

MIDDLEMARCH ENVIRONMENTAL

Mr H Walker
Strategic Services Department
Sevenoaks District Council
Council Offices
Argyle Road
Sevenoaks
TN13 1HG

18th August 2014

SEVENOAKS DISTRICT COUNCIL

REC'D 19 AUG 2014

COMMUNITY & PLANNING SERVICES

RT-MME-117696

Dear Mr Walker,

RE: Sevenoaks District Council Tree Preservation Order No. 11, 2014.

On behalf of Mr Balesaria, the owner of land affected by the above Order, I wish to lodge a formal objection in respect of the making of the Order.

The objection is advanced on the grounds that the Order does not properly take into account the variance in visual amenity of the trees present across the site, and on the grounds that it was not expedient to serve the Order as other legislative controls are in place. The grounds upon which the objection is made are discussed further below.

In preparing this objection to the Order I undertook a site visit to undertake a walkover survey of the site on the 6th August 2014.

Tree Quality / Amenity Value

To understand the variation in the quality of tree cover across the origins of the 'woodland' present on the site must first be considered. In this respect it is noted that the site was formerly used as a plant nursery with several buildings and glasshouses present, the derelict remains of which are still evident in parts of the site today.

The use of the site as a nursery in the past largely prevented the establishment of extensive areas of tree cover. A review of aerial imagery of the site shows that in as recent as 1990 tree cover on the site was restricted to small copses of trees in the southern section and boundary trees and hedgerows, with the overall site being dominated by rough grassland.

The extent of tree cover present on site has increased since 1990, due to a lack of any formal management, and now large parts of the site are dominated by trees and woody scrub.

The progression of the 'woodland' development has been mapped on to Drawing Number C117696-01, which accompanies this letter, according to the date of aerial imagery considered. It should be noted that in several areas the site remains open with little woody vegetation present and these areas are dominated by Rosebay Willowherb and Bracken.

The nature of the woody vegetation cover across the site has also been generally mapped on to Drawing Number C117696-02.

In respect of this it can be noted that the wooded area to the south-west of the site (Compartment 1) is likely to be of the greatest long term value as it contains a number of native trees including several mature Oak (*Quercus robur*). To the east of this the composition of the woodland changes to be dominated by early-mature Sycamore (*Acer pseudoplatanus*) as shown on the plan by Compartment 2.

Middlemarch Environmental Ltd,
Triumph House, Birmingham Road, Allesley, Coventry CV5 9AZ
t: (01676) 525880 f: (01676) 521400 e: admin@middlemarch-environmental.com
www.middlemarch-environmental.com

Registered in England No. 2593908 at Brandon Lane, Coventry CV3 3GW VAT No. 670 3187 40

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MIDDLEMARCH ENVIRONMENTAL

Again this section of the site is considered to have a degree of long term value, though management will be required to prevent single species dominance.

A network of permissive paths cross through the sections of the site designated as Compartment 1 and 2 and accordingly it is accepted that these areas do have a degree of public amenity. Thus no objection upon the grounds of amenity is made in respect of these areas.

However the area marked as Compartment 3 on Drawing Number C117696-02 is dominated by woody scrub vegetation primarily of Apple (*Malus sp.*), Hawthorn (*Crataegus monogyna*), Hazel (*Corylus avellana*) and Plum (*Prunus domestica*) which is considered to have arisen due to the sites former use as a nursery.

This section of the site also contains many open areas dominated by Bracken and Rosebay Willowherb which have rendered the northern section of the Compartment seasonally inaccessible.

The nature of the tree cover present in the central section of Compartment 3 is such that it is not of visual significance from outside the site and thus it is considered to have little visual amenity value.

It is noted however that a mature Hawthorn hedgerow to the western boundary of the site, and a linear group of Lime trees to the northern boundary adjacent to New Barn Road, do have some visual prominence in the immediate locality and thus their protection by a TPO on amenity grounds may be appropriate.

To address the objection that the northern section of Compartment 3 is dominated by scrubby vegetation of no visual amenity value, and hence unsuitable for protection by a Tree Preservation Order, a proposed new woodland boundary has been plotted to Drawing Number C117696-02 and areas where the TPO should be specified in terms of individual trees and groups rather than as a woodland have been identified.

Should the Council consider variation of the Order along these lines to be appropriate the objection to the Order on the grounds of visual amenity would be withdrawn.

Expediency

The service of the Order is also objected to upon the grounds of expediency. Whilst it is accepted on a general basis that it may be expedient for a LPA to seek to protect trees due to a change in property ownership, which is understood to have been the initiating factor in the service of the TPO in this case. It is not considered that the Order was necessary or expedient in respect of this site as other legislative controls which prevent the large scale felling of trees are in place as a felling licence from the Forestry Commission would be required to fell greater than 5 cubic metres of timber on the site.

Summary

In summary an objection to the Order is made in respect of the visual amenity of the central section of the area defined as Compartment 3 on Drawing Number C117696-02 (enclosed) as the trees within this area are barely visible from a public place, they are, even collectively, of no particular visual merit or functional value and their removal would have no significant impact on the visual character of the wider area. Additionally it is noted that the trees in this area are not species which will have any greater visual benefit in the future as they are short-lived small growing specimens of a scrub like character.

SEVENOAKS DISTRICT COUNCIL

REC'D 19 AUG 2014

COMMUNITY & PLANNING SERVICES



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A proposed amendment to the Order has been detailed upon Drawing Number C117696-02 and it is considered variation of the order along these lines will ensure only those trees of visual amenity value are protected going forward.

