follow guidelines for acceptable working hours set out by the Council's Public Health and Protection team.

Noisy work:

- Can be carried out between 0800 and 1800 Monday to Friday
- Limited to 0800-1300 on Saturdays
- At all other times including Sundays and Bank Holidays, no work should be carried out that is audible beyond the boundary of the site

Light work:

- Acceptable outside the hours shown above
- Can be carried out between 0700 and 0800; and 1800-1900 Monday to Friday

In some circumstance further restrictions may be necessary.

For more information, please contact Chelmsford City Council Public Health and Protection Services, or view the Council's website at www.chelmsford.gov.uk/construction-site-noise

Party Wall Act

The Party Wall Act 1996 relates to work on existing walls shared with another property or excavation near another building.

An explanatory booklet is available on the Department for Communities and Local Government website at

<http://www.planningportal.gov.uk/buildingregulations/buildingpolicyandlegislation/currentlegislation/partywallact>

Positive and Proactive Statement

The Local Planning Authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning Policy Framework to promote the delivery of sustainable development and to approach decision taking in a positive way.

Date: 19 June 2024

Signed:

Keith Holmes

KEITH HOLMES

Planning Development Services Manager

IMPORTANT - YOUR ATTENTION IS DRAWN TO THE NOTES ATTACHED

Important Note: This Planning permission does not override the need to obtain any necessary approvals under the Building Regulations, Party Wall Act or any other relevant legislation. Separate approval may also be required in other areas, for example, restrictive covenants, shared agreements, easements, rights of way etc.

The provisions of the Essex Act 1987, Section 13 (Access for the Fire Brigade) may apply to this development and will be determined at Building Regulation Stage.

NOTICE TO APPLICANT WHERE PERMISSION IS SUBJECT TO CONDITIONS

Appeals to the Secretary of State

- If you are aggrieved by the decision of your Local Planning Authority to impose conditions on your permission for the proposed development then you can appeal to the Secretary of State for the Department for Communities and Local Government under Section 78 of the Town and Country Planning Act 1990.
- For householder and minor commercial applications you must appeal within **12 weeks** of the Council's decision. For other application types you must appeal within six months of the Council's decision.
- **However if the development as described in your application is the same or substantially the same as development that is currently the subject of an enforcement notice then you must appeal within 28 days of the date of this decision notice.**
- Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under the order.

Notification of Appeals to the Council

- You must send a copy of your appeal to the local authority. In accordance with appeal procedures, when forwarding copies of appeal forms and additional information, plans or drawings direct to the local authority, please send electronic copies to planning.appeals@chelmsford.gov.uk or address to the Director of Sustainable Communities, Chelmsford City Council, P.O. Box 7544, Civic Centre, Duke Street, Chelmsford, Essex, CM1 1XP.

Purchase Notices

- If either the local planning authority or the Secretary of State for the Department for Communities and Local Government grant permission to develop land subject to conditions, the owner can claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI, Chapter I of the Town and Country Planning Act 1990.

Compensation

- In certain circumstances compensation may be claimed from the Local Planning Authority if permission is granted subject to conditions by the Secretary of State on appeal or on reference of the application to them.
- These circumstances are set out in Section 114 and related to provisions of the Town and Country Planning Act 1990.

Planning Applications To Be Considered at Meeting 30th July 2024

24/05121/TPO	231A	Hullbridge Road	T1 - Oak -Located in front garden - crown reduction by 2m, cutting to suitable growing points and shaping over to leave natural profile	AS
24/05111/TPO	90	Albert Road	T1 Silver Birch- Crown Lift by 4m to previous pruning points, 2m Crown Reduction and remove Deadwood. Reason: To maintain good health of the tree	AS
24/00880/FUL	Land rear of	Tabrums	Conversion of the existing two storey outbuilding to a separate dwelling with addition of a single storey side extension, new dormer window and two roof windows to the first floor, alterations to fenestration, creation of a new boundary and landscaping across the new proposed site.	JB
24/00913/FUL	2	Knole Close	Part single, part two storey rear extension.	PF
24/00869/FUL	13	East Bridge Road	Ramped Access	AJ
24/00930/ADV	Bus Shelter	Crouch Vale Medical Centre	Proposed Double-sided digital Bus Shelter advertising displays. Digital displays to portray static advertising images.	GP
24/05132/TPO	13	Thornborough Avenue	T2 (T1 on plan) Oak- Overall reduction of 2m. Reason: Tree has not be pruned in a few years	AS
22/00721/FUL	Land Adjacent 14	Creekview Road	Construction of 6 dwellings. Alterations to the existing pond with new aerator and a new playground area.	MOB
24/00948/FUL	82	Hullbridge Road	Retrospective permission of 5no Air Conditioning Units installed to the face of the building	SW
24/05113/TPO	8	Halyard Reach	Silver Birch - T1 - Fell to ground level grind out remaining stump and replant native species - Reason: Damaging pavement and drains	AS

