

06 April 2017 at 7.00 pm

Council Chamber, Argyle Road, Sevenoaks
Despatched: 29.03.17



Development Control Committee

Membership:

Chairman, Cllr. Williamson; Vice-Chairman, Cllr. Thornton
Cllrs. Ball, Barnes, Bosley, Brown, Clark, Cooke, Edwards-Winsor, Gaywood, Hogg,
Horwood, Mrs. Hunter, Kitchener, Layland, Parkin, Purves, Reay and Miss. Stack

Agenda

	Pages
Apologies for Absence	
1. Minutes To approve the minutes of the meeting of the Committee held on 16 March 2017, as a correct record.	To follow
2. Declarations of Interest or Predetermination Including any interests not already registered.	
3. Declarations of Lobbying	
4 Tree Preservations Orders	
4.1 Objection to Tree Preservation Order number 11 of 2016 - Situated between Kings Arm Hotel and Wisteria House, High Street, Brasted	(Pages 1 - 6)

EXEMPT INFORMATION

At the time of preparing this agenda there were no exempt items. During any such items which may arise the meeting is likely NOT to be open to the public.

Any Member who wishes to request the Chairman to agree a pre-meeting site inspection is asked to email democratic.services@sevenoaks.gov.uk or speak to a member of the Democratic Services Team on 01732 227000 by 5pm on Monday, 3 April 2017.

The Council's Constitution provides that a site inspection may be determined to be necessary if:

- i. Particular site factors are significant in terms of weight attached to them relative to other factors and it would be difficult to assess

those factors without a Site Inspection.

- ii. The characteristics of the site need to be viewed on the ground in order to assess the broader impact of the proposal.
- iii. Objectors to and/or supporters of a proposal raise matters in respect of site characteristics, the importance of which can only reasonably be established by means of a Site Inspection.
- iv. The scale of the proposal is such that a Site Inspection is essential to enable Members to be fully familiar with all site-related matters of fact.
- v. There are very significant policy or precedent issues and where site-specific factors need to be carefully assessed.

When requesting a site inspection, the person making such a request must state under which of the above five criteria the inspection is requested and must also provide supporting justification.

5.1 **Objection to Tree Preservation Order number 11 of 2016**

Situated between Kings Arm Hotel and Wisteria House, High Street, Brasted

ITEM FOR DECISION

TPO 11 of 2016 has been served in response to a formal notification to fell two Lime trees situated on the access road between both properties (SE/16/02755/WTCA). This proposal would have resulted in the loss of the two trees.

RECOMMENDATION: That TPO 11 of 2016 is confirmed without amendment.

Description of planning application 16/02755/WTCA

- 1 To remove both trees to ground level and possibly replant replacement trees elsewhere on the site.

Description of Site

- 2 The two Lime trees are situated between Kings Arms House & Wisteria House. They are situated on the access road to the parking area. This is located to the north of Chart Lane, off of the High Street.

Constraints

- 3 TPO 11 of 2016
- 4 Brasted Conservation Area
- 5 Kent Downs AONB

Policies & Material Considerations

- 6 National Planning Policy Framework (NPPF)
- 7 National Planning Policy Guidance (NPPG)

Representations

- 8 We have received an objection letter from the tree owner Mr McMenamin, after serving TPO 11, 2016.
- 9 Mr McMenamin objects on the grounds that the Lime trees are dangerous and have grown too large for their location, in response to previous reduction works. Mr McMenamin claims that the Lime trees now pose a threat to neighbouring persons, property and the drainage.
- 10 A report has been submitted from an Arboricultural Contractor. In addition to this, a drainage CCTV survey report has been provided, plus a bill for the installation of a new soakaway within the car park and a bill for re-decorating works to the neighbouring property. A bill for the clearance of the guttering to the neighbouring house has been provided together with a

Agenda Item 4.1

copy of a photograph of past damage to the roof of the neighbouring property believed to have been caused by previous branch breakage.

- 11 Mr McMenamain has also included the minutes from the meeting of the Parish Council dated 24th October 2016 and a report from the public meeting regarding flooding in Brasted dated 15th April 2014. In addition to this, a Met Office Report “Global weather extremes and climate change” plus a WMO report “The Global Climate in 2011-2015” has been submitted.

