

Committee Date	PSC1 3/2/22	
Address	17 Avalon Close Orpington Kent BR6 9BS	
TPO No.	2734	Officer Paul Smith
Ward	Orpington	
Proposal	Confirmation of Tree Preservation Order (TPO) 2734	
Reason for referral to committee	Objection received	Councillor call in No
RECOMMENDATION	Confirmation without modification	

KEY DESIGNATIONS
Tree Preservation Order (TPO) 2734

Representation summary	Objection from neighbours.
Total number of responses	1
Number in support	
Number of objections	1

1 SUMMARY OF REPORT

- The trees make an important contribution to the amenity of the surrounding local area.
- An objection has been received against the making of the Tree Preservation Order (TPO.)
- Members must determine whether to confirm the TPO or allow it to lapse.

2 LOCATION

2.1 The trees are located in the rear garden of a residential property.



Figure 1 – Location of TPO



Figure 2 – View from Avalon Close

3 RELEVANT PLANNING HISTORY

n/a

4 CONSULTATION SUMMARY

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

4.2 One representation was received from a neighbouring resident and can be summarised as follows:

- a) Trees require “careful and regular management” which “does not seem to be the plan” in this case.
- b) If the Ash tree is not pruned it will eventually grow sufficiently tall to reach the neighbour’s home in the event of its failure.
- c) Branches overhang the neighbour’s property and a branch has previously broken and fallen into the neighbour’s garden.
- d) Both trees are intimidating in high winds.

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 14th October 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. In summary, the combined scores for tree condition, public visibility, retention span, any special factors and threat level were sufficiently high to indicate protection was warranted.

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 tree removal 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 tree.

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.

7 RESPONSE TO OBJECTION

- 7.1 a) The trees are the responsibility of the tree owner. Whether or not the owner has a plan for the trees' management does not affect their TPO worthiness.
- b) There is currently no indication that the Ash presents an elevated risk of failure. Officers considered its structural condition during the assessment of TPO worthiness.
- c) The neighbour whose land is overhung by the branches has, to date, been free to prune the overhanging branches and is now free to submit an application for permission to prune them.
- d) There is currently no indication that either tree presents an elevated risk of failure. Officers considered their structural condition during the assessment of TPO worthiness.

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.