Please note that we are not the Planning Authority for these details please sign up for application alerts in your area from Chelmsford City Council.

LOVE YOUR PARISH DAYS

We request a visit from the Street Care Team to carry out the following work; please state the areas that require attention of special care: For example from – Top of First Avenue to the end of First Avenue” if it is off the street e.g. an alleyway, use What3Words.

Work required	Location	From	To
Footpath Sweeping	Scholars walk Trinity St Marys towards scholars walk by railings – mulch to clear.	Top	Bottom
Road sweeping			
Litter Picking	A130 road from Rettendon Turnpike to Shaw farm Rounabout	Turnpike roundabout	Shaw farm Roundabout
Graffiti Removal	Road sign Ferrers road roundabout	By WDF Leisure Centre Roundabout	
Vegetation cut back (subject to resources and landowner responsibility checks- must be on Chelmsford City Council land)	Thornborough Ave opp Police Station	Corner Thornborough Ave encroach footpath	
	Burnham Road	By Woodville School	
	Melville Heath – Berry Vale	Alleyway height reduction on laurels	
	Brent avenue	Opp Woodville school	
Would you like to host a Community Litter pick Event with the Love Your Chelmsford team?	Y we have an event scheduled 16th and 28th April. Please join us.	Location	Note: We can provide all equipment needed and let you assemble the

We hope that we will be able to meet the majority of requests we receive and will get back to you shortly to let you know whether or not we will be able visit your parish on the requested date. For more information on community litter picking, please visit loveyourchelmsford.co.uk/volunteer/what-can-i-do/litter-picking

Fen report

Caterpillars

OPM Nests

Usually on the underside of a branch or on trunk of OAK trees.

Can be several nests on one tree.

Can be anywhere, from head height, to high up in the canopy.

Nests start white and go darker as season progresses.

Caterpillars can be found on the ground and should not be touched.

If unsure, give your area officer or myself a call



Activate Windows
Go to Settings to activate Windows.

Essex Wildlife reported an outbreak of the Oak Processionary moth caterpillars' nests, with two being spotted in the penned area. This is a reportable occurrence and they reported it to the Forestry commission.

As landowners we are expected to inspect for further nests, and we carried out a survey of all Oak trees within the area. We were unable to spot any further nests.

We had to call in a specialist contractor to deal with the nest, by hoovering them into a collector for disposal and then spraying the area as part of the removal process. The hairs of the caterpillars are considered a health hazard to animals and humans, so warning notices were placed in the area.

It was required we did this as an urgent matter as a result of enforcement an action notice from the Forestry Commission. This has been completed, and we sent evidence to them to confirm they had been removed in order to have the enforcement removed.

Cost £700.00

Cattle Pens

Essex Wildlife have reported:

“My colleague and I have put in a few more fence posts in the grazing area as some posts are getting loose. Most of the grazing meadow fence line will need replacing before the grazing season next year- the wire is more slack and the posts are becoming rotten and loose.”

The fenced area shown in red, with the entrance area to the top left of the area.



The application for the fenced off area was done in 2015 and will expire in August 2025. Currently we have not been able to confirm permission to renew the fencing of common land by the planning inspectorate as this takes around 12 months.

Awaiting costing for fencing , estimated to be £2500 -£4000.00 +++

Cutting and strimming of John Cox

Works carried out to restore pathways and improve access to the Fen and pathways on John Cox pathways as per maintenance agreement.



Cutting back of hedges will be done during August/September



Works to clear footpaths around Fen Land are still required to be completed as additional works, as per previous report on poor condition and inaccessibility of certain areas of the Fen as noted by ECC.

