

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT 1990 (as amended by the Planning and Compensation Act 1991)

TREE REPLACEMENT NOTICE

**Tree Preservation Order no. 1517
London Borough of Bromley**

1. THIS IS A FORMAL NOTICE which is served by the Council under section 207 of the Town and Country Planning Act 1990 (the Act) because it appears to them that you have not complied with a duty to plant trees under section 206 of the Act.

2. THE LAND AFFECTED

Land Adjacent To 47 Sunningvale Avenue, Biggin Hill, also known as; land lying north east of Sunningvale Avenue, Biggin Hill, Westerham (Land Registry Title No. SGL699106), shown edged in red on the attached plan.

3. REASONS FOR SERVING NOTICE

On or around 22nd May 2019, 15 trees protected by the above Tree Preservation Order (TPO) were removed or destroyed without the consent of the London Borough of Bromley in contravention of TPO 1517. Under section 206 of the Act the owner of the land is under a duty to plant replacement trees. It appears to the Council that this duty has not been complied with.

A letter addressed to the land owner and Mr Paul Gould dated 21st January 2020 required 39 specified trees to be planted within the confines of the land. A site visit carried out on 23rd June 2020 revealed that trees have not been planted in accordance with the terms of the letter.

Due to the absence of a response, the Council are hereby serving a Tree Replacement Notice to achieve compliance.

4. WHAT YOU ARE REQUIRED TO DO

The following tree planting is required to satisfy section 206 of the Town and Country Planning Act 1990:

Replacement tree planting specification: in the approximate position within the circles shown on the Land in attached plan No.1.

a) Tree Species: Beech (*Fagus sylvatica*)

Quantity: x 5 (container grown).

Size/Height: Specimen size (18cm+ girth) 6m+ height.

Location: In the approximate positions plotted within the circles marked with the letter F, as shown in attached Plan No.1.

b) Tree Species: Field Maple (*Acer campestre*)

Quantity: x 8 (Root balled or container grown).

Size/Height: Heavy standard size (12cm+ girth) 4m+ height.

Location: In the approximate positions plotted within the circles marked with the letter A, as shown in attached Plan No.1.

c) Tree Species: Hawthorn (*Crataegus Spp.*)

Quantity: x 26 (Root balled).

Size/Height: Standard size (8cm+ girth) 2m+ height.


Location: In the approximate positions plotted within the circles marked with the letter C, as shown in attached Plan No.1.

Time for compliance: 1 month from the date effective, stated in paragraph 5 below:

5. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on **5th October 2020**, unless an appeal is made against it beforehand.

Dated: 3rd September 2020

Signed:  John Stephenson (Head of Planning and Development Support Team) on behalf of The London Borough of Bromley.

YOUR RIGHT OF APPEAL

You can appeal to the Secretary of State for the Environment, Transport and the Regions against this notice by submitting your case to:

The Environment Appeals Team
Room 3A Eagle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6PN

Telephone: 0303 444 5584

Email: environment.appeals@planninginspectorate.gov.uk

Your appeal must be received, or posted in time for it to be received, before the timeframe specified in paragraph 5 of this notice. You can appeal on any one or more of the following grounds:

- (1) that the provisions of the duty to replace trees or, as the case may be, the conditions of consent requiring the replacement of trees, are not applicable or have been complied with;
- (2) that in all the circumstances of the case the duty to replace trees should be dispensed with in relation to any tree;
- (3) that the requirements of the notice are unreasonable in respect of the period or the size or species of trees specified in it;
- (4) that the planting of a tree or trees in accordance with the notice is not required in the interests of amenity or would be contrary to the practice of good forestry;
- (5) that the place on which the tree is or trees are required to be planted is unsuitable for that purpose.

You must also state the facts on which your appeal is based.