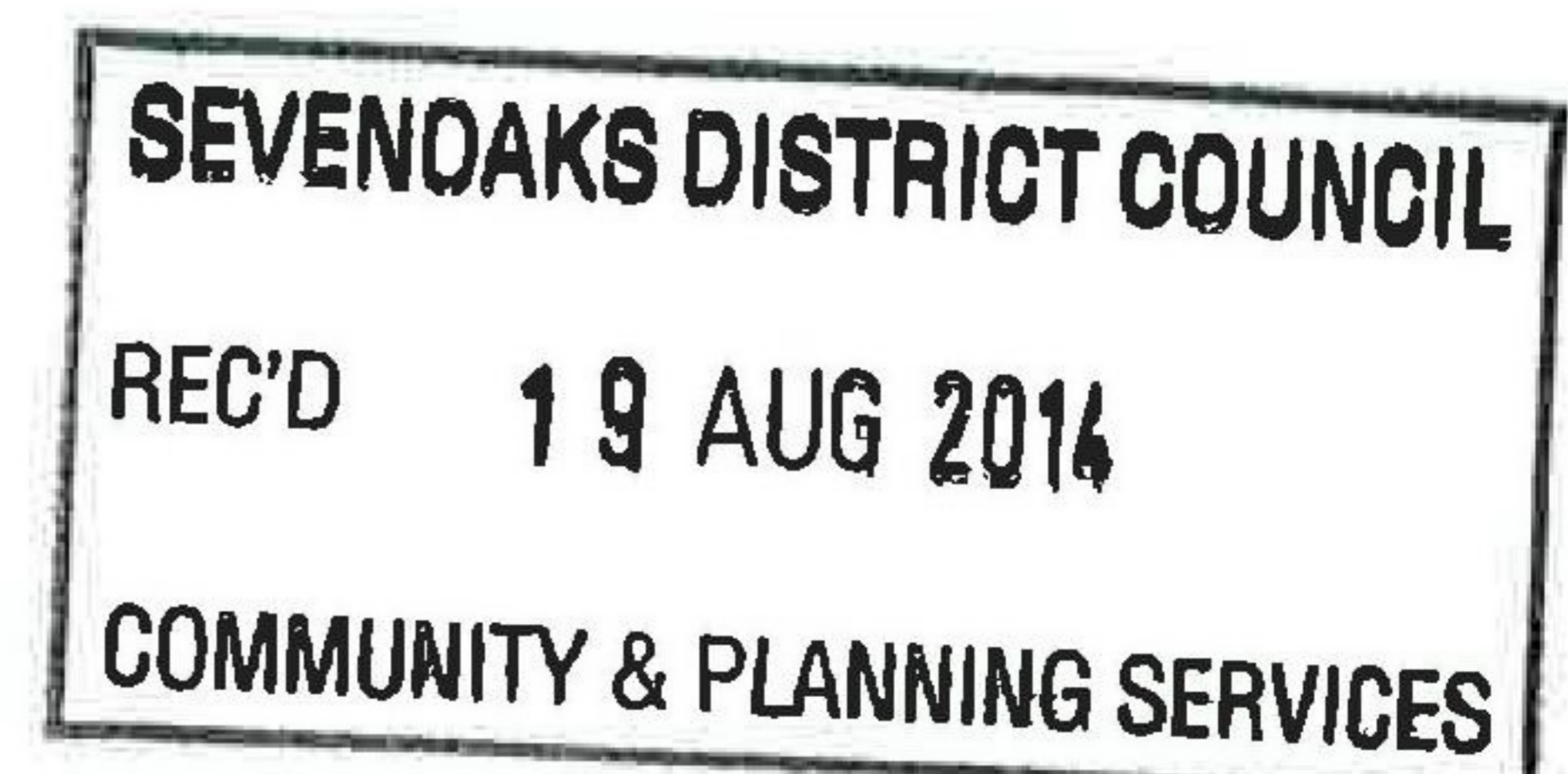
An objection to the Order is also made on the grounds of expediency as the felling of trees on the site is already controlled by the requirements of the Forestry Act and thus works extensive enough to cause an amenity impact could not be undertaken without first obtaining a Felling Licence.

Yours faithfully,
For and On Behalf of Middlemarch Environmental Ltd.



Edmund Lusk
Principal Arboricultural Consultant

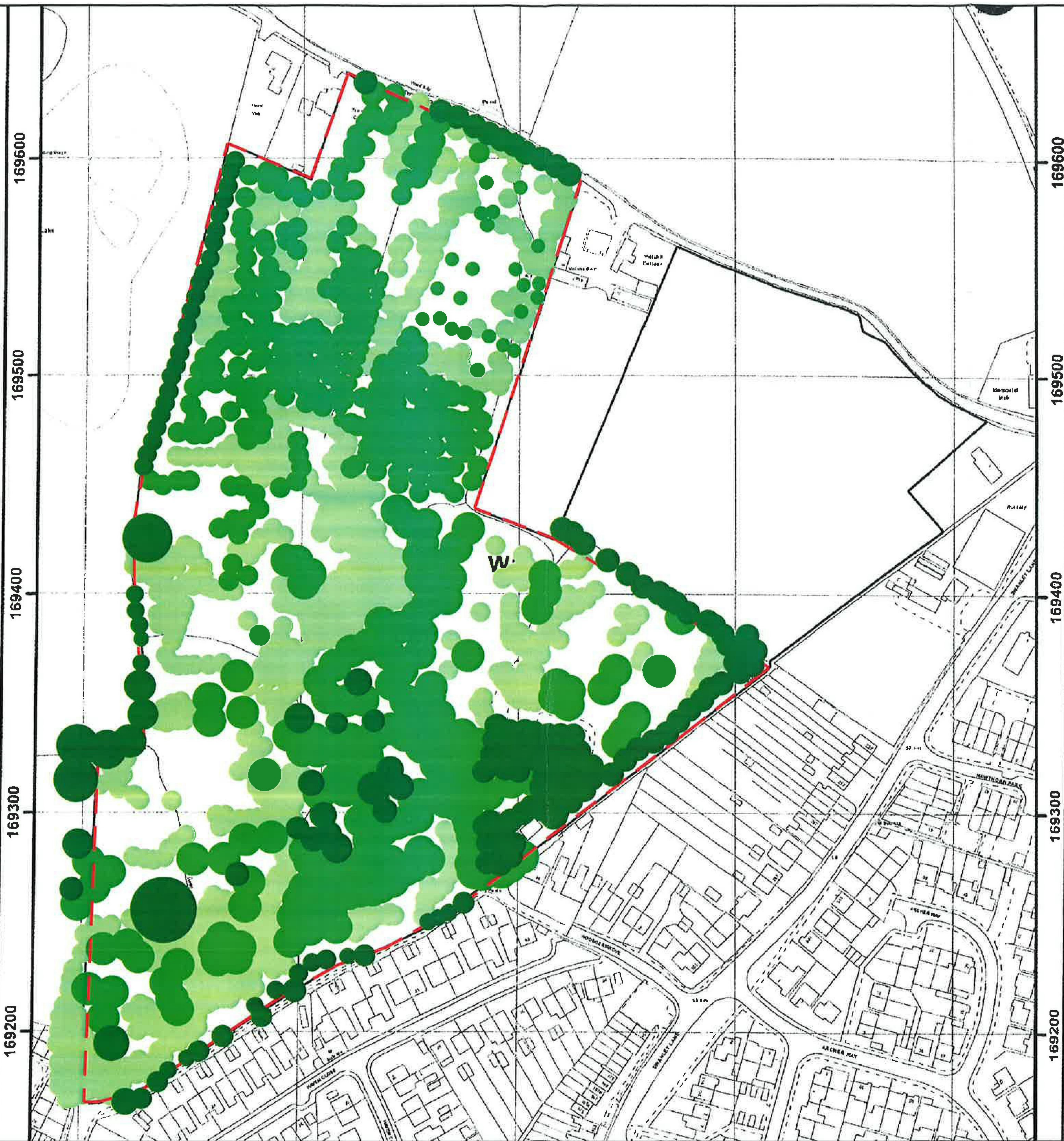
Enc. C117696-01 Woodland Development
C117696-02 Woodland Compartments



C117696-01

Legend

-  Tree Cover in 1990
-  Additional Tree Cover in 2001
-  Additional Tree Cover in 2007
-  Study Area Boundary



SEVENOAKS DISTRICT COUNCIL
 REC'D 19 AUG 2014
 COMMUNITY & PLANNING SERVICES

The original of this drawing was produced in colour - A monochrome copy should not be relied upon



