

Decision Maker: Plans Sub-Committee 3

Date: 7 July 2011

Decision Type: Non-Urgent Non-Executive Non-Key

Title: **OBJECTIONS TO TREE PRESERVATION ORDER 2404 AT
ST PAULS CHURCH, HAMLET ROAD, ANERLEY**

Contact Officer: Coral Gibson, Principal Tree Officer
Tel: 020 8313 4516 E-mail: coral.gibson@bromley.gov.uk

Chief Officer: Bob McQuillan - Chief Planner

Ward: Crystal Palace

1. Reason for report

To consider objections that have been made in respect of the making of a tree preservation order.

2. **RECOMMENDATION(S)**

The Chief Planner advises that the trees make an important contribution to the visual amenity of the surrounding area and notwithstanding the objections raised, the order should be confirmed.

Corporate Policy

1. Policy Status: Existing policy.
 2. BBB Priority: Quality Environment.
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Financial

1. Cost of proposal: No cost
 2. Ongoing costs: N/A.
 3. Budget head/performance centre: Planning Division Budget
 4. Total current budget for this head: £3.3m
 5. Source of funding: Existing revenue budget
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Staff

1. Number of staff (current and additional): 103.89ftes
 2. If from existing staff resources, number of staff hours: N/A
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Legal

1. Legal Requirement: Statutory requirement.
 2. Call-in: Call-in is not applicable.
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Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Those affected by the tree preservation order.
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Ward Councillor Views

1. Have Ward Councillors been asked for comments? No.
2. Summary of Ward Councillors comments: N/A

3. COMMENTARY

3.1 This order was made on 22nd March 2011 and relates to 2 limes and a yew on the front boundary of the church grounds.

3.2 Comments have been received from the Church Warden who has objected to the making of the order for the following reasons:

1. The trees are now too large for the property, screening the church from view;
2. The trees cause safety and security problems increasing risks of the property being broken into or other anti social behaviour;
3. There have been incidences of muggings and trees have hidden the perpetrators;
4. Falling leaves in the autumn makes the entrance slippery and therefore dangerous

3.3 His preferred option would be to remove all of the trees and replace them with a tree at either end of the boundary with low growing shrubbery across the remainder of the front boundary. Alternatively he has suggested the removal of the lime to the left hand side of the entrance (T.2 of the order).

3.4 In response:

1. The protection of trees in the Belvedere Road conservation area was clarified. All trees in this area are protected by virtue of their location within the conservation area. This means that if any work to trees is proposed, 6 weeks notice in writing should be given to the Council who can either allow the proposed works or make a Tree Preservation Order. It does not have the power to revise the works, and so the only way of controlling tree works which are not considered appropriate is by making a Tree Preservation Order. In this case notice of intention was given to fell 3 limes, a yew and an ash tree on the road frontage and a honey locust beside the house. The felling of the honey locust and the lime and ash tree to the right of the access was agreed. The ash tree was in a poor condition and the lime was suppressing the yew. However the remaining 2 limes and yew were considered to make a positive contribution to the character of the street scene in this part of the conservation area. The yew tree is only about 6 metres in height and has had low branches removed in the past and it does not obscure views of the church. It is accepted that the two protected limes will partially screen views of the church whilst they are in leaf. However some appropriate pruning of the trees, such as lifting the lower canopies and crown thinning, would open up the canopies and would give visibility to the church behind the trees.

2 and 3. In respect of security issues, the concerns seem to be that the trees form a screen and the comments above are relevant - with appropriate pruning of the trees visibility would be increased and prevent screening at eye level.

4. The matter of safety is of course an important one and in respect of leaf drop it is appreciated that this can be an inconvenience for a short time each year. It will mean that there is an increased need for the access and forecourt to be cleared during the autumn but the limited nature of this problem would not normally be sufficient to preclude the confirmation of a Preservation Order.

3.5 One letter of support for the making of the order has also been received.

4. POLICY IMPLICATIONS

4.1 This report is in accordance with Policy NE6 of the Council's adopted Unitary Development Plan.

5. LEGAL IMPLICATIONS

5.1 If not confirmed the order will expire on 22nd September 2011.

Non-Applicable Sections:	Financial and Personnel implications.
Background Documents: (Access via Contact Officer)	