

<b>Committee Date</b>	PSC4 22/7/21	
<b>Address</b>	Dalton Close, Oprington	
<b>TPO No.</b>	2705	<b>Officer</b> Paul Smith
<b>Ward</b>	Farnborough and Crofton	
<b>Proposal</b>	Confirmation of Tree Preservation Order (TPO) 2705	
<b>Reason for referral to committee</b>	Objections received	<b>Councillor call in</b> No
<b>RECOMMENDATION</b>	Confirmation without modification	

#### KEY DESIGNATIONS

Tree Preservation Order (TPO) 2705

<b>Representation summary</b>	Objection from agent.	
Total number of responses	2	
Number in support	1	
Number of objections	1	

## 1 SUMMARY OF REPORT

- To consider 1 objection received against the making of Tree Preservation Order (TPO) 2705.
- The trees an important contribution to the amenity of the surrounding local area being a central focal point for a residential close.
- Members must determine whether to confirm the TPO or allow it to lapse.

## 2 LOCATION

2.1 The site is located off Tubbenden Lane, Orpington.

2.2 Tree Preservation Order (TPO) 2705 was made on 29<sup>th</sup> January 2021 to secure protection of two Birch trees on land in the centre of Dalton Close.

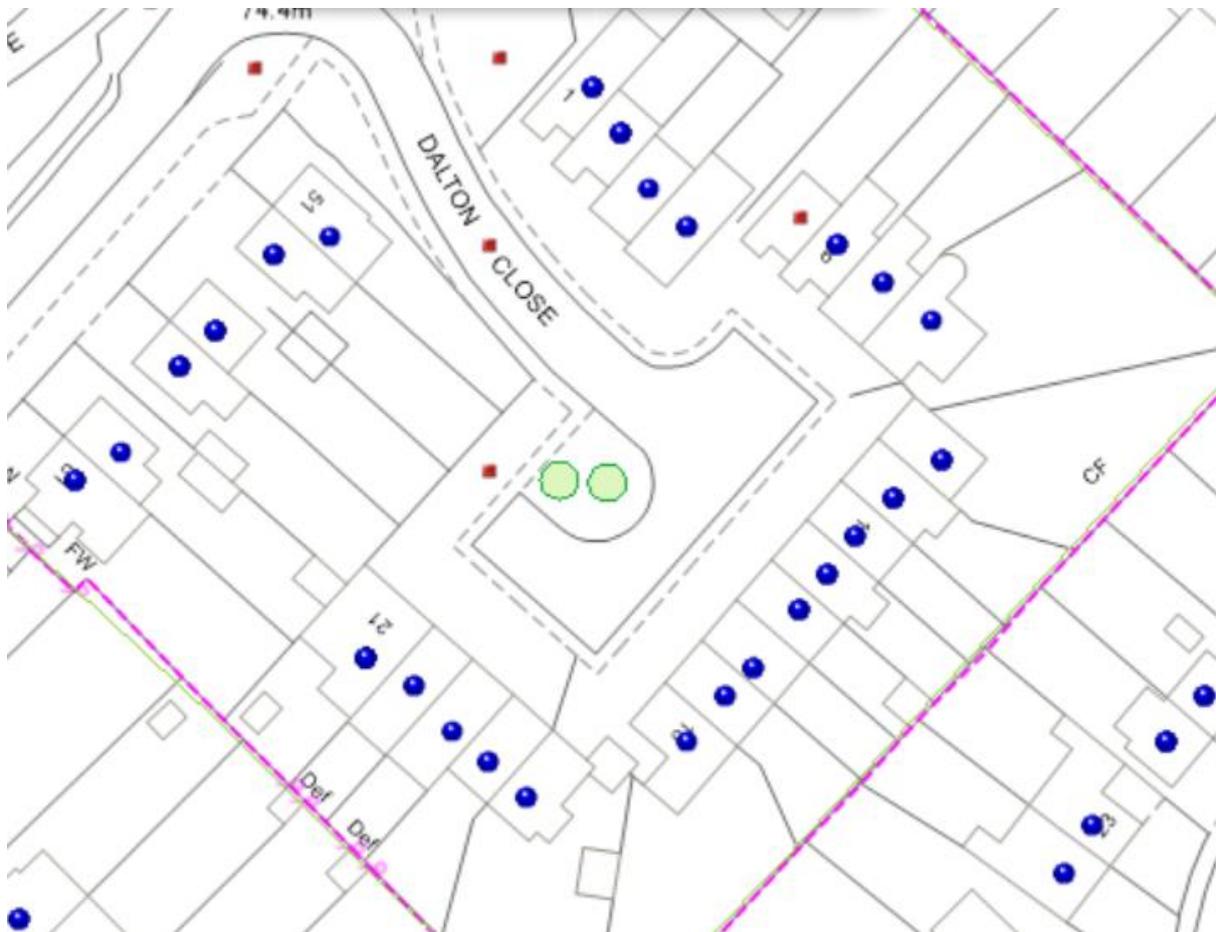


Figure 1 – Dalton Close



**Figure 2 - View from Dalton Close.**



**Figure 3 – View from Dalton Close**

### **3 RELEVANT PLANNING HISTORY**

PREAPP/20/00266 Erection of two storey building comprised 2 x 3bedroom dwelling houses on land adjacent to 21 Dalton Close  
Pre-application response sent

20/05107/FULL1 Erection of a two storey 4 bedroom detached dwellinghouse on land fronting 21 Dalton Close  
Pending consideration

20/05256/PIP Permission in Principle for the erection of semi-detached property comprising of 2x three bedroom dwelling houses Under Part 2A of the Town and Country Planning Act 2017.  
Pending consideration

### **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 trees have limited public accessibility, being located within a close and screened by other trees.
- b) T1 is of fair condition and unlikely to improve in condition (i.e. has a reduced retention span.)
- c) T1 is leaning and has deadwood.
- d) T1 scores below the required number using a TEMPO assessment to merit a TPO.
- e) T2 is stunted and has stem damage.
- f) T2 scores below the required number using a TEMPO assessment to merit a TPO.
- g) It is not demonstrated that the loss of T1 or T2 would have a significant negative impact on the local environment and its enjoyment by the public.

### **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 trees merited preservation. In summary, the trees has a suitable retention span and are 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 trees as a result of the planning application including their removal, continued preservation is required.

## **7 RESPONSE TO OBJECTION**

- a) The trees are a central focal point within a close comprising 21 dwellings. All residents and visitors to the close have a full view of the trees from the bases to the tops of crowns. The trees are fully publicly visible.

- b) The condition and retention span of T1 was considered within the TEMPO assessment carried out by Officers. The result of which indicated a TPO was merited.
- c) The angle of the stem of T1 does not reduce TPO worthiness, nor does the presence of any deadwood.
- d) The assessment carried out by Officers produced a score indicating a TPO was merited.
- e) The size and condition of T2 was considered within the TEMPO assessment carried by Officers. The result of which indicated a TPO was merited.
- f) The assessment carried out by Officers produced a score indicating a TPO was merited.
- g) It is considered that the loss of T1 and T2 would have a significant negative impact on the local environment and its enjoyment by the public, primarily the residents of and visitors to Dalton Close.

## **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.