

Report No.
TPO2444

London Borough of Bromley

PART 1 - PUBLIC

<Please select>

Decision Maker: Plans Sub Committee 2

Date: 29th March 2012

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

Title: **OBJECTIONS TO TREE PRESERVATION ORDER 2444 AT 43 LOGS HILL, CHISLEHURST**

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

Ward: Bickley

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 tree makes an important contribution to the visual amenity of this part of Logs Hill 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

4. This order was made on 14th October 2011 and relates to 1 oak tree in the back garden of 43 Logs Hill. Objections have been received from the owner. He has raised two main concerns.

4.1. Firstly he considers that removing the tree would not impact on the view or interfere with any neighbour. He has stated that there is an expansive woodland incorporating oaks that stretches across the full width of the rear boundary and the protected oak tree is immediately in front of this woodland and the trees behind are a similar height. His garden slopes up steeply from the back of the house to the rear boundary which is above the level of the top of the roof. The oak tree is 10 metres from the boundary and is to the west of the house. The woodland to which he has referred is within the grounds of the flats at Holmbury Park and is also protected by a TPO. The oak tree in the garden of 43 is visible from Logs Hill and can be seen as an individual specimen in front of the woodland.

4.2. His second comment was that removing the tree would allow sunlight into the garden for longer into the day. Currently the tree blocks light in the mid to late afternoon curtailing enjoyment of sunny days prematurely. He feels aggrieved that his planned enjoyment is being compromised because of the TPO. The tree is a reasonable distance from the back of the house (over 20 metres) and is to the west. The tree will cause some shading of the top part of the garden from late afternoon but those in the woodland to the rear will contribute to the problem. It was noted that when the property was visited the majority of the garden was in full sunlight at midday.

5. POLICY IMPLICATIONS

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

6. FINANCIAL IMPLICATIONS

None

7. LEGAL IMPLICATIONS

If not confirmed the order will expire on 14th April 2012.

8. PERSONNEL IMPLICATIONS

None

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