

5.1                      Objection to Tree Preservation Order number 8 of 2018

LOCATION                Located within the front garden of 9 Chine Farm Place, Main Road, Knockholt

WARD(S)                Halstead, Knockholt & Badgers Mount

**ITEM FOR DECISION**

TPO 8 of 2018 has been served in response to a request from the tree owner that his Hornbeam tree be protected. According to the tree owner, the neighbours have carried out works to this tree without their consent. They are concerned that any further works would be detrimental to its health and appearance.

**RECOMMENDATION:** That TPO 8 of 2018 is confirmed without amendment.

**Description of Site**

1        The Hornbeam tree is situated within the front garden of 9 Chine Farm Place, Main Road, Knockholt. Chine Farm Place is a converted barn comprising ten apartments, with some private gardens, communal grounds and parking area. The Hornbeam is situated to the front of number 9 Chine Farm Place.

**Constraints**

- 2        AONB
- 3        Metropolitan Green Belt
- 4        TPO 8 of 2018

**Amenity Value and Visibility of the Hornbeam tree**

5        The Hornbeam tree is located within the front garden of the tree owner's property (No. 9). It cannot be seen from the main road due to the presence of other vegetation along the northern and eastern boundaries. However, once on site it is clearly visible from the communal garden and the parking area. The Hornbeam is a fine example of its species and so offers a degree of amenity to the residents. Any further cutting back of the canopy would be detrimental to its long term health and appearance. The serving of this TPO would prevent any further unnecessary tree works from taking place, thus preserving its amenity value.

## Representations

- 6 We have received two letters of objection to the serving of TPO 08 of 2018. The first objection is from Mrs Caroline Pizzey of No 10 Chine Farm Place, the neighbouring property.
- 7 Mrs Pizzey objects on the grounds that the tree owner has requested that their tree be protected solely to prevent any further works being carried out to the Hornbeam. Mrs Pizzey states that she is the only resident affected by the Hornbeam tree as it overhangs her parking spaces (they have four all situated beneath the canopy of this tree). The Hornbeam deposits sap and leaves onto their vehicles. The tree works recently carried out to the Hornbeam were arranged by her and consisted of cutting back the crown to the boundary fence. Mrs Pizzey claims that a Police investigation is ongoing with regards to the Hornbeam.
- 8 The second objection is from Mr Paul Heywood of 2 Chine Farm Place. Mr Heywood objects on the grounds that the plan within the TPO document is inaccurate as it does not reflect the actual size of the Hornbeam tree and is plotted in the wrong position. Mr Heywood also states that the Hornbeam has been a matter of contention between the tree owner and Mrs Pizzey for some time. The main cause being the leaves and sap dropping onto vehicles parked beneath it. Mr Heywood claims that it is strange that the tree owner has resided at their property for some time and only now has requested that the Hornbeam be protected. Mr Heywood also claims that the tree owner has pruned this tree on regular occasions. He feels that the TPO is unnecessary and has only been requested as a means of preventing the neighbour from carrying out necessary works.

## Appraisal

### Consideration of Objections

- 9 TPO 08 of 2018 was served to prevent further tree works from taking place. Whatever the reasoning behind the request for the Hornbeam to be protected, works had apparently taken place without the consent of the tree owner. The resulting works had meant that further remedial works were then required to restore the shape of the crown of the Hornbeam. By protecting this tree with a TPO, some element of control can now be exerted on the degree of the future pruning.
- 10 With regard to the problem of leaves and sap dropping onto the neighbours vehicles, this is a seasonal problem. The fact that the tree has recently been pruned should have alleviated the problem. The matter of a police investigation is a private matter.
- 11 Noting the objection that the TPO plan is accurate and does not reflect the actual size of the tree. The purpose of the plan is to identify the tree or trees protected by the preservation order. The legislation does not require that the tree or trees are plotted with pinpoint accuracy. The plan clearly demonstrates which tree is protected by the order.

- 12 The Hornbeam has been a matter of contention between the tree owner and the neighbour. This is a private matter between both parties. Any delay in requesting that the Hornbeam be protected is not a relevant consideration when assessing the value of the tree and whether it is suitable for protection.
- 13 The tree owner has previously pruned their tree on numerous occasions and whilst the Hornbeam was unprotected the owner was within their rights to carry out any works considered to be necessary. Any further works would now require consent.
- 14 The neighbour can only carry out works to this tree with the consent of the tree owner. They are within their rights to cutback to the property boundary, but not in such a way as to leave the tree in a poor visual condition. Any further cutting back to the boundary would require consent from us.

### **Expediency of Preserving the Hornbeam tree**

- 15 The Hornbeam tree is prominent within its setting. Any further reduction works or cutting back of the canopy would be detrimental to the health and appearance of this tree. This would be detrimental to the local amenity. By serving this order some degree of control could therefore be exerted on the extent of any future pruning works. Any future application to carry out reasonable tree works would be looked upon favourably.