Mr McMenamain has objected to the serving of the order on the grounds that the trees are dangerous and this statement appears to be based on the fact that the trees have grown to a large size and the evidence provided within the report submitted by his contractor. The contractors report states that:

- No works have been carried out to either tree within the last 15 years.
- Both Limes appear to have been pollarded previously at approximately 15 feet above ground level.
- The pollard points have a considerable amount of debris collected and so decay must be present due to the damp conditions.
- Lime trees have a tendency to shed limbs from the pollard points and so must pose a threat to neighbouring persons and property.
- Damage to the roof of the neighbouring house could be seen beneath the canopy.
- The report recommends that the trees are felled, the stumps ground out and a replacement tree is planted in an alternative location.

Appraisal

- 12 The serving of TPO number 11 would prevent the felling of the two Lime trees.

- 13 It is agreed that the trees in their current condition do offer a degree of danger. This danger is due to the presence of dead wood within the canopy that may fall. It is also present within weak forks within the canopy and the amount of growth that has occurred within the last 15 years since this tree was last pruned. The removal of dead wood along with a reduction in the size of this tree would lessen the weight on the weaker areas within the crown lessening any danger considerably. The issue of any danger can be addressed therefore by pruning, without the need for complete removal, which would be fully supported should a fresh application be submitted.

Such works would also alleviate the effects on adjacent buildings as the trees current height and spread dominates the area in which they are growing. By lessening the dimensions of the canopy, the issues of concern are likely to be significantly reduced

- 14 Although replacement planting is an option, should the replacement become established it would take many years before it achieved a size where it could be viewed above those properties located in the High Street. Due to the layout of the site, planting positions will be rather limited as the

majority of the site is given over to a car park. It is therefore considered that the felling of the trees and replacement planting would not be an acceptable option in this case.

- 15 With regards to the damage to the neighbouring roof, this is not in doubt. What is not clear is whether the damage to the roof was caused by falling deadwood or whether a live branch snapped out. At the time of inspection, no evidence could be seen that a live branch had fallen from the canopy. When Mr Jones carried out a site visit to speak with the tree owner, deadwood could be seen within the canopy. Regular maintenance would reduce the likelihood of branch failure occurring again.
- 16 With regard to the size of the trees being a danger, any tree will respond to pruning works, particularly crown reduction works. Providing the trees are in a sound and healthy condition, they should pose little or no threat to neighbouring persons or property. Therefore, it is important they are regularly inspected and are pruned on a regular basis. The frequency of works will depend on the vigour and vitality of the trees in question.
- 17 An engineers report provided by Mr McMenamain has shown that the tree roots have blocked the drainage system. This is not in doubt. It is not known whether the tree roots gained entry due to a fault in the drainage system or whether they caused the damage and then gained access. The drains will have to be repaired. This may be able to be carried out whilst the trees are present. Further reports are needed to make a full evaluation.
- 18 With regards to the problem of flooding, the reports provided by Mr McMenamain state that flash flooding is likely to be more prevalent as a result of climate change. However, it is doubted that the removal of these Lime trees would prevent this from happening.
- 19 The amenity value of these trees is based upon their size and prominent position. They are visible from certain vantage points within Brasted High Street. At the time of inspection, they appeared to be in a sound and healthy condition.