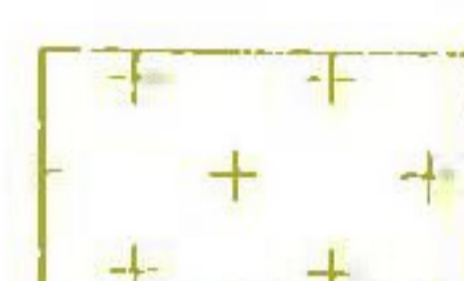

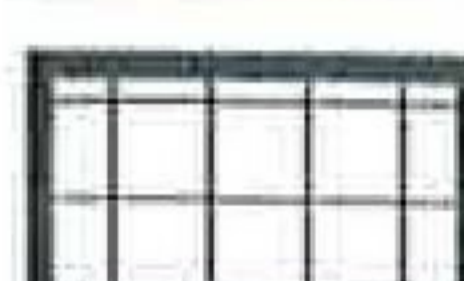



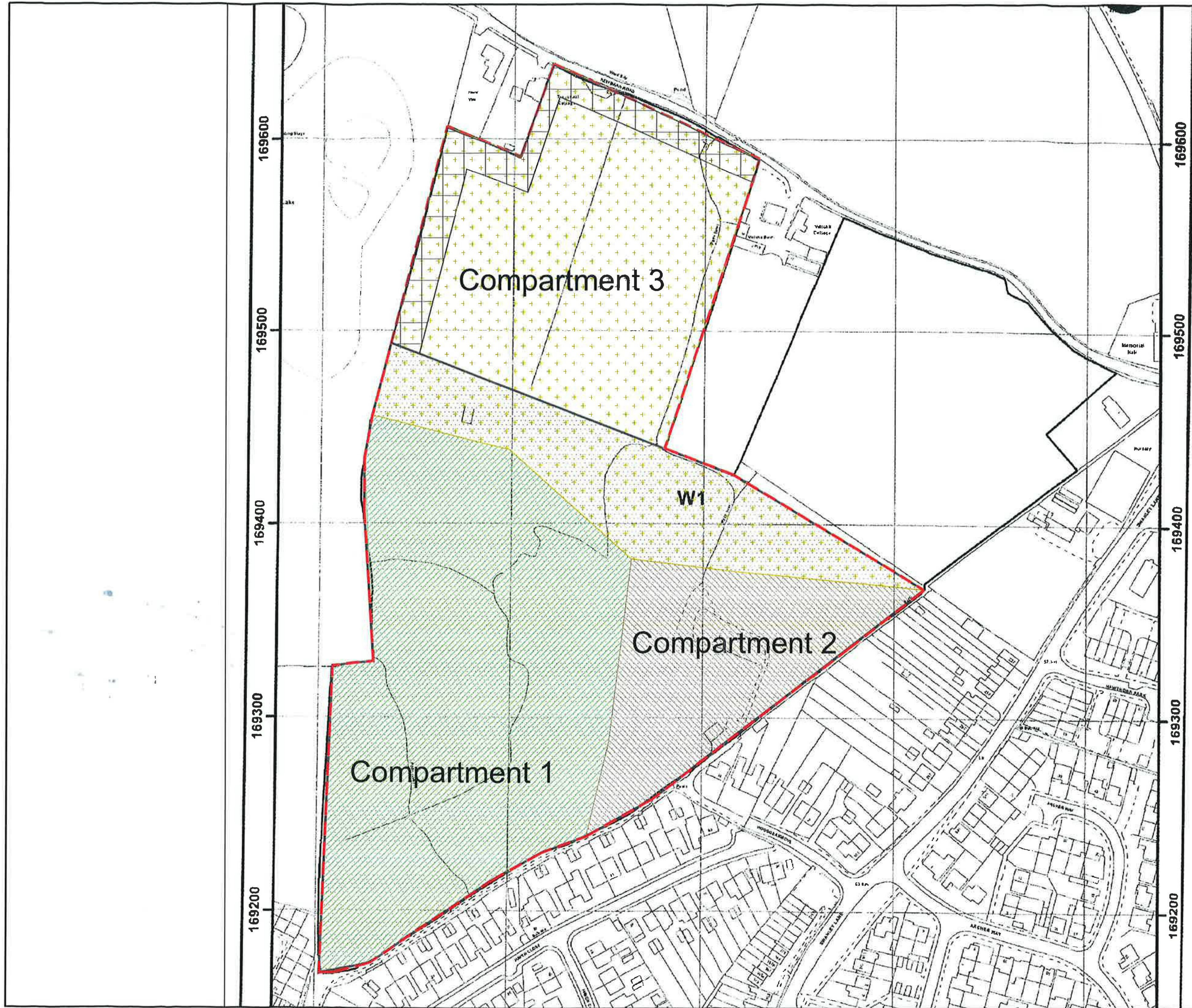
Client:	Project:
John Stebbing Architects Ltd	New Barn Road
Drawing:	Drawing No:
Woodland Development	C117696-01
Revision:	Date:
-	14/08/14
Scale at A3:	Drawn:
NTS	EL
Approved:	Notes:
MB	-

MIDDLEMARCH ENVIRONMENTAL

C117696-02

Legend

-  Oak, Hazel and Silver Birch Woodland
-  Sycamore and Ash Woodland
-  Scrub Hazel, Hawthorn, Plum and Apple
-  Potential Modified Woodland TPO
-  Potential Individual and Group TPO Classification
-  Study Area Boundary



SEVENOAKS DISTRICT COUNCIL
 REC'D 19 AUG 2014
 COMMUNITY & PLANNING SERVICES

The original of this drawing was produced in colour - A monochrome copy should not be relied upon



Client:	Project:
John Stebbing Architects Ltd	New Barn Road
Drawing:	Drawing No:
Woodland Compartments	C117696-02
Revision:	Date:
-	14/08/14
Scale at A3:	Drawn:
NTS	EL
Approved:	Notes:
MB	-



SEVENOAKS DISTRICT COUNCIL
REC'D 19 AUG 2014
COMMUNITY & PLANNING SERVICES

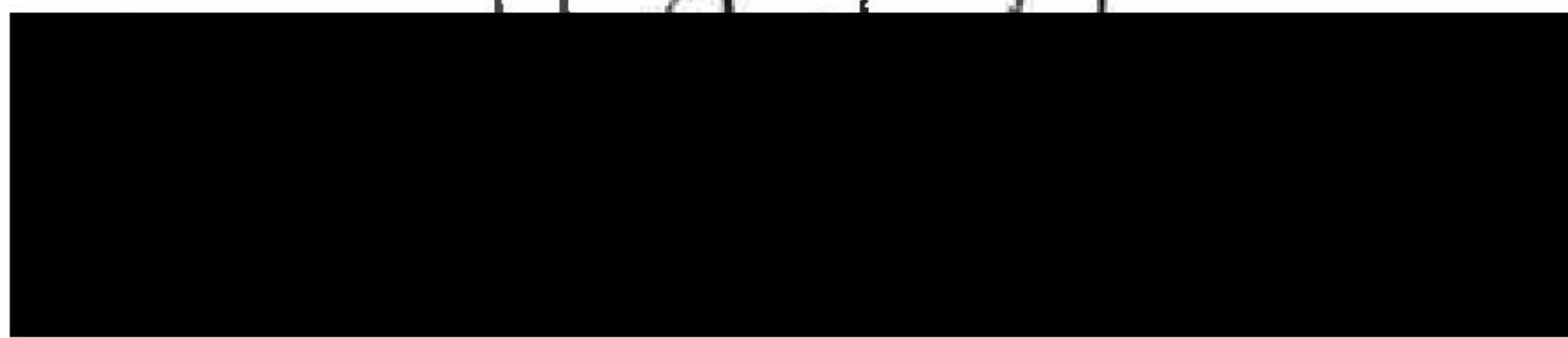
53 Haven Close,
Swanley
BR8 7JY.