Motocross Bikes on the Fen

One of our residents who does his own patrols of the Fen and has assisted in the past with Fen clearing, and does a weekly litter pick, has reported the illegal use of Motocross bikes on the Fen pathway, this being mostly on the section under the control of Essex County Council, around the Withywindle area, and possibly coming from Treebeard Close, but they are going up as far as the Water Works on our land, which is against the law.

The police have responded, (and are now aware of the issue) when this has been happening, however they are gone by the time they arrive, and the vehicles have no number plates. We have reported the issue to ECC.

Due to the number of access points, installing A frame deterrents would be costly, and can stop the use by wheelchair users or cyclists.

He intends to see if he can photograph, will keep a log of the offence dates and times, so assist in identifying the offenders and to help track them down.

John Cox Working Party 16th July 18:30 hrs

Present: Scott Wilson - Councillor

Tracey Fellows – Resident – previously involved with other working parties

Environment & Leisure Officer

Old BMX Area

It was noticeable how much this is being used by the public. A traffic island to ease crossing, would make it safer to access for those from Victoria field.

It was discussed if parking bays painted on surface would better allocate parking, with no overnight parking signs.

Direction and pathway signs would improve use and be more welcoming

A new sign for the entrance is needed, with revised wording with a new gate entrance.

There is currently an unofficial bit which has been in place for a while and is used. It seems to have reduced the litter and a more permanent example would be of benefit. There were litter issues previously, but these seem to have lessened due to John litter clearing and the bin.

The area of the 'Start Ramp', down to the pathway made into 'an adult outside 'obstacle course', pathway to encourage mixed use. The metal grill at the start ramp requires infilling to make it safer.

There is a section of raised mound which prevents easy access to the former car park area. A small section could be removed to increase access. Signs have installed in order to protect the area around the bee orchids and to explain why this area has been left uncut. There are also a Pyramidal Orchids now present.

Boarded steps with a handrail could improve the soil cut in steps which are being used well to get up to the start.

Cutting back of the second pathway from the old car park area into the middle field to form a 'circular pathway'.

Middle Field

A track from the access gate by the recycling centre for access could be retained but otherwise not to cut the grass other than for a pathway to the entrances through to the two BMX pathways. Consideration on a future 'trail' style pathway through an area of trees and wildlife enhancing plants, or a more formal garden area with volunteers from the allotment waiting list.

Main Field

New signs to give directions 'to the Fen' and to the 'Coastal pathway'.

