

Decision Maker: Plans Sub Committee 4

Date: 10th November 2011

Decision Type: Non-Urgent Non-Executive Non-Key

Title: **OBJECTIONS TO TREE PRESERVATION ORDER 2414 AT
THE GLASSHOUSE, KEMNAL ROAD, CHISLEHURST**

Contact Officer: Coral Gibson, Principal Tree Officer
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Chief Officer: Bob McQuillan - Chief Planner

Ward: Chislehurst

1. Reason for report

To consider objections that have been made in respect of the making of a tree preservation order.

2. **RECOMMENDATION(S)**

The Chief Planner advises that the trees make an important contribution to the visual amenity of this part of the Chislehurst conservation area and that the order should be confirmed.

Corporate Policy

1. Policy Status: Existing policy.
 2. BBB Priority: Quality Environment.
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Financial

1. Cost of proposal: No cost
 2. Ongoing costs: N/A.
 3. Budget head/performance centre: Planning Division Budget
 4. Total current budget for this head: £3.3m
 5. Source of funding: Existing revenue budget
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Staff

1. Number of staff (current and additional): 103.89ftes
 2. If from existing staff resources, number of staff hours: N/A
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Legal

1. Legal Requirement: Statutory requirement.
 2. Call-in: Call-in is not applicable.
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Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Those affected by the tree preservation order.
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Ward Councillor Views

1. Have Ward Councillors been asked for comments? No.
2. Summary of Ward Councillors comments: N/A

3. COMMENTARY

- 3.1 This order was made on 31st May 2011 and relates to a group of 2 alders and 1 sycamore beside the front corner of The Glasshouse, Kemnal Road, Chislehurst. The property was converted to residential use from a concrete bunker several years ago and an objection has been made by the owner of the property.
- 3.2 He has expressed concern because he has always adhered to all restrictions and constraints. All he wished to do was to remove certain trees that overhang his house and if the Council was concerned about the work then he would have been happy to have been guided by Council officers.
- 3.3 The protection of trees in Chislehurst was clarified for the property owner. All trees in this area are protected by virtue of their location within the conservation area. This means that if any work to trees is proposed, 6 weeks notice in writing should be given to the Council. The Council can either allow the proposed works or make a Tree Preservation Order. It does not have the power to revise the works, and so the only way of controlling tree works which are not considered appropriate is by making a Tree Preservation Order. In this case the owners tree surgeons gave notice of intention to fell 1 alder and 2 sycamore trees at the front corner of the property and to fell 1 alder and reduce a second alder at the rear. The Council raised no objections to the works to the trees at the rear of the house. However the group of 2 sycamores and 1 alder at the front corner are visible from Kemnal Road and were considered to be of visual amenity value. They make a positive contribution to the character of this part of the Chislehurst conservation area as well as the setting of the house and it was for this reason that the preservation order was made. Some pruning of the alder was agreed to alleviate the problems where the tree overhangs the roof of the house.
- 3.4 The Order does not mean that no work can be carried out to the trees in the future, but it requires that the Council's consent be gained prior to removing trees and prior to carrying out most forms of tree surgery. In assessing applications to remove trees or carry out tree surgery, the Council takes into account the reasons for the application, set alongside the effect of the proposed work on the health and amenity value of the trees.

4. POLICY IMPLICATIONS

This report is in accordance with Policy NE6 of the Council's adopted Unitary Development Plan.

5. LEGAL IMPLICATIONS

If not confirmed the order will expire on 30th November 2011.

Non-Applicable Sections:	Financial and Personnel implications.
Background Documents: (Access via Contact Officer)	