16-08-14.

Dear Sir,

As a concerned homeowner of Haven Close I am writing with regard to the woodland that runs at the back of our property which was auctioned recently.

We would like to voice our support of the tree protection order put in place on the 22nd July. We understand it is only a temporary order, I would like to suggest if it is possible, that it be made a permanent one.

Yours sincerely


Harry Walker

From: Percy Bale [REDACTED]
Sent: 16 August 2014 11:01
To: Trees
Subject: Re trees at Swanley

Dear Sirs, We would like to give our support to giving the trees near the park a more permanent preservation order as having seen them grow from saplings on my visits to our daughter nearby. As a countryman I see the loss of trees by natural causes all too often

Yours Sincerely
PT&WM BALE

Harry Walker

From: Les Jones
Sent: 12 August 2014 14:59
To: Harry Walker
Subject: FW: Large trees on land adjacent to Swanley Park

Another for the file!

Mr Les Jones

Arboricultural & Landscape Officer

Sevenoaks District Council | Council Offices | Argyle Road | Sevenoaks | Kent | TN13 1HG

Direct line: 01732 227289

Fax: 01732 227017

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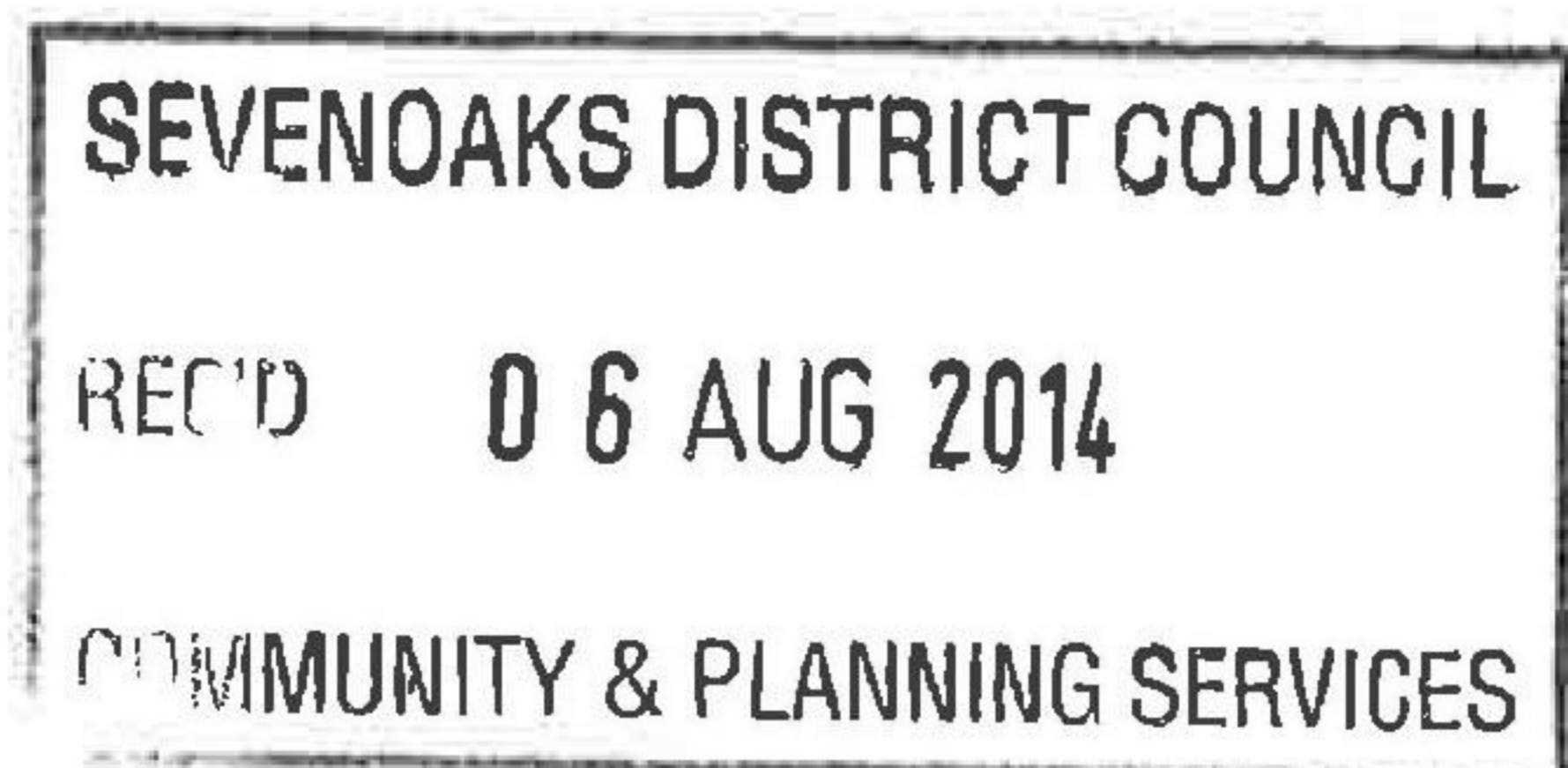
From: Trees
Sent: 12 August 2014 13:57
To: Les Jones
Subject: FW: Large trees on land adjacent to Swanley Park

From: pape PHILLIP [REDACTED]
Sent: 12 August 2014 12:15
To: Trees
Subject: Large trees on land adjacent to Swanley Park

I understand that there is a temporary preservation order on the trees in this area and would support this being made permanent. My children have played on and around these trees and as a local dog walker they provide shelter from the weather all year round. Some of them are very old and it would be a great shame if any of them were lost.

Phil Pape
42 Archer Way Swanley

Miss June Duce
49 Haven Close.
Swanley
Kent
BR8 7JY.



07th August 2014.

The Woodland behind Haven Close.

Dear Sir

I am writing to you about my concerns about the land that has been sold behind me.

I am a lady on my own in my seventies when I first purchased my property seven years ago I was recovering from cancer.

What I was searching for was a place where I could live the rest of my days in a peaceful environment I am disabled and have severe arthritis so a bungalow was very important to me.

I have now have the bungalow
as good as it can be that its easy
to get around.

I have lovely neighbours and Haulen
Close is a lovely road with a great
community feel everybody helps
everybody

Its aptly named being Haulen Close.

Many bungalows have retiring
people in them along the road and
also quite a few ladies living on
their own.

I do understand that people do
need houses and land is in short
supply for travellers

The woodland has many trees and
wildlife in there and it would be
a tragedy to see it all disappear
and many of us become unsettled

I do hope that you look sympathetically
at this situation so that we can all
live the rest of our lives in peace.

Yours sincerely

Mrs JUNE SMEE

Harry Walker

From: Les Jones
Sent: 05 August 2014 10:00
To: Harry Walker
Subject: FW: Tree preservation behind Haven Close

Another response for the Swanley TPO

Mr Les Jones

Arboricultural & Landscape Officer
Sevenoaks District Council | Council Offices | Argyle Road | Sevenoaks | Kent | TN13 1HG
Direct line: 01732 227289
Fax: 01732 227017

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From: Trees
Sent: 30 July 2014 18:34
To: Les Jones
Subject: FW: Tree preservation behind Haven Close

From: Tony Earl [<mailto:> 
Sent: 30 July 2014 16:59
To: Trees
Subject: Tree preservation behind Haven Close

Being a resident of Haven Close for about 60 years i strongly object to the trees etc. behind the close being removed or damaged. Please make the preservation order permanent.

