

## 5.2 **Objection to Tree Preservation Order number 18 of 2013**

**Located at Land to the North of Sydenham Cottage, Sparepenny Lane, Eynsford**

### **ITEM FOR DECISION**

This report sets out details of objections received to this order.

### **RECOMMENDATION**

That the Tree Preservation Order No 18 of 2013 be confirmed without amendments.

### The Site and Background

- 1 Tree Preservation Order (TPO) No. 18 of 2013 relates to several trees situated at land to the north and east of Sydenham Cottage, Sparepenny Lane, Eynsford.
- 2 These trees were protected following a request from a concerned local resident after this site had been partially cleared by the owner. The resident was concerned the owner would then remove those trees remaining on this site and those situated beside the access track. They are located outside of the conservation area. They are situated in a prominent location that can be seen from the main road and neighbouring dwellings. Their removal would have a negative impact on the amenity of the local area. TPO 18 was served in order to afford them continued protection following this request.

### Representations

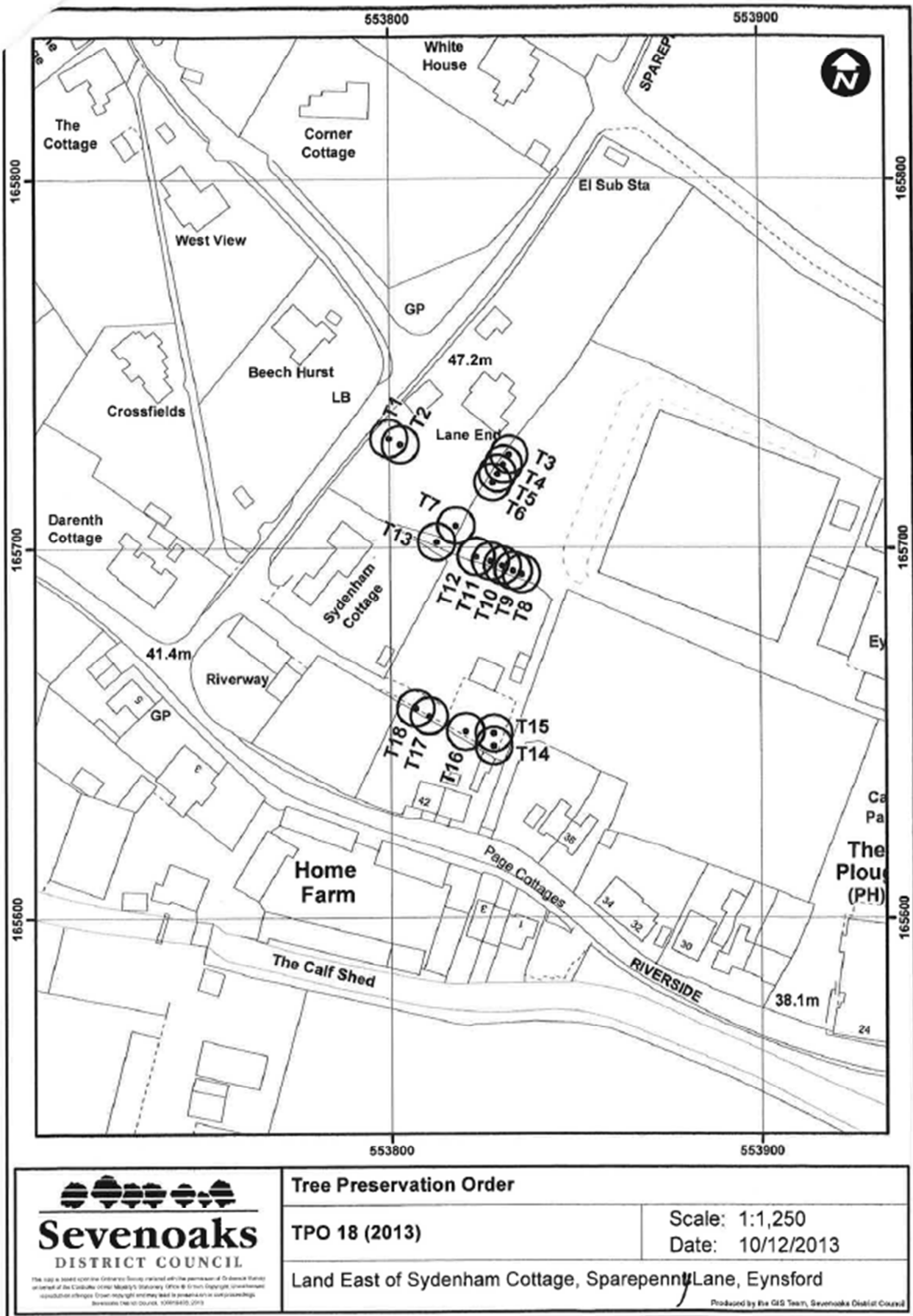
- 3 An objection to the serving of the TPO has been received from Mr M T Nichols of Courtfield, Maplescombe Lane, Farningham, the landowner. Mr Nichols objects to the serving of the order on the grounds that the order is unnecessary as he intends to retain all of those trees listed within schedule 1, with the exception of T7, the Elm & T13, the Ash. Mr Nichols claims that these two trees restrict access to the site.
- 4 In response to the objection raised by Mr Nichols, Mr Jones the Arboricultural & Landscape Officer, has made contact with Mr Nichols, to discuss his objection. Unfortunately, Mr Nichols went on leave and has not been in contact since. With regards to the problem of access caused by the two aforementioned trees, access has clearly been made in the past as clearance to the site has taken place. Should access be required in the future, this could be overcome by carrying out pruning works providing the necessary consent has been granted. These trees can be clearly seen from the public footpath and main highway. Any unauthorised pruning works would be detrimental to their appearance. Their loss would be detrimental to the local amenity. With no protection previously afforded to these trees. Guarantees cannot be provided as to the control or not of their future management.
- 5 A representation in support of the serving of the TPO has been submitted by Eynsford Parish Council.

## **Conclusion**

- 6 Given the aforementioned information. It is suggested that the details as provided within the objections to this TPO are not strong enough reasoning to leave these prominent trees without any formal protection. It is my recommendation therefore that TPO 18 of 2013 be confirmed without amendments. Please find attached TPO/18/2013 (Appendix 1).

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

**Richard Morris**  
**Chief Planning Officer**



## SCHEDULE 1

### SPECIFICATION OF TREES

**Trees specified individually**  
(encircled in black on the map)

*Reference on Map*

T1	Yew	Situated to the south of Lane End, Sparepenny Lane, Eynsford.
T2	Yew	Situated to the south of Lane End, Sparepenny Lane, Eynsford.
T3	Sycamore	Situated on the eastern boundary of Lane End, Sparepenny Lane, Eynsford.
T4	Ash	Situated on the eastern boundary of Lane End, Sparepenny Lane, Eynsford.
T5	Ash	Situated on the eastern boundary of Lane End, Sparepenny Lane, Eynsford.
T6	Ash	Situated on the eastern boundary of Lane End, Sparepenny Lane, Eynsford.
T7	Elm	Situated to the north of Sydenham Cottage, Sparepenny Lane, Eynsford.
T8	Beech	Situated on the northern boundary of Sydenham Cottage, Sparepenny Lane, Eynsford.
T9	Beech	Situated on the northern boundary of Sydenham Cottage, Sparepenny Lane, Eynsford.