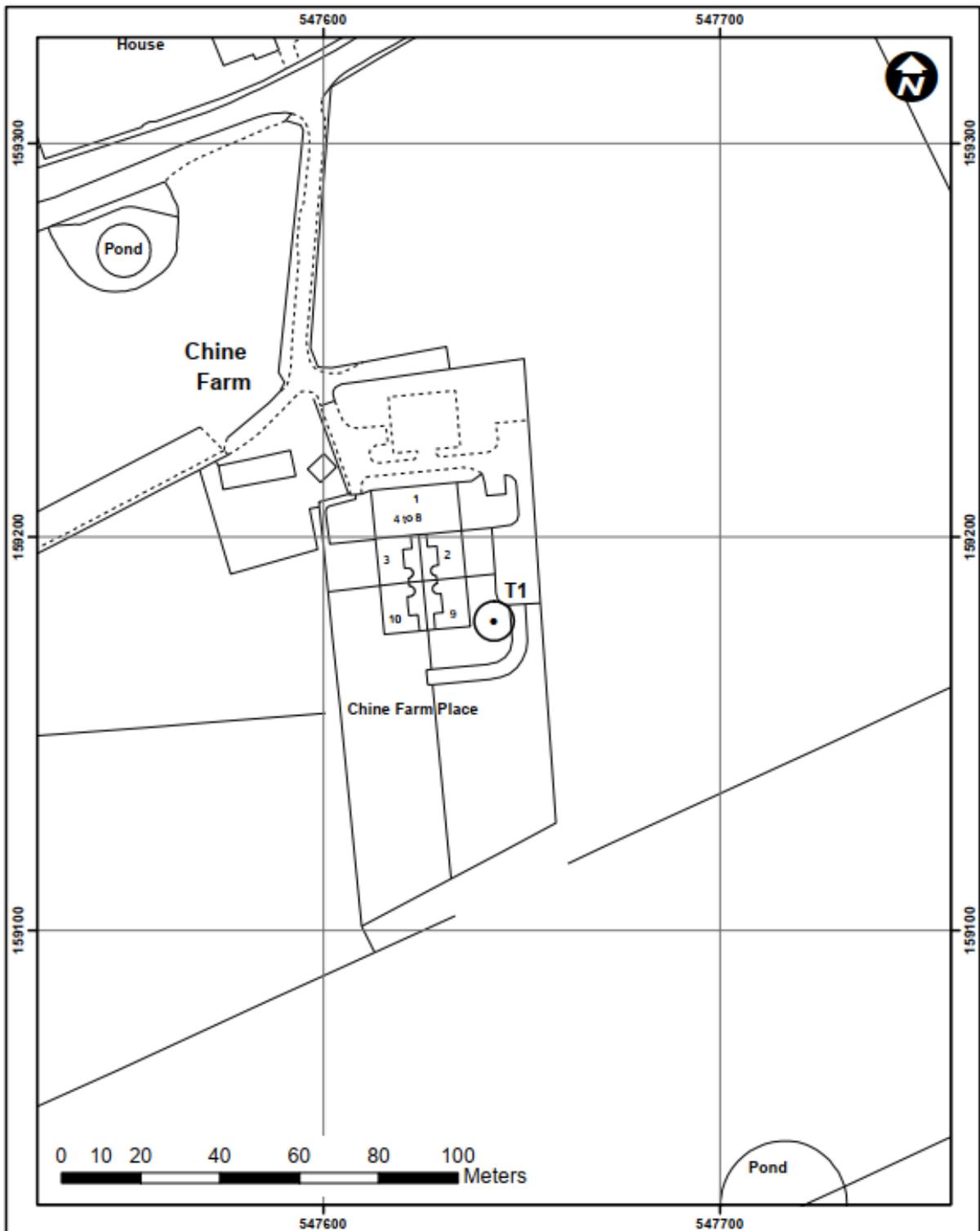
### **Conclusion**

- 16 It is therefore recommended that TPO 8 of 2018 is confirmed without amendment.

TPO Plan and Schedule 1 attached as (Appendix 1).

Contact Officer: Les Jones Arboricultural & Landscape Officer  
Extension 7289

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



 <p>Sevenoaks DISTRICT COUNCIL</p> <p><small>© Crown copyright and database rights 2018 Ordnance Survey 100019428.</small></p>	<b>Tree Preservation Order</b>	
	TPO 8 (2018)	Scale: 1:1,250 Date: May 2018
	9 Chine Farm Place, Main Road, Knockholt, Kent, TN14 7LG	
<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	Hornbeam	Situated within the front garden of 9 Chine Farm Place, Main Road, Knockholt, 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.