Harry Walker

From: Les Jones
Sent: 05 August 2014 09:58
To: Harry Walker
Subject: FW: Woodland Area East of Swanley Park

Comments for recently served TPO at Swanley

Mr Les Jones
Arboricultural & Landscape Officer
Sevenoaks District Council | Council Offices | Argyle Road | Sevenoaks | Kent | TN13 1HG Direct line: 01732 227289
Fax: 01732 227017
Please don't print this e-mail unless you really need to

-----Original Message-----

From: Trees
Sent: 05 August 2014 09:54
To: Les Jones
Subject: FW: Woodland Area East of Swanley Park

-----Original Message-----

From: Mel [REDACTED]
Sent: 02 August 2014 15:01
To: Trees
Subject: Woodland Area East of Swanley Park

Dear Sirs

I have lived in the local vicinity of the above area for approx 10 years and am shocked to hear of the recent sale and the new owner's proposed future building plans.

I am asking that a permanent protection order be placed on the trees, surely this can be done?

To secure the well being of these amazing ancient trees as well as doing our bit for the Earths ecological environment.

Yours hopefully

Melanie Coburn

19 Maple Close

Swanley

Kent

Br8 7yn

Sent from my iPhone



CARING FOR OUR COMMUNITY

EAP3889

4 August 2014

Mr H Walker
Strategic Services Department
Sevenoaks District Council
Council Offices
Argyle Road
SEVENOAKS
Kent. TN13 1HG

SEVENOAKS DISTRICT COUNCIL
REC'D 06 AUG 2014
COMMUNITY & PLANNING SERVICES

Dear Mr Walker

Re: Sevenoaks District Council Tree Preservation Order No.11 2014
Your Ref: HW/TPO/11/2014

I am writing further to your letter dated 22nd July in respect of the above Tree Preservation Order.

Swanley Town Council would appreciate Sevenoaks District Council confirming the Order on a permanent basis and reasons are given below:

This area of land has been a woodland for in excess of 50 years and is directly attached to Swanley Park, which is within the Green Belt and is a critical part of the green wedge which separates the communities of Swanley and Hextable. Together with the park, the woodland is an extremely popular amenity which is greatly used by residents and visitors from outside the town and Swanley Town Council is keen to protect the woodland against possible future development so that enjoyment of the amenity by all can be continued.

Yours sincerely

PP

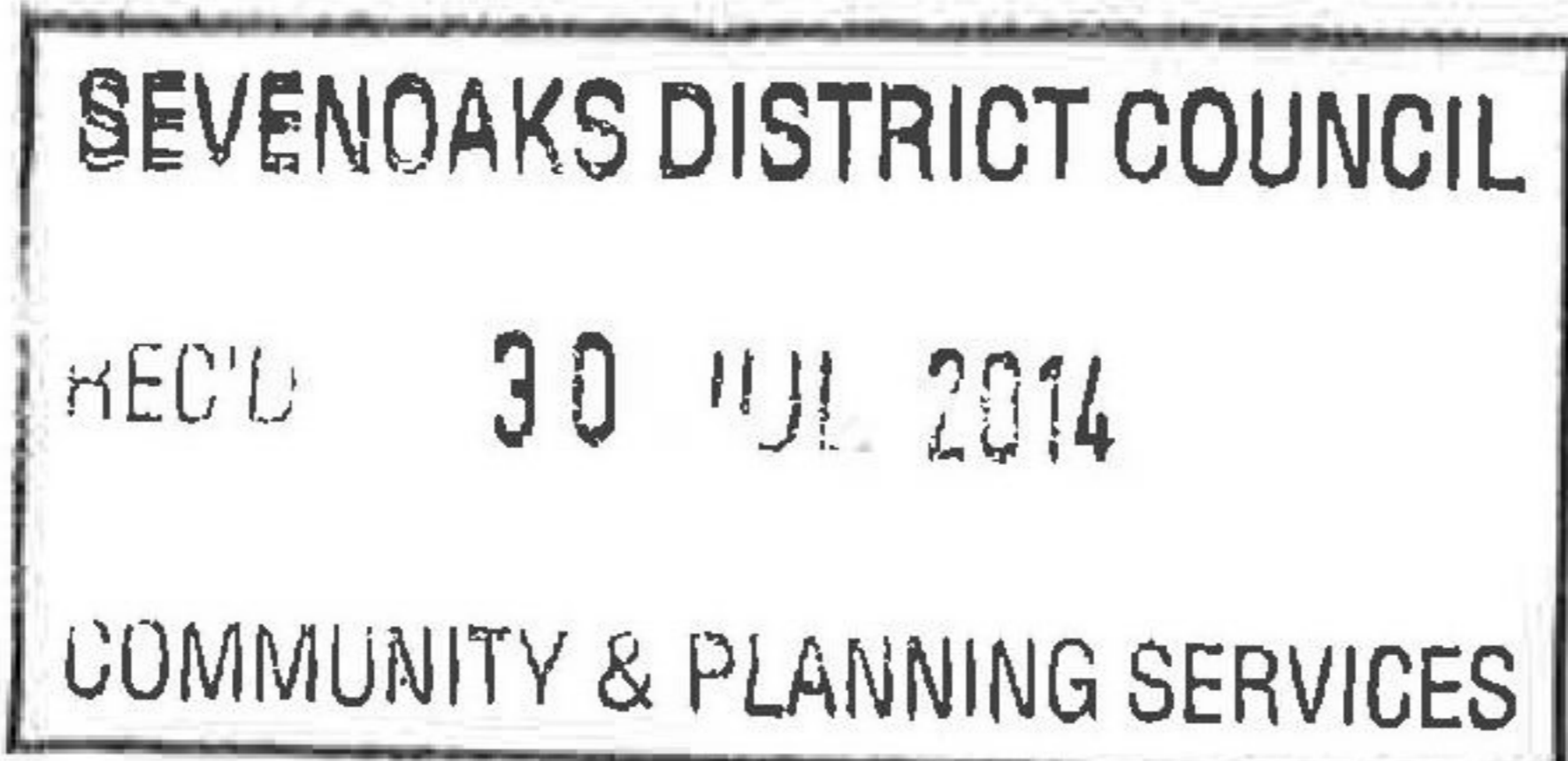

Julie Pilbeam
Chief Executive Officer

Swanley Town Council, The Civic Centre, St. Mary's Road, Swanley, Kent BR8 7BU

● Tel: 01322 665855 ● Fax: 01322 613000 ● Email: towncouncil@swanley.org.uk ● www.swanleytowncouncil.gov.uk



Chief Executive: Julie Pilbeam



Mrs R.J. Davies B.A.
Menai
21, Haven Close
Swanley
Kent BR8 7JY

July 29th. 2014.

Dear Sir,

I am writing to you concerning the woodland behind Haven Close in Swanley. I strongly urge you to make the temporary Tree Protection Order a permanent one. The trees are such a great asset to the area & there is an abundance of wildlife amongst them both on the ground & above it.