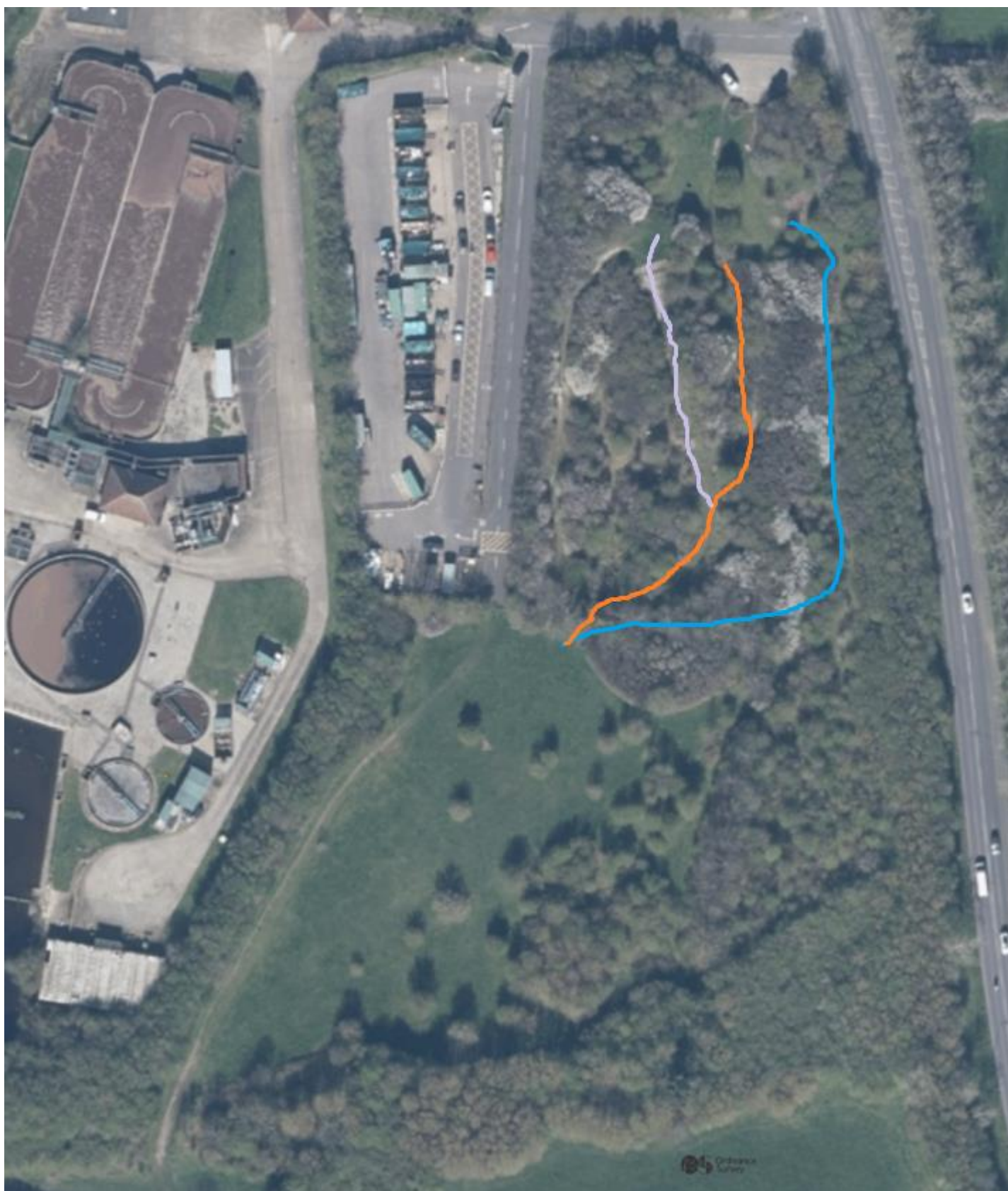
There are 2 paths from the Fen pathway to the field. One suffers from being waterlogged, the other has been surfaced in the past and is less prone to flooding, so a widening and improvement of that path would be a cost saving and more practical over the possible alternative of a raised boardwalk.

Our resident on the working party was keen that we publicise the works once completed with some form of opening event. A new access point from the Ferrers Road could mean that this area is used for events, including youth and community events.

A request for maps was made to be included in this report for clarification.

The fenced off area has been removed by Anglian Water and has been filled in






John Cox Working Party 16th July 18:30 hrs



Map1 Old BMX Area and Middle Field



Map 2 Main Field

Key		Gravelled pathway access to coastal footpath
		Wide footpath, which is currently cut back each year, but is waterlogged in winter
		Track from old BMX Start Track First Map
		Current restored pathway First Map
		Secondary footpath for consideration to be opened First Map

John Cox

Bat boxes



£12.00 + VAT per box

Bird Boxes



£25.99 + VAT per box

Bug Hotel Sign

We have been in contact with the Green Roof Company who make the signs and they are working on some options for us with prices. These were made with reclaimed wood so are eco friendly.



Re : Habitat Panel Sign - John Cox Leisure Area

Item	Qty	Partcode	Description	Unit Price	Total
A	1	SE1	To manufacture a bespoke Habitat Panel Entrance Sign for the John Cox Leisure Area: the front face being a 1012mm x 840mm sign (design tbc, though does not impact cost) with a multi-compartment habitat panel to the rear. The Basildon Council versions of these signs incorporated a welcome message and map to the front face and an A3 biodiversity message panel to the rear, set into a multi-compartment habitat hotel, filled with a variety of locally-sourced materials including lambswool, bark and perforated logs. The panels then being built into a 150mm x 70mm FSC sustainable timber frame, with metal gaiters to protect the bottom of the posts.	£1,864.00	£1,864.00
B	1	Installation	Installation of the above, including all documentation, risk assessment/method statement and public protection.	£440.00	£440.00
				Sub Total	£2,304.00
				VAT	£460.80
				TOTAL	£2,764.80

Front Gate

Front gate with disabled access and pathway :

