

Committee Date	8 th December 2022	
Address	Holly Trees, Avondale Road, Bromley, BR1 4HT	
TPO No.	2790	Officer Chris Ryder
Ward	Plaistow	
Proposal	Confirmation of Tree Preservation Order (TPO) 2790	
Reason for referral to committee	Objections received. Refused planning permission.	Councillor call in
RECOMMENDATION	Confirm TPO	

KEY DESIGNATIONS
Tree Preservation Order (TPO) 2790

Representation summary	Objection received from Aboricultural Consultant on behalf of the developer.	
Total number of responses	1	
Number in support	0	
Number of objections	1	

1 SUMMARY OF REPORT

- The yew tree makes a significant contribution to the locality and local street scene.
- Objections have been received against the making of the Tree Preservation Order (TPO) by EnviroArb Solutions Ltd.
- Members must determine whether to confirm the TPO or issue a revocation.

2 LOCATION

- 2.1 The TPO has been applied to a mature yew tree situated in the rear garden, adjacent to the boundary with Burnt Ash Lane. The property is located adjacent to the junction with Avondale Road and Burnt Ash Lane.



Figure 1 – Yew (T1)

3 RELEVANT PLANNING HISTORY

- Demolition of existing single storey detached dwelling and construction of three storey building comprising 9 no. residential flats with associated access, amenity space (including balconies), refuse and cycle storage.

- Demolition of existing building and erection of three storey building comprising 7 residential flats (3 x 1 bedroom, 3 x 2 bedroom and 1 x 3 bedroom) with 4 no. car parking spaces, pedestrian access to Burnt Ash Lane, refuse and cycle stores and external hard and soft landscaping. (ADDITIONAL INFORMATION PROVIDED 15/7/22 INCLUDING DAYLIGHT AND SUNLIGHT REPORT AND TREE REPORT)

Ref. No: 22/02284/FULL1 | Status: Application Permitted

4 CONSULTATION SUMMARY

- 4.1 The land owner was served the TPO by recorded delivery.
- 4.2 1 objection was received and can be summarised as follows:

The development has taken the Council's key policies into account and incorporated the subject tree into the most recent planning permission for the redevelopment of the site. An objection is made on this basis.

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 - 05

6 COMMENTARY

- 6.1 The TPO was made on 20th June 2022 in accordance with The Town and Country Planning Act 1990 sections 198 – 202G.
- 6.2 Further to a visual assessment, the tree is a significant feature and is prominent on both approaches along Baston Road. The tree is mature and has a long retention span.
- 6.3 The Order would 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 considers the reasons for the application, set alongside the effect of the proposed work on the health and amenity value of the tree.
- 6.4 Members are recommended to confirm the TPO.
- 6.5 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 OBJECTIONS

- 7.1 The tree can be retained as part of the development and has been addressed as a constraint. The TPO aims to preserve the tree for future years and control any management attempts for future occupants.
- 7.2 Hazardous branches may either be addressed under exemption or as part of a general application for tree works.
- 7.3 The merits in making a TPO have considered the following criteria:
- Public visibility
 - Retention span/lifespan
 - Potential future nuisances
 - Special character considerations
 - Threat level
- 7.4 As a mature yew tree, clearly visible in the public street scene, amenity value is awarded. The Council have a duty and policy to preserve such assets.

8 CONCLUSION

- 8.1 The TPO will cease to be valid upon expiry of 6 months from the date of service.
- 8.2 Members are advised to confirm the TPO based on the above points.

RECOMMENDATION: Confirm TPO