As a member of the RSPB, & also recording birds for the B.T.O. I am particularly delighted by all the varied bird life in the trees. Areas like this are such a wonderful place of peace in an increasingly noisy & hectic urban environment. Please, please, keep our trees!

Yours faithfully


Harry Walker

From: Trees
Sent: 29 July 2014 15:20
To: Les Jones
Subject: FW: Woodland area

-----Original Message-----

From: julie cullum [mailto:

Sent: 29 July 2014 14:53

To: Trees

Subject: Woodland area

Dear Sir

I am emailing as I live in Haven Close and believe that the area behind me has been sold, but there is a temporary TPO order. My concern is that if this order is not made permanent that the new owner would cut them down. This area has a wonderful presence of wild life from birds that nest there everywhere to friendly squirrels and to see that is wonderful. Soon areas like theses will disappear completely.

Yours Sincerely

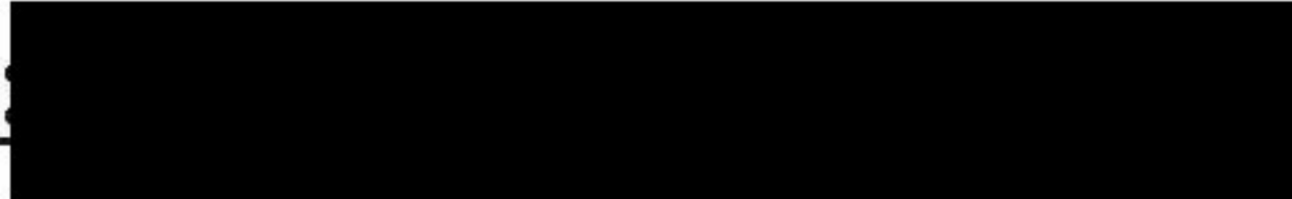
Julie Cullum
23 Haven Close

Sent from my iPad

Harry Walker

From: Trees
Sent: 29 July 2014 07:27
To: Les Jones
Subject: FW: Woodlands behind Haven Close in Swanley

-----Original Message-----

From: Barrie Wigg [mailto:
Sent: 28 July 2014 19:00
To: Trees
Cc: Sarah Andrews; Janet Sargeant
Subject: Woodlands behind Haven Close in Swanley

Dear Sir

I would like to register our support for a permanent tree preservation order on the Woodlands named above.

This is a very important area for birds and other wildlife. It is used a great deal by local residents and we would like to preserve this unique woodland area.

I look forward to hearing from you.

Barrie and Barbara Wigg
7 Woodlands Close
Swanley
BR87JU

Sent from my iPhone

Harry Walker

From: Valerie Bamber <[REDACTED]>
Sent: 29 July 2014 07:49
To: Trees
Subject: Tree Protection Order

Dear Sir

As a resident at 74 Haven Close in Swanley I am writing on behalf of Miss Baisch as well as myself to endorse the Tree Preservation Order which I understand has been placed temporarily on the trees between Haven Close and Swanley New Barn Park. We urge you to make this a permanent reservation order. There is wild life that has made this area a home and provides habitat for a large number of birds both resident and migratory. As animal and bird lovers we believe more and more of their habitat is being eroded and it is time to stop felling trees and destroying such areas. In addition the area is much used by local people who take their dogs there and also as a footpath established over many years as a way to the park. A very practical aspect of the trees themselves is making their contribution in absorbing carbon. Again we urge you to make this order a permanent one.

Yours sincerely

Valerie Mamber

Harry Walker

From: Trees
Sent: 29 July 2014 07:26
To: Les Jones
Subject: FW: Woodland behind Haven Close

From: lee and jayne [mailto: [REDACTED]]
Sent: 28 July 2014 21:14
To: Trees
Subject: Woodland behind Haven Close

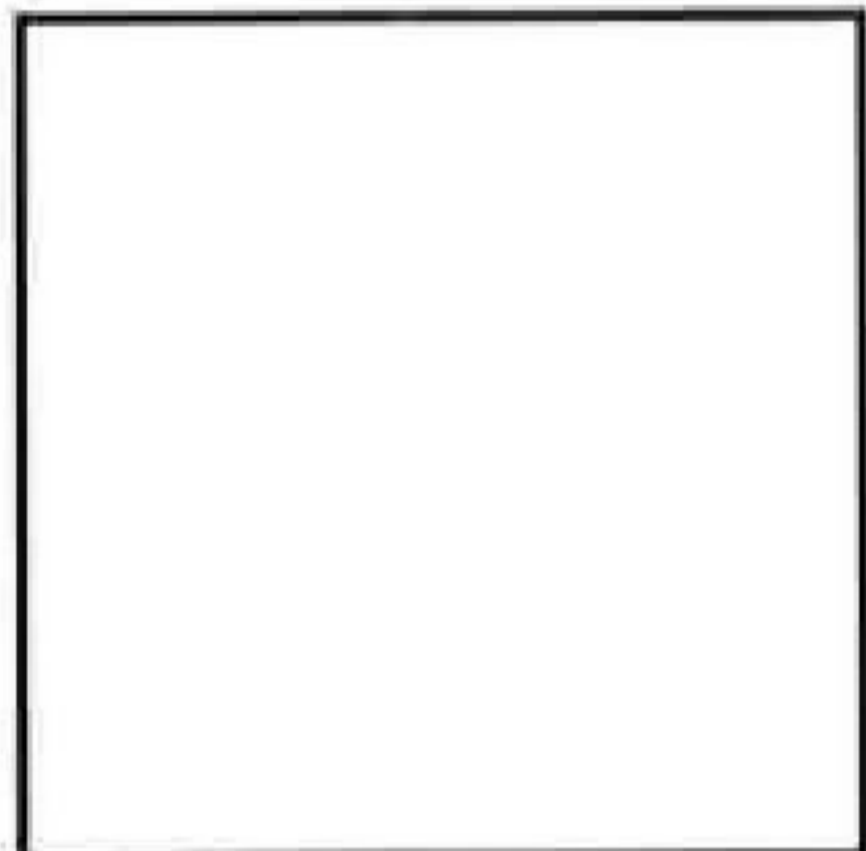
Dear Sirs,

I am very concerned regarding the destruction of the woodland between Haven Close and Swanley Park. The greenery and woodland is one of the best features of this area and was a big reason for our move here.

I believe there is a preservation order on the trees and wondered if it could be made permanent to safeguard this area of natural beauty.

I am sure there is a lot of wildlife that depends on this area for its survival too, it would be a terrible waste if it were to be destroyed.

Yours sincerely
Mrs Jayne Tucker
6 Haven Close
Swanley
Kent
BR8 7JZ

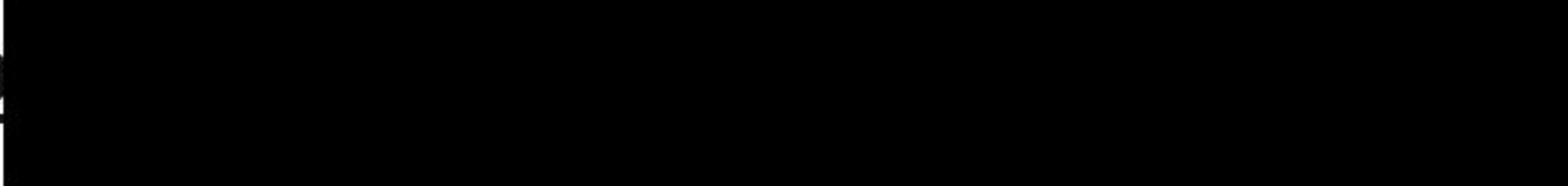


This email is free from viruses and malware because [avast! Antivirus](#) protection is active.