Quote A

<u>Works Specification</u>	<u>Quote</u>
To set up safe working areas, supply and install :	
<u>Clearing</u>	
Take down and remove off site existing damaged post & rail fencing	£220.00
<u>New Fencing</u>	
Supply and install 12 bays of post & 3 rail fencing in 3 sections to close up gaps and replace damaged fence along boundary of parking area as discussed.	
1 of timber kissing gate with box post & 4 rail step through.	£1880.00
<u>Surfacing</u>	
5m x 5m area to be excavated to approx. 150mm with soil relocated on site. 100mm of compacted and levelled sub type 1 base over membrane, then 50mm geogrids laid and backfilled with more type 1 and compacted.	£2100.00
Further 30m2 of pathways as above	£1200.00

Quote B

QUOTATION

Site: John Cox Park

Task: To supply and install a wheelchair access kissing gate and
a 12 foot galvanised field gate

Method: Mobilise to site
Remove brambles and scrub
Excavate area for gate and dispose of topsoil
Bore holes and install posts with dry mix concrete
Supply, level and compact Type 1 aggregate 150mm
in depth on Geotextile membrane
Fix timber rails to posts and hang gates
Tidy site and demobilise

COST £3320.25 (excl VAT)

Method: To fix pathway from gate and under gate

COST £2628. (excl VAT)

Additional pathway £850.00 per 10m

Quote C

DESCRIPTION	HOURS	RATE	AMOUNT
Pre works	6	100	600.00
Gate post and gate for wide access—as per customer			2750.00
Finishing works	2	100	200.00
Subtotal			3550.00
Surfacing for entrance	9.5	100	950.00
Materials			1650.00
Finishing works	2	100	200.00
Total			2800.00
10 mire foot path			1850.00
TOTAL			

Quote subject to change due to costs of materials

Thank you for your business!

Finger post signs



£135.00

Possible wording

Wording for North “To the Fen” or “Footpath” or “To level crossing” or “To Ferrers Road”

Wording South “To Jon Cox Recreation Ground” or “To the River Crouch” or “Footpath” “

With SWF logos if required

Lower marker posts



Tree Management Policy

1. Introduction

Trees are one of the few landscape features that cross all the boundaries of modern urban living and play a very important role by adding many benefits to our local community, including helping to enhance streetscapes; reduce climatic extremes; improve air quality; and provide a habitat for wildlife. The benefits of trees and green spaces in terms of health, well-being and environmental enhancement are well documented and should not be underestimated.

Trees growing in the area owned by South Woodham Ferrers provide a vital benefit and help to make life more pleasant for residents, workers and visitors. Their presence can help towards creating tranquillity and reduce stress. Trees have many benefits, for example, they:

- Provide shelter
- Cool the air
- Stabilise soil
- Filter air pollution
- Reduce noise
- Create wildlife habitats
- Improve the landscape

Objectives

The objective of the Tree Management Policy is to set out South Woodham Ferrers Town Council's approach to the management of trees on land owned by the Town Council and to its statutory responsibilities on land owned by others under the Town and Country Planning Act 1990 legislation.

2. Key Aims

The aims of the policy are to act as:

- i. a source of information and reference regarding tree issues in South Woodham Ferrers;
- ii. a framework for consultation with Chelmsford City Council regarding Trees with Preservation Orders;
- iii. a support to Chelmsford City Council's ambitions and priorities as outlined in the Chelmsford City Council Corporate Plan.

Issues Associated with Trees

Most residents in the Town live close to trees. Trees can create varying degrees of inconvenience to residents. Dilemma and conflict often arise when a tree or groups of trees make an important contribution to the local environment yet cause inconvenience to residents and those living nearby.

Tree Management – Practical Tree Care

The Tree Management Policy has identified two main categories:

1. Trees within the ownership of South Woodham Town Council – The Fenn, John Cox, Victoria Fields, Uniform Youth Road, Allotments at Marsh Farm and Garden of Remembrance and Village Hall Play area.
2. Trees outside the ownership of South Woodham Ferrers Town Council – Essex Highways, Chelmsford City Council, Private ownership.

General Tree Management Objectives

Land Owned South Woodham Ferrers Town Council - The Council will seek to:-

- Develop and manage the Tree population. The tree stock will be expanded with new tree planting where appropriate and practicable;
- Provide and maintain a high quality and sustainable tree stock. Native species will be planted to maximise indigenous flora and fauna, where appropriate;
- Develop and promote a better understanding and awareness of the value of trees to the community, by way of engaging schools and community groups in tree planting and conservation projects;
- Provide the highest standards of tree care by stringent adherence to the British standard BS 3998: 2010 Tree Work - Recommendations, as well as adopting relevant arboricultural legislation and research development;
 - Take all reasonable steps to fulfil duties and obligations to ensure tree safety for public and property;
- Resist the unnecessary removal of trees unless there are justifiable arboricultural or legal reasons;
- Assess all requests for arboricultural works to trees growing on land. Work must be authorised before being carried out.