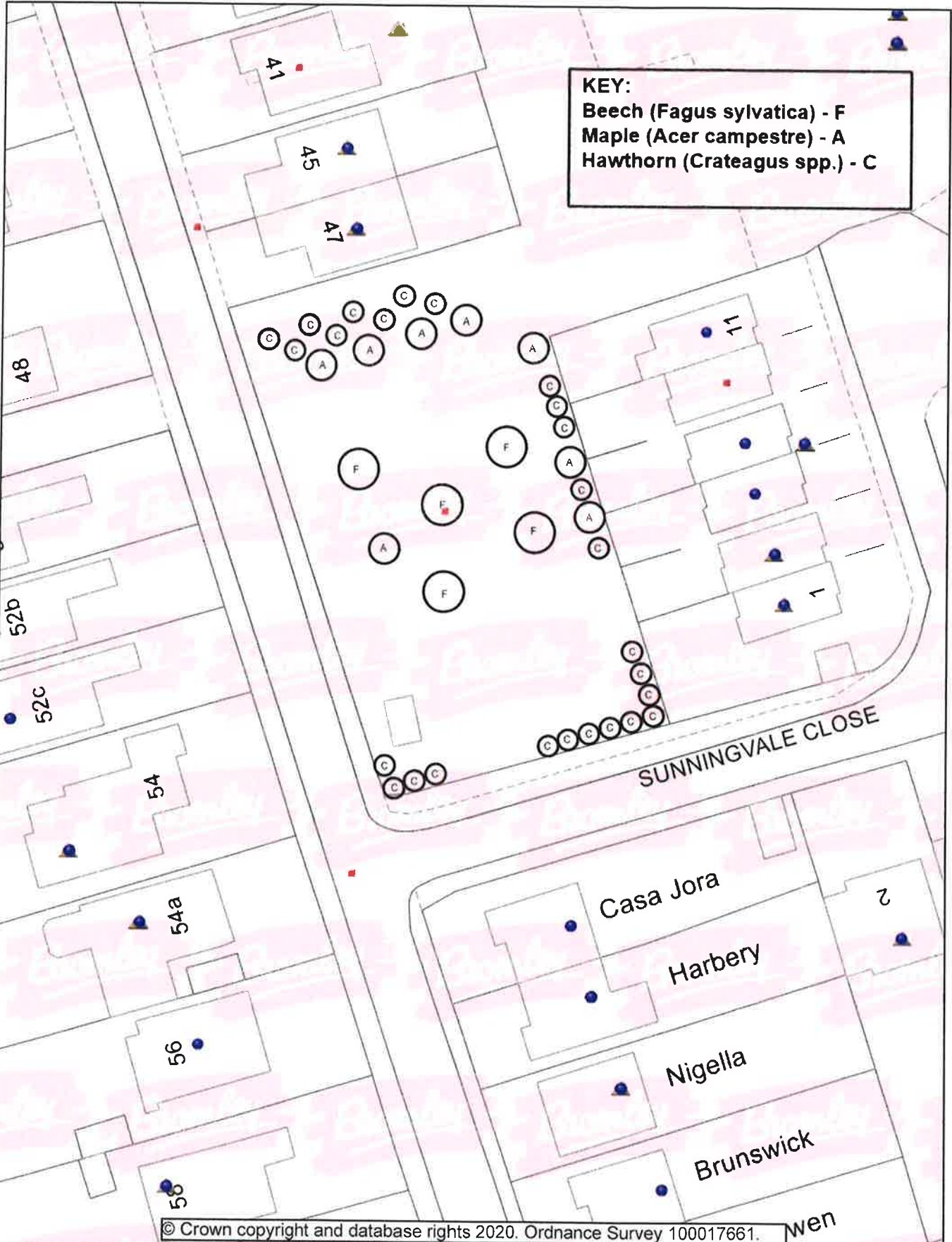
FAILURE TO COMPLY

If you do not comply with this notice, the Council may enter the land, plant the tree(s) and recover from you any reasonable expenses incurred.



ADVICE

If you have any questions about this notice or would like some advice on how to comply with it, please contact Chris Ryder (Principal Tree Officer) on 0208 313 4516 or email trees@bromley.gov.uk.

Trees should be planted in October to accord with the start of the planting season.



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<p>TOWN PLANNING</p>	<p>Enforcement Notice Land Adjacent To 47 Sunningvale Avenue, Biggin Hill.</p>				
<p>Tim Horsman Assistant Director (Planning) Planning Division London Borough of Bromley Stockwell Close, Bromley BR1 3UH Tel: 020 8464 3333</p> 	<p>Scale: 1:500</p>	<p>N</p> 	<p>ENF 19/00314</p>	<p>16.01.2020</p>	<p>Plan No: 1</p>