Harry Walker

From: Trees
Sent: 29 July 2014 07:26
To: Les Jones
Subject: FW: preservation of woodland

-----Original Message-----

From: elaine fitzsimons [mailto:
Sent: 28 July 2014 23:30
To: Trees
Subject: preservation of woodland

Dear Sir

I wish to add my voice to the others that are interested in the permanent preservation of the Woodland behind Haven Close in Swanley, This woodland is many years old and has a variety of trees that have been enjoyed by residents and visitors alike and should therefore be treasured and not left to chance that they could be cut down. The loss of so many trees for one reason or another including storms ,disease, and development over the last years ,should I feel ,make us sit up and do as much as we can to protect the Woodland ,along with its wildlife .


yours

Mrs E Fitzsimons (Swanley resident)

Sent from my iPad

Harry Walker

From: Trees
Sent: 29 July 2014 07:27
To: Les Jones
Subject: FW: Woodland behind Haven Close

From: sarahandrews16@tiscali.co.uk [mailto:
Sent: 28 July 2014 20:40
To: Trees
Subject: Woodland behind Haven Close

Dear Sir

Having lived in Swanley all my life I would like to ask that the Temporary Tree Preservation Order which is in place on the above Woodland be made permanent. I have seen Swanley expand with the destruction of many open areas over the years and I would be extremely sad to see this area be developed. I walk my dog in the area most mornings and the dawn chorus there is amazing. I have seen birds such as tree creepers, fire crests, wood peckers and heard owls during the night (I back on to the woods, and not a night prowler!:-)) It truly is a haven within an increasingly sprawling town and hope you too feel that a permanent order is necessary.

Yours

Sarah Andrews

Harry Walker

From: Trees
Sent: 29 July 2014 07:27
To: Les Jones
Subject: FW: trees to the rear of haven close

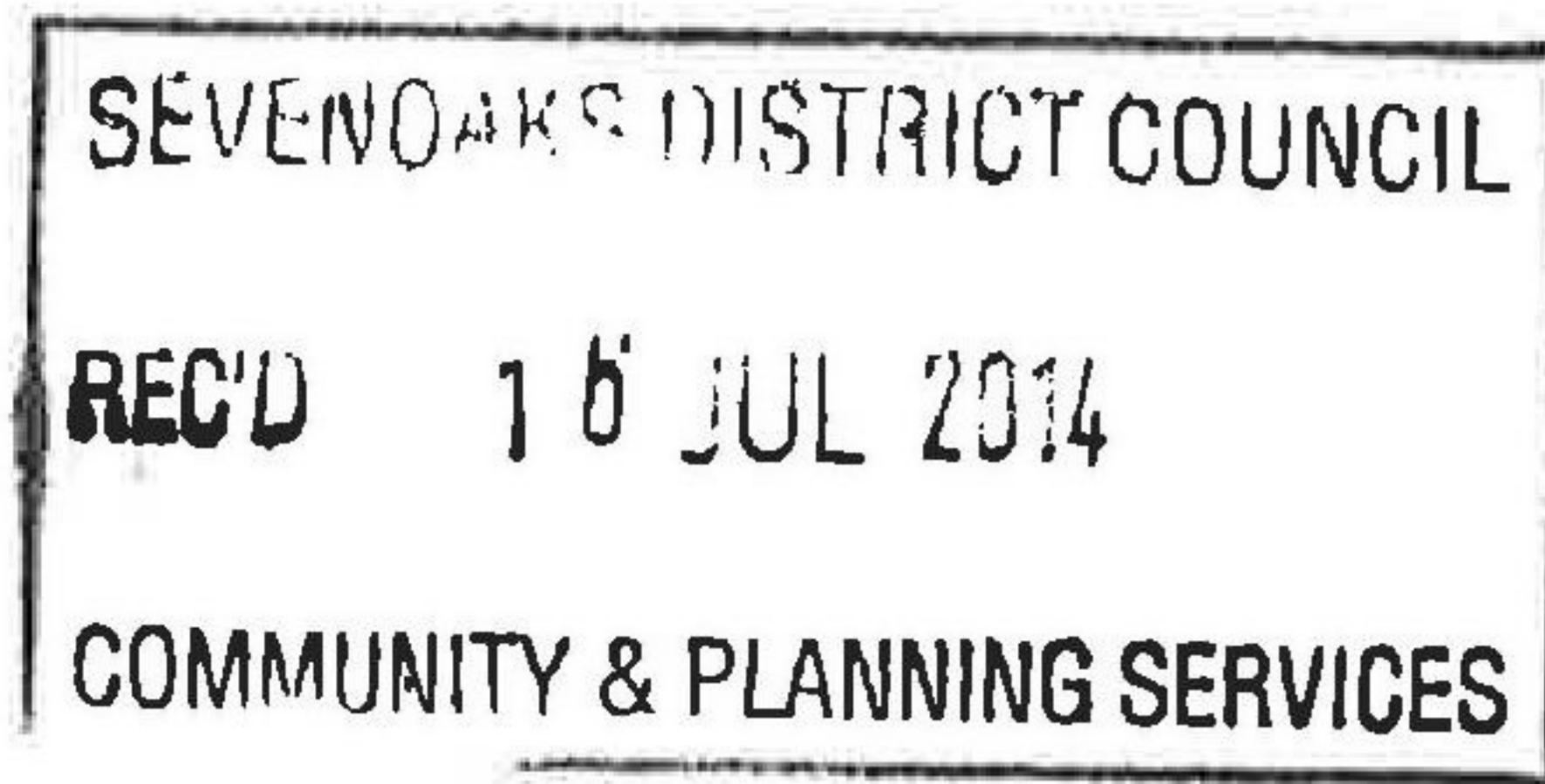
From: IAN GEERING [mailto: [REDACTED]]
Sent: 28 July 2014 18:39
To: Trees
Subject: trees to the rear of haven close

hello there
we request that Sevenoaks council,
upgrade the TPO for the trees at the rear of haven close to be made permanent as the diversity of
wildlife that have their habitat within the area, would be adversely affected and we strongly urge
the order be made permanent
please make it a permanent protection order
your, faithfully Ian & Yvonne Geering 27 haven close br8 7jy

61 Haven Close
Swanley
Kent
BR8 7JY

Tel: 01322 663748

14 July 2014



Dear Sir/Madam

An area of woodland adjacent to the rear of my property is due to be sold by auction on 25 July 2014. In the auctioneer's catalogue this area of land is described as having "potential for a variety of uses and development".