South Woodham Ferrers Town Council will not normally:

Undertake any tree pruning works or remove trees in direct response to any natural or seasonal phenomena, for example:

- falling leaves;
- sap exudation, (honeydew);
- falling fruits, nuts or seeds;
- bird droppings;
- blossom or pollen;
- reduction or increased moisture to gardens;
- germinating seeds from council owned trees;
- blocked or obstructed drains, gutters, flat roofs from tree deposits and leaves; or presence of algae, moss build up;

Undertake any tree pruning work due to:

- Loss or interference with TV or satellite signal reception;
- Loss of sunlight or man-made lighting during any part of the day;
- Blocking or obstruction of a view from a residence;
- Solar Panels - There is no legal requirement to prevent or negate the shading of solar arrays by trees and this not a legal 'nuisance' as defined in law;

- The planned installation of, or the presence of an existing array on either a homeowner or third-party property presents no justification for the excessive reduction or removal of a tree’;

The Town Council may well agree to tree works that are reasonable and good Arboricultural practice on Town Council land.

The Council will not agree to:

- Remove or significantly reduce tree(s) where shading of solar arrays is the sole reason for the works;
- Undertake works where there is doubt on the cause of shading;
- Where birds are found to be nesting in trees, tree works will normally be delayed until the end of the nesting season;
- Any trees identified and confirmed to be supporting roosting bats will not be worked on until Natural England is consulted. We will then act upon the advice given to us.

When investigating claims of subsidence/heave and damage to properties from underground tree roots evidence will be required from claimants by way of a report from an appropriately qualified person. The report should discuss the following:

- i. A description of the property, including a description of the damage and the crack pattern, the date that the damage first occurred/was noted, details of any previous underpinning or building work, the geological strata for the site identified from the geological map;
- ii. Details of vegetation in the vicinity and its management since discovery of the damage. Include a plan showing the vegetation and affected building;
- iii. Measurement of the extent and distribution of vertical movement using level monitoring. Where level monitoring is not possible, state why and provide crack monitoring data. Data provided must be of sufficient detail to show a movement consistent with the presence of the implicated tree(s) and/or any hedges/shrubs;
- iv. A profile of a trial/bore hole dug to identify foundation type and depth of soil characteristics;
- v. The sub-soil characteristics including soil type (particularly that on which the foundations rest), liquid limit, plastic limit and plasticity index;
- vi. The location and identification of roots found. Where identification is inconclusive, DNA testing should be carried out
- vii. Proposals and estimated costs of options to repair the damage;
- viii. A report from an Arboriculturist to support the tree work proposals, including arboricultural options for avoidance or remediation of indirect tree-related damage.

In the case of other structural damage to garden walls, drains, paving, drive surfaces, technical evidence should be provided by a relevant engineer, building/drainage surveyor or other appropriate expert.

We will explore and develop opportunities to utilise the arisings (woodchip, logs, timber) generated by arboricultural operations towards greater environmental sustainability. Statutory undertakers (gas,

electricity, water and telephone) are entitled to carry out works to trees in order to restore service or in the interests of public safety without giving notice. However, they would be encouraged to liaise with South Woodham Ferrers Town Council in order to agree any work deemed necessary to affected trees.

The Town Council will consider formal applications for tree works on its land, but these must be in writing, either by letter or email to: South Woodham Ferrers Town Council, Champions Manor Hall, Hullbridge Road, South Woodham Ferrers, Chelmsford CM5 5LJ or email karen@southwoodhamferrerstc.gov.uk

For an information conversation and advice regarding tree works, please call the Town Council Office on 01245 321817 or 01245 429 446.

Parks and Open Spaces Objectives

Please refer to the Chelmsford City Council 's Tree Management Policy for all matters not within the ownership of South Woodham Ferrers Town Council.

Public Open Space in Residential Areas

Please refer to the Chelmsford City Council's Tree Management Policy for all matters not within the ownership of South Woodham Ferrers Town Council.

