Decision Notice

Street tree consultation

Notice was given under S115 of the Environment Act 2021 and 96A of the Highways Act 1980 that this tree is considered for removal (Notice CAS013066).

Following a 28-day consultation period, a number of objections were received in relation to the felling, which have been considered. The comments included concerns that the trees were being felled for the following reasons:

- They are causing damage to the Highway.
- There had been complaints of leaf fall.
- It is an insurance stipulation but that no evidence had been provided.

Despite this, Essex Highways will still require the tree to be felled for the following reasons:

- The trees are causing significant damage to adjacent properties through subsidence, which is a legal nuisance. The trees have been implicated through the relevant monitoring and investigation reports, which have all been fully assessed.
- In response, the trees were heavily reduced in February 2024, however, this did not abate the nuisance and further evidence concludes this.
- The only remaining option is to fell the trees.

We will implement a replacement scheme in conjunction with the Essex Forest Initiative for suitable trees that are less likely to be a subsidence risk in the future. These will be planted in due course.

Date of decision notice: 15th October 2024

The Arboricultural Team at Essex County Council.