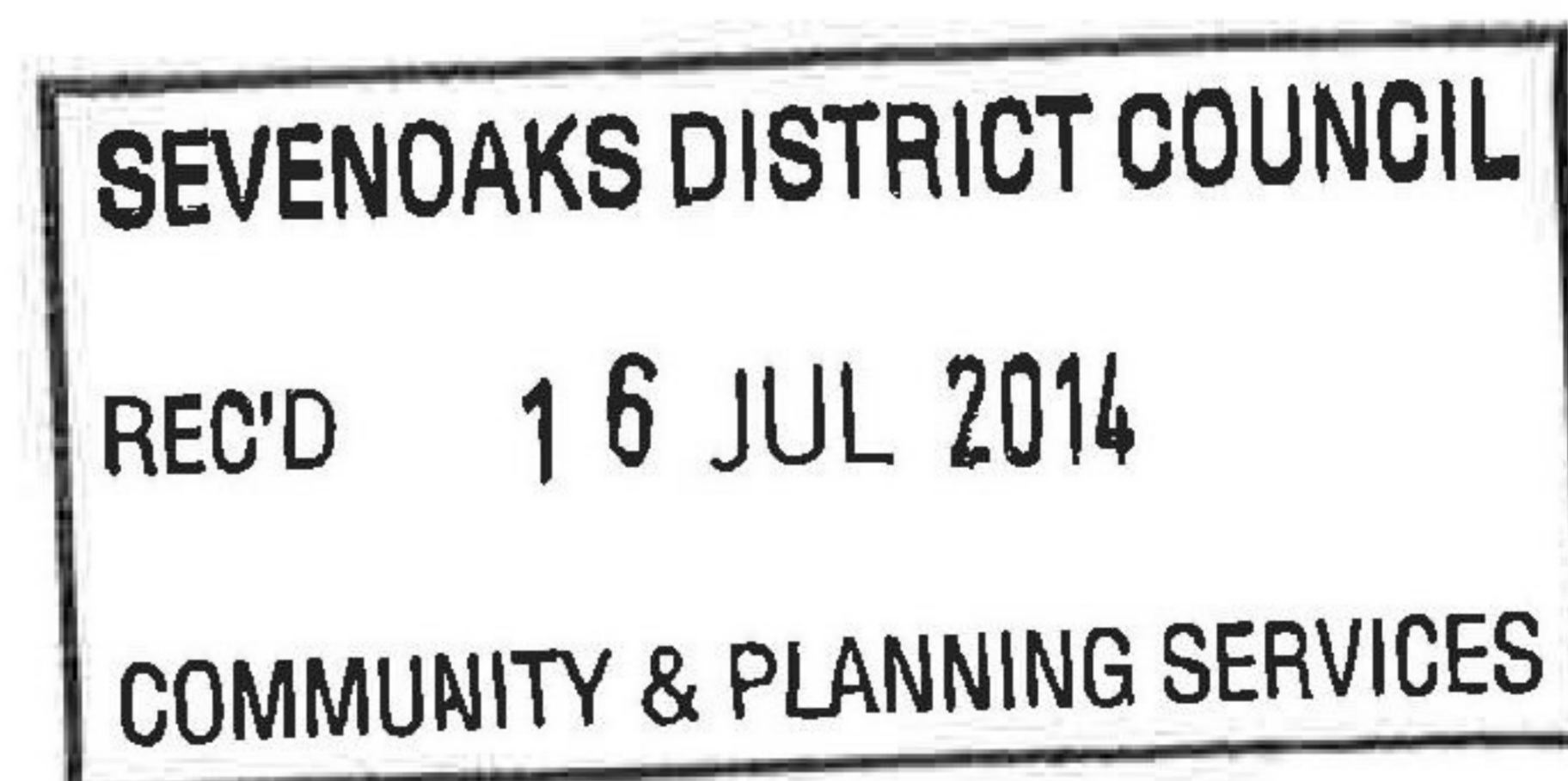
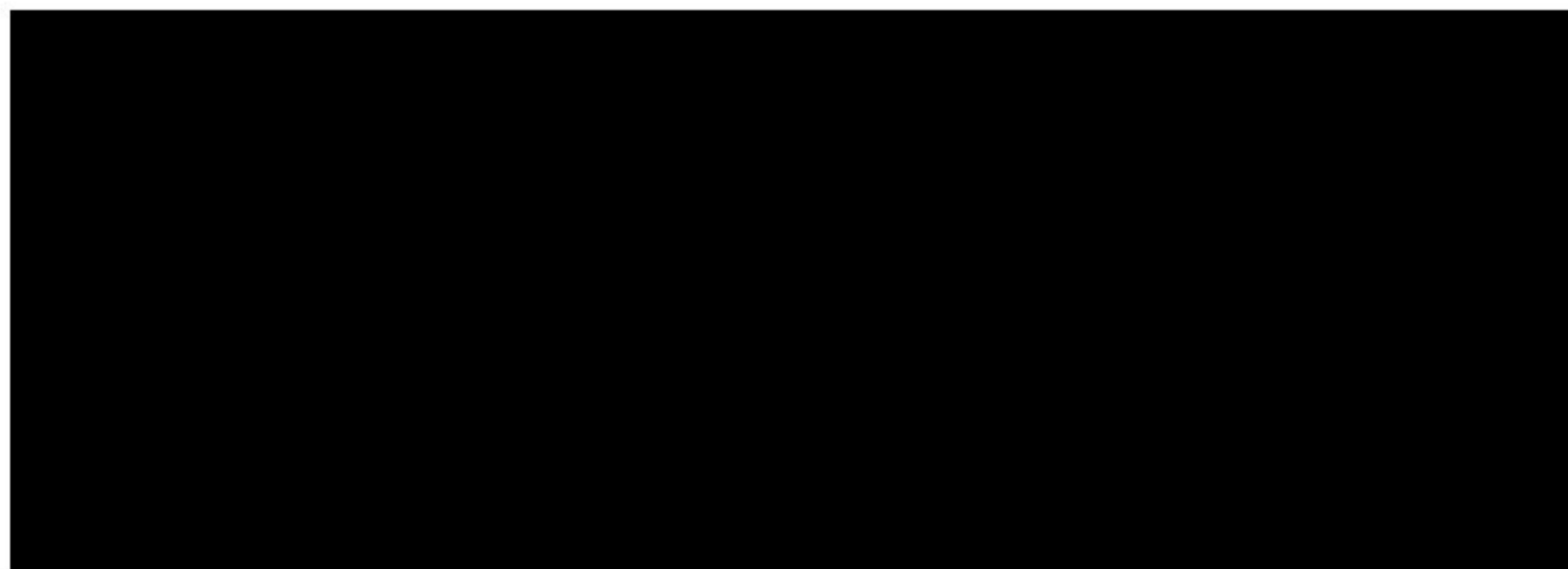
The woodland consists of many mature trees, some of which are splendid oak trees. These trees provide habitats for a variety of birds and mammals. There are also a considerable number of hazels, and, although I have never seen one, these trees could provide an excellent habitat for dormice.

The irony of this situation is that the woodland is directly adjacent to Swanley Park and could easily be incorporated into this facility as, for example, a picnic area or an adventure area for children to play in, or as a site for children's education in nature and conservation. Although it is private land, it has been used for 25 years or more by people exercising their dogs and also to gain access to Swanley Park for events or simply to enjoy its facilities, and many people have expressed their concern over the possible loss of a local beauty spot.

It would be an enormous shame if this land were to be developed in a way which would mean the destruction of these beautiful trees. Therefore I am writing to ask if any of these trees are subject to a Tree Preservation Order. If they were not, then I would request that you, or one of your team comes to visit this woodland site and inspect the trees to determine whether any of them should be subject of a TPO.

If you need any further information or require any assistance I will be glad to provide it.

Yours faithfully



Stuart Miller