Land Management Objectives – The Fenn is managed by Essex Wildlife Trust will:-

- Take reasonable steps to preserve and enhance woodland trees, particularly those that are indigenous to the area;
- Encourage natural regeneration in woodlands;
- Where possible, subject to public safety assessments, retain dead trees in woodlands preferring to prune rather than fell. In situ dead timber and felled trees are left to benefit habitat creation;
- Manage woodlands as a long-term sustainable resource;
- Actively support and encourage community involvement in the planning and operation of woodland management;
- Produce and implement a woodland management plan for the area;
- Not fell a tree growing in woodlands without adequate justification;
- Endeavour to manage and maintain the woodland in accordance with accepted forestry, arboricultural and nature conservation best practice;
- Take into account landscape and historic features, wildlife habitat and amenity value. This will be reflected in operational as well as managerial aspects;
- Where possible we will encourage seed collection from sustainable woodland trees aiming to protect provenance;
- Actively encourage appropriate access to woodlands and develop pathways within our managed woodlands.

Inspection Frequencies

South Woodham Ferrers Town Council will, where possible, inspect all trees for which it has responsibility in order to assess whether they represent a risk to life or property. A program of inspection will be undertaken based on an assessment of risk, hazard and recommendation for work.

Trees will be assessed in terms of maturity, vigour, life expectancy, height, trunk girth, crown spread, identified defects (e.g. dead wood, dieback etc) and any proposed arboricultural works on a High, Medium or Low risk basis.

High Risk: Inspection at intervals of no more than 2 years Close to main public areas, work yards, buildings, roads, car parks, major footpaths, etc.

Medium Risk: Inspection at intervals of no more than 5 years other footpaths, bridle ways etc in regular but not intensive public use, quieter areas of parks and gardens etc.

Low Risk: No formal Inspection, observations during normal routine visits by the Town Council ESO, Parkland, green space and woodland away from paths or only lightly used etc.

Record of Inspection and Maintenance

All arboricultural inspections will be recorded using appropriate software to maintain a database record.

Tree Pruning

South Woodham Ferrers will undertake all tree pruning and arboricultural works in accordance with relevant British Standards.

New Tree Planting and Climate Change

South Woodham Ferrers Council will encourage new tree planting including establishment and maintenance to be undertaken in the spirit of good horticultural and arboricultural practice to comply with:

BS 4428: 1989 Code of practice for general landscape operations (excluding hard surfaces)

BS 3998: 2010 Tree Work - Recommendations

BS 7370: 1991 Grounds maintenance. Recommendations for establishing and managing grounds maintenance organizations and for design considerations related to maintenance

BS 5837: 2012 Trees in relation to design, demolition and construction

Dependent upon the planting location we will plant trees varying in size from 45cm height (whip size) to 14-16cm girth, (heavy standard) through to 60cm and above, (semi mature).

We will aim to create a balance of appropriate indigenous and exotic varieties dependent upon the location of the new planting. Where proposed planting is close to an area of conservation significance it is expected that indigenous species will be used.

The aims of new tree planting will be to:

- maintain perpetuity of tree cover in the area served by South Woodham Ferrers Town Council;
- contribute towards mitigation of climate change;
- provide all year-round interest;
- encourage species diversity;
- provide wildlife habitats;
- enhance the area served by South Woodham Ferrers Council;
- provide screen, shelter and windbreaks;
- replace removed trees;
- commemorate and remember the community;
- improve air quality;
- assist in erosion control;
- develop community involvement.

South Woodham Ferrers Town Council will select trees that reflect the importance of their planted position and the anticipated maintenance needs throughout their life.

Disease Contingency

South Woodham Ferrers Town Council with the assistance of professional services, seek to monitor and identify a programme of preventative and remedial works, advice, notification and formulate a strategic response approach to combat any particular tree disease.

Agencies The Forestry Commission

The Arboricultural Association

The Tree Advice Trust, (Arboricultural Advisory and Information Service (AAIS))

Conflict - Right of Appeal

Should a complaint or enquiry regarding trees growing on land South Woodham Ferrers Town Council own we will investigate and inspect the site with a view to producing a programme of any works shown to be necessary, having regard to the tree(s) concerned in relation to available budgets.

Where South Woodham Ferrers Town Council's response does not meet the perceived expectations from a potential complainant, The Clerk will respond in writing clearly stating the reason for the Council's resolution.

