

Application No : 17/02603/TPO

Ward:
Bromley Common And
Keston

Address : Street Record Brockdene Drive Keston

OS Grid Ref: E: 542052 N: 164712

Applicant : Mrs Victoria Kinlock

Objections : YES

Description of Development:

T1 Laurel adjacent to entrance gate - Prune back north and west lateral branches to improve access.

G2 Line of Cypress along north and west boundaries - Fell all trees marked with pink dots (retaining two on west boundary and four on north boundary) and reduce remaining trees in height and spread by up to 1m.

G3 Three Sycamores in north-west corner - Fell to near ground level.

G4 Four semi-mature Sycamores on south side of fence - Fell to near ground level.

T5 Oak (dead) - Dismantle to near ground level.

T6 Holly - Fell to near ground level.

G7 Multi stemmed Laurel and Holly - Fell to near ground level.

T8 Field Maple - Crown lift east side up to 2.5m.

SUBJECT TO TPO 36 (A2)

Key designations:

Smoke Control SCA 22

Proposal

This application has been made in respect of a number of tree species located within the plot. TPO 36 dates back to 1968, protecting trees that existed at the time. It is clear that most of the trees applied for in the description are not covered by the order on the basis of being too young.

Location

The application site comprises a parcel of land surrounding an electricity substation, located on the north side of Brockdene Drive. Brockdene Drive is a cul-de-sac accessed off of Westerham Road. The site is covered by area Tree Preservation Order (TPO) 36.

Consultations

Nearby owners/occupiers were notified of the application and 6 representations of objection were received which can be summarised as follows:

- There is no legal right of access to the site.
- There is no motive for the work.
- The tree survey of the site is incomplete.
- The trees provide effective screening to surrounding houses.
- Loss of privacy.
- If intentions are to build a house, this would represent overdevelopment.
- Concern over maintenance of the access drive.
- Wildlife impact.
- Reduced screening from noise and general pollution.
- Trees not included in the proposals appear to be at risk.
- Increased soil compaction
- Destroying connectivity of tree groups and habitat.
- Altered landscape character.
- The owners of Brockdene Drive have not been approached with regard to access permission.
- The Cypress trees are situated on the boundary and the ownership has been claimed by a third party.
- The plot is too small.
- The electrical substation could be dangerous to visitors or occupiers.
- No provision for utilities.
- If development occurs, further back land development may occur.
- Building a new dwelling would overshadow neighbouring properties.

Planning Considerations

A number of other significant trees on the site do appear to be covered by the order, but are not represented on the plan supplied. During the site visit, the tree officer estimated the ages of the subject trees. Those clearly younger than the TPO do not require consent from the Council. Informative 2 lists the trees not covered by the TPO.

The subject trees contribute to a group of trees situated along the north side of Brockdene Drive. Trees here range up to 15m in height. The density of the group has resulted in some trees growing with poor form. The most significant of the group subject to this application are the sycamore trees.

The works are proposed to improve access to the land and remove unwanted specimens.

Conclusions

The majority of the trees listed in the works specification are exempt from the application process and are therefore not subject to this decision.

The justification is reasonable in terms of the low level trees and addressing those requiring crown lifting.

The removal of holly is considered beneficial in terms of improving the growing conditions of surrounding trees.

The felling of the mature sycamore trees (G3/G4) is opposed. This would result in dramatic changes to the visual aesthetics. Mature trees in the plot have clearly been incorporated into the TPO plan and any proposal to remove trees would require adequate justification.

The application has been called in for a committee decision and it is recommended that consent be granted in part to reflect the above conclusion.

The objections raised make some valid points in respect of habitat loss, wildlife disturbance and loss of screening. This application has been made in respect of protected trees and has not been assessed with regards to the feasibility of future development. Refused works is only an option of the trees subject to legislative control.

The objections raise concern over trees not covered by the order. The TPO protects trees that were in existence in 1968. A level of works to trees younger than this date would not require Council consent. The beech tree is a significant tree that benefits from the protection of the TPO. This tree is situated to the left hand side of the access gates.

The objections made in respect of potential development of the plot are acknowledged, however, the main considerations of this application are in respect of the acceptability of the works in respect of good arboricultural practices.

DECISION

Consent in part for:

T6 Holly - Fell to near ground level.

G7 Multi stemmed Holly - Fell to near ground level.

Refusal for:

G3 Three Sycamores in north-west corner - Fell to near ground level.

G4 Four semi-mature Sycamores on south side of fence - Fell to near ground level.

Reason:

The proposed works have not been adequately justified and would result in dramatic changes to the character of the cul-de-sac. Trees here are awarded cohesive amenity value and should be retained where possible. This aspect of the application conflicts with Policy NE7 of the Bromley Unitary Development Plan (adopted July 2006), and subsequently negate the objectives of the TPO.

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.
2. The following trees are not subject to the TPO:
 - T1 Laurel adjacent to entrance gate.
 - G2 Line of Cypress along north and west boundaries.
 - T6 Holly - Fell to near ground level.
 - G7 Multi stemmed Laurel and Holly - Fell to near ground level.
 - T8 Field Maple - Crown lift east side up to 2.5m.
3. Cherry laurel is considered a shrub and is therefore exempt from the TPO legislation.
4. Oak (T5) was confirmed dead and can therefore be removed under exemption.