

SECTION '2' – Applications meriting special consideration

**Application No :** 12/00079/TPO

**Ward:**  
**Petts Wood And Knoll**

**Address :** 11 Langley Gardens Petts Wood  
Orpington BR5 1AB

**OS Grid Ref:** E: 543799 N: 167435

**Applicant :** Mr R Alderman

**Objections :** YES

**Description of Development:**

Reduce height by 50 per cent of 2 oak trees in back garden SUBJECT TO TPO 1424

Key designations:

Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Tree Preservation Order

**Proposal**

Reduce height of two oak trees by 50%.

**Location**

In the back garden of 11 Langley Gardens.

**Comments from Local Residents**

Nearby owners/occupiers were notified of the application and representations were received which can be summarised as follows:

- tree owner does not want trees to be reduced by any amount. Appreciates applicants desire to increase light into his garden but the work proposed is unacceptable
- concern that proposed extent of reduction will affect health of the trees and could affect their stability and impact on safety issues, some pruning would be acceptable
- trees block a lot of light and drop a lot of debris, some trimming would improve the situation

One letter of support

## **Planning Considerations**

This application has been made by the owner of an adjoining property. The two oak trees are in the back garden of 11 Langley Gardens and are on the northern boundary of the garden, one adjoins the back garden of 73 Frankswood Avenue and one adjoins the back garden of 71 Frankswood Avenue. The owner of the latter property has made the application. They are mature specimens in a healthy condition although there is a scattering of small dead wood throughout the canopy. They are about 20 metres in height and are 25 metres from 11 Langley Gardens 23 and 25 metres from the rear of 71 Frankswood Avenue. The trees are a clearly visible feature in Langley Gardens and glimpses can be had between houses in Frankswood Avenue. They are of public amenity value.

The applicant has stated that they overshadow the rear gardens of 71, 73 and 75 Frankswood Avenue and the gardens are shaded from mid morning onwards. The applicant has indicated that he has a medical condition which necessitates that he receives as much sunlight as possible, although no supporting medical evidence has been submitted. He also stated that he had spoken to the owner of the trees and indicated that the owner had no objections to his proposals. However the owner has submitted a letter and he has strong objections to the proposed reduction in the height of his trees.

The proposal to reduce the height of the two oak trees by half is a major operation, which can harm the health of trees by creating large wounds which act as entry points for decay causing organisms, as well as disrupting the trees internal systems of transportation and growth control. In addition the height reduction would harm the amenity value of the trees by leaving them looking extremely unsightly. Alternative work such as the removal of some lower branches and crown thinning to allow light through into the applicants garden would help to increase light levels but would not impact on the visual amenity of the trees. However it should be pointed out that work could only be carried out with the agreement of the owner of the trees.

## **Conclusions**

The proposed reduction in the height of the trees by half is inappropriate because of the visual amenity value of the trees and it would also be harmful to the future health of the trees.

## **RECOMMENDATION: SPLIT DECISION**

**CONSENT to lifting of lower canopies of two oak trees to give a clearance over the ground of no more than 4 metres and thinning of the crowns by no more than 20%**

Subject to the following conditions:

- |   |                 |                                 |
|---|-----------------|---------------------------------|
| 1 | ACB09<br>ACB09R | Tree Commencement<br>B09 Reason |
| 2 | ACB07           | Tree Surgery                    |

ACB07R B07 Reason

**REFUSAL to reduce height by 50% of two oak trees**

The reasons for refusal are:

- 1 The two oak trees are considered to make an important contribution to the visual amenities of the street scene in Langley Gardens and the proposed height reduction by 50% would be seriously detrimental to the visual amenities of the area and would also be detrimental to the future health of the trees.

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