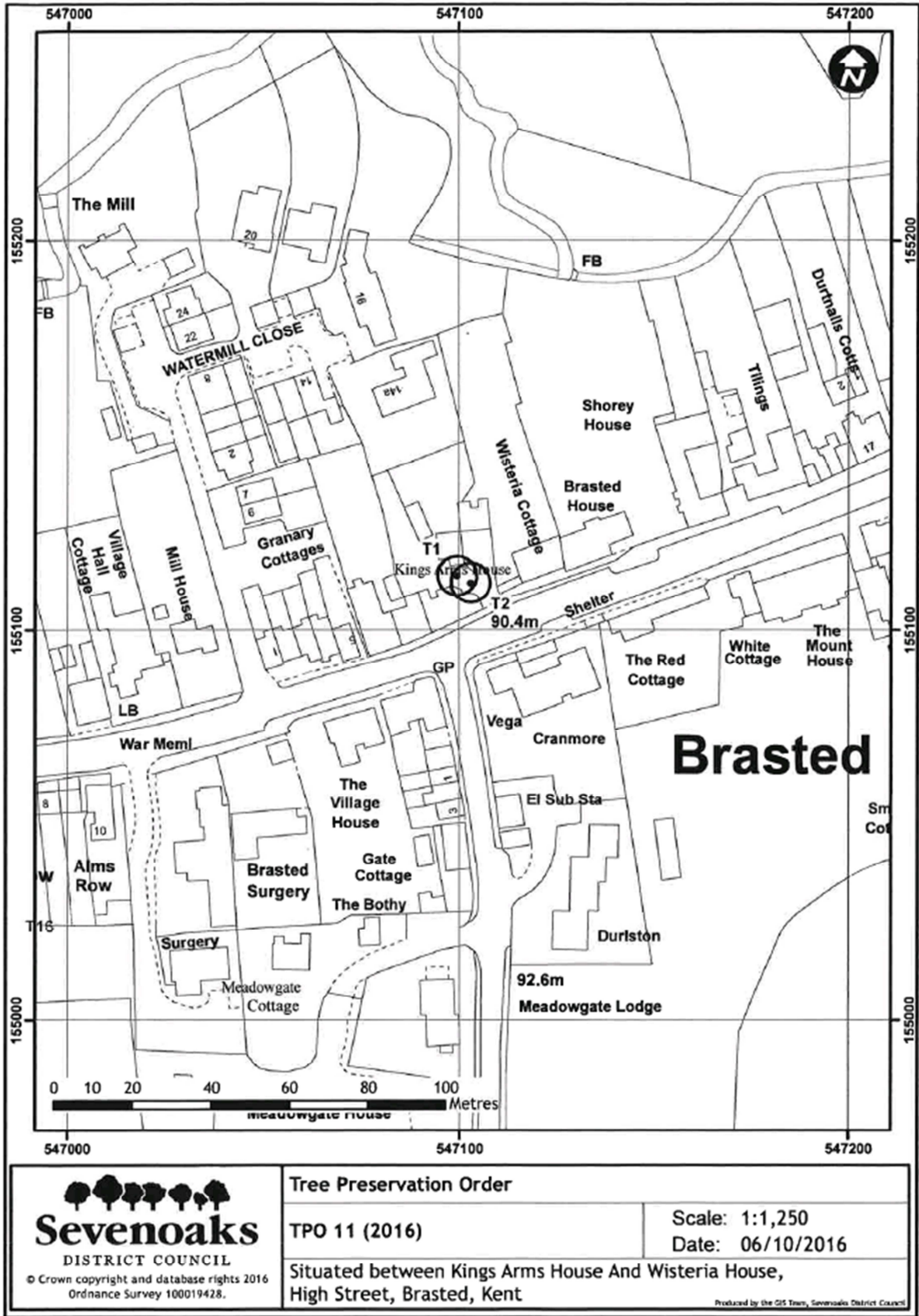
Conclusion

- 28 It is therefore my recommendation that TPO 11 of 2016 be confirmed without amendment.

Attached TPO No 11 of 2016 Plan and Schedule 1 as (Appendix 1).

Contact Officer(s): Les Jones Arboricultural & Landscape Officer
Extension 7289

Richard Morris
Chief Planning Officer




Sevenoaks
 DISTRICT COUNCIL
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 Ordnance Survey 100019428.

Tree Preservation Order	
TPO 11 (2016)	Scale: 1:1,250 Date: 06/10/2016
Situated between Kings Arms House And Wisteria House, High Street, Brasted, Kent	
<small>Produced by the GIS Team, Sevenoaks District Council</small>	

SCHEDULE 1

SPECIFICATION OF TREES

Trees specified individually
(encircled in black on the map)

<i>Reference on Map</i>	<i>Description</i>	<i>Situation*</i>
T1	Lime	Situated between Kings Arms House & Wisteria House, High Street, Brasted, Kent.
T2	Lime	Situated between Kings Arms House & Wisteria House, High Street, Brasted, Kent.

Trees specified by reference to an area
(Within a dotted black line on the map)

<i>Reference on Map</i>	<i>Description</i>	<i>Situation*</i>
	None	

Groups of trees
(Within a broken black line on the map)

<i>Reference on Map</i>	<i>Description</i>	<i>Situation*</i>
	None	

Woodlands
(Within a continuous black line on the map)

<i>Reference on Map</i>	<i>Description</i>	<i>Situation*</i>
	None	

* complete if necessary to specify more precisely the position of the trees.

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Planning Application Information on Public Access - for applications coming to

DC Committee on Thursday 16 March 2017

Item 4. SE/16/03359/FUL 19 Mount Harry Road, Sevenoaks TN13 3JJ

Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=OG0XZ7BKJPR00>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OG0XZ7BKJPR00>

Item 4. SE/16/03811/FUL The Mount, Church Street, Shoreham TN14 7SD

Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=OI30NRBKI2900>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OI30NRBKI2900>

Item 4. SE/16/03117/FUL 19 Mount Close, Sevenoaks TN13 3EG

Link to application details:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=OEW4J6BKMOA00>

Link to associated documents:

<https://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OEW4J6BKMOA00>

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