

<b>Committee Date</b>	PSC4 22/7/21	
<b>Address</b>	327 CROFTON ROAD, ORPINGTON BR6 8NR	
<b>TPO No.</b>	2696	<b>Officer</b> Paul Smith
<b>Ward</b>	Bickley	
<b>Proposal</b>	Confirmation of Tree Preservation Order (TPO) 2696	
<b>Reason for referral to committee</b>	Objections received	<b>Councillor call in</b> No
<b>RECOMMENDATION</b>	<b>Confirmation without modification</b>	

#### KEY DESIGNATIONS

Tree Preservation Order (TPO) 2695

<b>Representation summary</b>	Objection from property owner.	
Total number of responses	1	
Number in support	0	
Number of objections	1	

## 1 SUMMARY OF REPORT

- To consider 1 objection received against the making of Tree Preservation Order (TPO) 2696.
- The Oak tree makes an important contribution to the amenity of the surrounding local area being a tree of considerable age and size, is strikingly prominent in the street scene and is considered a very high value individual.
- Members must determine whether to confirm the TPO or allow it to lapse.

## 2 LOCATION

2.1 The site is located on the junction of Crofton Road with Starts Hill Road.

2.2 Tree Preservation Order (TPO) 2696 was made on 29<sup>th</sup> January 2021 to secure protection of the Oak tree on the front boundary of 327 Crofton Road.



Figure 1 – 327 Crofton Road



**Figure 2 - View from Crofton Road.**



**Figure 3 – View from Starts Hill Road**

### **3 RELEVANT PLANNING HISTORY**

#### APPLICATION FOR PRIOR NOTIFICATION OF PROPOSED DEMOLITION

Demolition of the existing building at 327 - 331 and subsequent restoration of the land under Part 11, Class B, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended)

327 Crofton Road Orpington BR6 8NR

Ref. No: 20/02060/DEMCON | Received: Mon 15 Jun 2020 | Validated: Mon 15 Jun 2020 |

Status: Decided

### **4 CONSULTATION SUMMARY**

4.1 The land owner/occupier was served the TPO by recorded delivery. Immediate neighbours were notified in writing of the TPO service.

4.2 One objection was received and is summarised as follows:

- a) The owner has no intention of damaging or destroying the tree.
- b) The owner planned to carry out some pruning work to the tree this year.
- c) The owner has responsibility to protect the public from the tree.
- d) The owner now requires the advice of Local Authority officer before carrying out necessary works.
- e) Vandalism of nearby Council trees indicates that the owner needs to protect their own tree from vandalism by pruning.
- f) Similar trees have been removed from nearby Farnborough Park.
- g) The owner is distressed and feels targeted by the Local Authority.
- h) The tree does not have the 'natural' shape of an Oak and required intervention.

### **5 POLICIES AND GUIDANCE**

#### **5.1 National Policy Framework 2019**

15. Conserving and enhancing the natural environment

#### **5.2 The London Plan**

7.21 Trees and Woodlands

#### **5.3 Draft London Plan**

G1 Green Infrastructure and Natural Environment

G7 Trees and Woodlands

#### **5.4 Bromley Local Plan 2019**

42 Conservation Areas

73 Development and Trees

74 Conservation and Management of Trees and Woodlands

## **5.5 The London Borough of Bromley Tree Management Strategy 2016-2020**

Section 18

## **5.6 National Planning Guidance - Tree Preservation Orders and trees in conservation areas (Ministry of Housing, Communities and Local Government)**

Paragraph 020 - 057

## **6 COMMENTARY**

- 6.1 The TPO was made on 29<sup>th</sup> January 2021 in accordance with The Town and Country Planning Act 1990 sections 198 – 202G.
- 6.2 Further to a visual assessment adopting the TEMPO (Tree Evaluation Method for Preservation Orders) scoring system, a new TPO was considered justified as the tree merited preservation. In summary, the tree has a suitable retention span and is prominent in the street scene.
- 6.3 The Order does not prevent future works from being carried out, but it requires that the Council's consent be gained prior to removing the tree and prior to carrying out most forms of tree pruning. In assessing applications to remove trees or carry out pruning, the Council takes into account the reasons for the application, set alongside the effect of the proposed work on the health and amenity value of the trees.
- 6.4 The TPO is valid for 6 months from the date the order was made. If the TPO is not confirmed within this period, the TPO will cease to exist. Considering the perceived risk to the tree as a result of the owner's stated intention to fell it, continued preservation is required.

## **7 RESPONSE TO OBJECTION**

- a) Whether or not the current owner has any intention of damaging or destroying the tree does not affect the tree's TPO worthiness. The potential threat to the tree is evidenced by the proposed demolition of the building at this address. Even without this threat the tree would still be worthy of TPO.
- b) The Order does not prevent any future works from being carried out. It just requires that the Council's prior consent first be gained.
- c) The owner can still carry out this duty by applying for permission to carry out works.
- d) The application process is free so does not place any greater burden on the tree owner.
- e) The Order does not prevent any future works from being carried out. It just requires that the Council's prior consent first be gained.

- f) The removal of trees in a nearby location only increases the value of the subject tree.
- g) The owner has not been targeted. The Order was made on the basis of an assessment of TPO worthiness.
- h) Oak trees grow in different shapes. This tree has large, highly publicly visible healthy crown.

## **8 CONCLUSION**

- 8.1 The TPO will cease to be valid upon expiry of 6 months from the date of service.
- 8.2 A level of management may be considered reasonable, should a justified application be submitted. Damaging works will be opposed.
- 8.3 Members are advised to confirm the TPO as recommended.

**RECOMMENDATION:** Confirm TPO without modification.