

Decision Maker: PLANS SUB-COMMITTEE NO. 1

Date: Thursday 28 April 2016

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

Title: APPLICATION 16/00597/TPO - THE LODGE, COWPER ROAD, BROMLEY, BR2 9RT

Contact Officer: Chris Ryder, Principal Tree Officer
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Chief Officer: Chief Planner

Ward: Bromley Common and Keston

1. Reason for report

This report considers an application for the proposed felling of a cider gum tree (T1) situated to the rear of the property and reduction works to a lime and a sycamore tree located at the front. The subject trees are all protected under Tree Preservation Order (TPO) 2552. The committee must decide whether to endorse the recommendation of the officer and allow consent in part.

2. **RECOMMENDATION(S)**

Consent for:

Cider Gum (T1) – Fell.

Sycamore (T3) – Reduce crown by no more than 2.5m.

Refusal for:

Lime (T2) – Reduce crown by no more than 2m.

Reason:

The proposed reduction works to T2 do not appear necessary at this stage. The canopy layer has regenerated a natural form and is free from significant defects and weaknesses. The proposed reduction would be damaging to form and function.

This aspect of the proposal conflicts with policy NE7 of the Bromley Unitary Development Plan (adopted July 2006).

CONDITIONS

1. B09 Tree consent – commencement

The tree works hereby granted consent shall be carried out within 2 years of the date of this decision.

REASON: In order to comply with Policy NE8 of the Unitary Development Plan and in the interest of good arboricultural practice and the visual amenities of the area.

2. B07 Tree surgery

The work to the tree(s) hereby granted consent shall be carried out in accordance with British Standard 3998:2010 (Recommendations for Tree Work)

REASON: In order to comply with Policy NE8 of the Unitary Development Plan and in the interest of good arboricultural practice and the visual amenities of the area.

INFORMATIVES

1. You are advised that formal consent is not required for the removal of deadwood, dangerous branches and Ivy from protected trees.

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: Not Applicable:
 3. Budget head/performance centre: Planning and Renewal
 4. Total current budget for this head: £1.6m
 5. Source of funding: Existing Controllable Revenue Budget
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Staff

1. Number of staff (current and additional): Statutory
 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: Applicable:
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Customer Impact

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

1. Have Ward Councillors been asked for comments? No
2. Summary of Ward Councillors comments: None

3. COMMENTARY

- 3.1 The application site is comprised of a detached dwelling with a reasonable amount of amenity space surrounding. The site has been formerly planted with various ornamental tree species, including the subject gum tree.
- 3.2 The site has recently been the subject of an application to redevelop the land to form three two storey dwellings. Application 15/05113/FULL1 was refused as it was contrary to Policies H7 and BE1 of the Unitary Development Plan, Policies 3.4 and 3.5 of the London Plan and National Planning Policy Framework.
- 3.3 This application has been made in respect of the three trees mentioned in section 2 of this report. Section 7 of the application form indicates that the proposed works to T1 are due to the size of the tree in respect of its boundary setting and the decreased life expectancy as a result of a large pruning wound.
- 3.4 The tree survey data appended to the application elaborates on the justification for trees T1, T2 and T3. The reduction works proposed to T2 and T3 are aimed at reducing the risk of branch failure. A weakened canopy structure is referred to for both trees following past harsh reduction works.
- 3.5 Officers have viewed the subject trees and do not contest any of the specifications within the tree survey data. The subject trees are generally seen to be of normal vitality. The past management was noted.
- 3.6 T1 has clearly outgrown the context of the surroundings and being positioned on the boundary could be seen as a potential nuisance. Officers had no objections to the trees removal as part of application 15/05113/FULL1. The supporting information provided as part of the tree survey justify the removal of the tree.
- 3.7 The canopy layer of T2 has regenerated well and is free from significant defects. Whilst some clearance pruning may be necessary above the public footpath/highway, reduction works to improve canopy structure are not considered necessary.
- 3.8 The poor canopy structure of T3 was clearly visible. Ivy has established along the main stem and into the canopy layer. This prevents a clear view of the main branch union, however the density of regrowth would be consistent with the comments given in the tree survey. The proposed reduction is considered reasonable to reduce the canopy area. Crown thinning may also be necessary in the future to allow the removal of less desirable branches.
- 3.9 Members are therefore respectfully requested to consent to the works in part as set out in section 2 of this report. I have not recommended a replacement tree be planted on this occasion, due to the overall lack of space. The duty of tree replacement would thus be dispensed.

3. POLICY IMPLICATIONS

This report is in accordance with Policy NE7 of the Councils Unitary Development Plan.

4. FINANCIAL IMPLICATIONS

The applicant is entitled under Regulation 24 of the Town and Country Planning (Tree Preservation) England Regulations 2012 to apply for compensation within 12 months of the date of the Councils decision if the applicant can establish loss or damage as a result of the Council refusing consent. It should be noted there is no specific budget to meet any potential compensation costs.

Non-Applicable Sections:	Policy, Financial, Personnel, Legal
Background Documents: (Access via Contact Officer)	