General Policy Objectives

It is the policy of South Woodham Ferrers Town Council:

- To fulfil its statutory obligations of protecting trees of particular amenity value through the use of the Town and Country Planning Act 1990, the Town and Country Planning (Trees) Regulations 1999, the Town and Country Planning (Trees) (Amendment) (England) Regulations 2008, the Town and Country Planning (Trees) (Amendment No. 2) (England) Regulations 2008 and the Town and Country (Tree Preservation) (England) Regulations 2012.

- To seek to ensure through use of a tree preservation order and conservation area legislation, that trees, of particular amenity value in the area served by South Woodham Ferrers Town Council are retained.

The more detailed policies to meet this objective are set out in the following paragraphs.

Tree Preservation Orders

South Woodham Ferrers Town Council will work under Chelmsford City Council regulation as a Consultee for trees within the parish only.

Trees and Development Sites

South Woodham Ferrers Town Council will work under the Chelmsford City Council Planning regulation as a Consultee for planning matters.

Chelmsford City Council – Core Strategy and Development Control Policies Development Plan

The work is administered by the Tree and Landscape section of the Development Management Service, within the Directorate of Sustainable Communities. Policies DC14 and DC42 of the Core Strategy and Development Control Policies Development Plan Document adopted on the 20 February 2008 identify the importance of trees within the area served by Chelmsford City Council.

Policy DC14 - Protected Trees and Hedges and DC42 – Site Planning of the Chelmsford Council Core Strategy and Development Control indicate the importance of trees to new developments. All design elements (including buildings, roads and services above and below ground, security and changes in levels) should ensure a good relationship between the development and the trees to be retained including overshadowing to habitable room windows.

Enforcement

South Woodham Ferrers Town Council will work under the Chelmsford City Council Enforcement regulation for enforcement matters and will monitor all cases reported within the town.

Dangerous Trees

South Woodham Ferrers Town Council will work in compliance with the Chelmsford City Council's Tree Management Policy - May 2015

Under the Local Government, Miscellaneous Provisions Act 1976, powers can be exercised, requiring owners of private trees (not necessarily protected by legislation) to undertake remedial works to alleviate a potential danger to the public or public property. Where no owner can be found, or even where the owner is known and in cases of extreme urgency, powers can be used to undertake the works and Chelmsford City Council can secure repayment by imposing a Land Registry charge on the property so that the monies to carry out the works can be recovered should the property be sold.

High Hedges

As of 1 June 2005, Chelmsford City Council has the power to deal with complaints about high hedges under the Anti-Social Behaviour Act 2003 (Part 8) and the High Hedges (appeals England) 2005.

Hedgerow Regulations

Under the Hedgerow Regulations 1997 it is an offence to remove most countryside hedgerows without permission. The way in which the Regulations apply to individual hedgerows is quite complex and it is advisable therefore, to discuss informally with Chelmsford City Council, at an early stage any plans to remove hedgerows.

If a hedgerow is removed without permission it is possible that the perpetrator may face an unlimited fine. The onus is on this person to prove the hedgerow was not of sufficient value to be covered by the Regulations.

Heritage/Veteran Trees

South Woodham Ferrers Town Council will work under the Chelmsford City Council Tree Management Policy 5.12 in assisting organisations such as the Tree Council, Woodland Trust and the Ancient Tree Forum campaign for "old" trees. A Heritage or veteran tree is defined as being a tree which, because of its great age, size or condition to others of the same species, or has exceptional cultural, landscape or nature conservation value still have little if any protection. The normal tree protection measures do not always fit and far too often an "old" tree is seen as dangerous or an inconvenience.

Tree Wardens South Woodham Ferrers Town Council operates under the Chelmsford City Council Tree Warden Scheme.

List of Competent Practitioners

South Woodham Ferrers Town Council will reference the Chelmsford City Council recommended list of Tree Surgeons and Tree Consultants who work within the area served by Chelmsford City Council and takes no responsibility for any of the subsequent works carried out.

Chelmsford City Council – Tree Management Policy Link
<https://www.chelmsford.gov.uk/planning-and-building-control/trees-and-hedges>

Town Council Owned land
The Fenn
John Cox
Beeland
Victoria Fields
Village hall Play Area/Blue Cage
Uniformed Youth Road
Allotments Marsh Farm

Responsible Officer	Town Clerk	Date effective from	July 2024	Review date	July 2026
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