

SECTION '2' – Applications meriting special consideration

**Application No :** 10/02959/TPO

**Ward:**  
**West Wickham**

**Address :** Chez Nous 7A Acacia Gardens West  
Wickham BR4 9LD

**OS Grid Ref:** E: 538169 N: 165521

**Applicant :** Mr G Coleman Smith

**Objections :** YES

**Description of Development:**

Fell 1 Cedar and 1 Cypress in back garden  
SUBJECT TO TPO 2115

Key designations:

Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Tree Preservation Order

**Proposal**

Fell one cedar and one cypress in back garden Subject to TPO 2115

**Location**

Back garden of 7A Acacia Gardens

**Comments from Local Residents**

- three letters of objection, all concerned about the loss of visual amenities in the street if the trees were to be removed.
- three letters of support have been received from the immediate neighbours
- one E Mail from the Ward Councillor who has visited the applicants and supports their proposal

**Planning Considerations**

This application was deferred from a meeting of Plans Sub Committee No.2 on 3rd March for further consideration. The application has been made by the owners of the property because they are concerned about the proximity of the trees to their

house, they are concerned that the trees dominate the house and the trees move considerably in high wind. One of the trees almost touches the house and fear that the house could be damaged or that their neighbours property (no.7) could be damaged. The root system of the cypress was damaged by the builder when the conservatory was built and they fear that the stability of the tree has been compromised. The trees shade the back of the house and drop sap damaging the adjoining patio. They consider that the trees are of limited visual amenity value as their property is at the head of a small cul de sac and that the trees are neither rare nor scarce. They have planted 10 new trees in their garden – 2 cherries, 2 bays, 2 acer griseum, 2 pines, 1 hawthorn and 1 olive. Additionally the cypress lost some branches in the recent heavy snows and the adjoining owner has sent several photos of the damage.

The house was built 3 years ago in part of the garden of no.7. and it is a detached 2/3 storey 4 bedroom house with a reasonable sized back garden. While the house was under construction a single story side extension was built at no. 7. The two trees which are the subject of this application are a cypress and a cedar, both in the back garden of 7A but close to the rear of the house and close to the boundary with no.7. They are young mature trees which have grown up as a pair, both trees have limited canopy spread where the two canopies have grown together. They are in a reasonable condition, the lower canopy of the cedar is somewhat sparse and the roots of the cypress were damaged during construction work. At that time a report was provided by an arboricultural consultant and it concluded that the damage was not so severe as to compromise the long term health and stability of the tree.

The cypress is about 17 metres in height and is about 4 metres from the house. The cedar is slightly taller and is growing about 4 metres behind the cypress, so is 8 metres from the house. The trees are to the east of the house so will be shading it during the mornings. There are two other protected trees in the garden, an ash and a beech, both on the eastern boundary of the garden. The two trees which are the subject of this application are to the south of no.7 and do shade that garden for most of the day.

The snow damage to the cypress relates to the loss of 5 lower limbs. The damage is not so severe as to warrant the complete removal of the tree.

The owners have commissioned a report from an arboricultural consultant and a copy is available on the file. The report sets out the owners concerns about both trees. In respect of the cypress tree it refers to snow damage and the proximity of the tree to the house and possible damage during construction work. It states that pruning works could be carried out but risks of future damage to and from the tree remain. Heavy pruning of the tree to address problems with its structure and to reduce risks of future branch failure would diminish the trees amenity value. A replacement tree could be planted in a more suitable location in the garden.

As regards the cedar the report states that the tree will continue to out grow its location. The species can attain a height in excess of 30 metres and is clearly more suited to a park. Again replanting of a more suitable species further from the house is recommended by the consultant.

## Planning History

None relevant.

## Conclusions

The trees are visible from the surrounding roads, Woodland Way and Highfield Drive, although views are obscured by deciduous trees. They are clearly visible in Acacia Gardens and do make a contribution to the visual amenities of the area. Both trees are in a reasonable condition and the reasons given for the felling of the trees do not outweigh the amenity value of the trees.

Background papers referred to during production of this report comprise all correspondence on file ref. 10/02959, excluding exempt information.

## RECOMMENDATION: MEMBERS' VIEWS ARE REQUESTED

- |   |                 |  |
|---|-----------------|--|
| 0 | D00002          | If Members are minded to grant planning permission the following conditions are suggested:   |
| 1 | ACB09<br>ACB09R | Tree consent - commencement<br>Reason B09  |
| 2 | ACB06<br>ACB06R | Replacement tree(s)<br>Reason B06  |
|   | D00003          | If Members are minded to refuse planning permission the following grounds are suggested:   |
| 1 |                 | The cedar and cypress tree are considered to make an important contribution to the visual amenities of the street scene and the proposed felling would be detrimental to the amenities of the area |

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