

5.1 - TPO 12 OF 2019

PROPOSAL: That TPO 12 of 2019 is confirmed without amendment.

LOCATION: Tollgate Yard, High Street, Farningham, DA4 0DP

WARD(S): Farningham, Horton Kirby & South Darenth

ITEM FOR DECISION

TPO 12 of 2019 has been served in response to 19/02554/WTCA to fell a pine tree within the Farningham Conservation Area

RECOMMENDATION: That TPO 12 of 2019 be CONFIRMED without amendment

Description of Site

- 1 Tollgate Yard is a recent development of four houses fronting the north-western end of Farningham High Street, which is part of the Farningham Mill Site.

Description of Proposal

- 2 That TPO 12 of 2019 is confirmed without amendment.

Policies & Material Considerations

- 3 National Planning Policy Framework (NPPF)
- 4 National Planning Policy Guidance (NPPG).

Constraints

- 5 The following constraints apply:
 - TPO 12 of 2019
 - Farningham Conservation Area
 - Kent Downs A.O.N.B.

Chief Planning Officers Appraisal

- 6 The Pine tree is located in a visually prominent position near to the frontage of the estate, which is clearly visible from the nearby High Street. Its removal would have a negative visual effect on the Farningham Conservation Area.

Details leading to the serving of the TPO

- 7 A notification (19/02554/WTCA) to fell one Scots Pine tree was received in September 2019. It was reported within the notification that the tree was growing at an angle but the main reason given for its removal was bird droppings on cars parked below. The angle of the tree is not acute and has to the officer's knowledge been growing as such for the many years. It is common for trees to grow in anything other than a perpendicular position. The bird droppings are recognised as an issue but removal of a mature tree to resolve it does seem severe. TPO 12 of 2019 was served to halt the felling. Guidance was given at this time to apply for permission to thin the canopy of the tree, which would be looked on favourably. Birds roost in trees for protection from the elements and predators. If the canopy is less dense and opened up, they are less likely to roost. It also has to be considered that the removal of this tree would mean that the birds would then roost in another tree. Options other than felling need to be fully considered.

Objections to the serving of the TPO

- 8 Two objections to the serving of the order have been received, both from immediate residents to the tree. Both have reiterated the leaning issue of the tree and the bird dropping issues. The leaning of the tree can be assessed by a reputable tree company to see if movement at the base is occurring. The lean in itself is not an indication that it will fall. No tree can be considered completely safe but neither can the lean be referred to as an indication that it is unsafe. Further examination by the estates chosen tree professional can explore and advise further on this matter. The bird dropping issues have referred to the nuisance of droppings on cars. The aforementioned pruning would alleviate such issues and discourage the birds using this tree as there roost. Concern has also been raised regarding the health implications of bird droppings. There is a disease caused by birds called Parmyxovirus. The GOV.UK website on the subject states "*It does not normally affect humans*". It then goes on to say that the infection is spread by direct contact between Pigeons. In an open environment such as this situation it is very unlikely that people are at risk.

Conclusion

- 9 The issues raised by those objecting to the protection of the Pine tree can be dealt with by alternative means to its removal as previously stated.

Recommendation

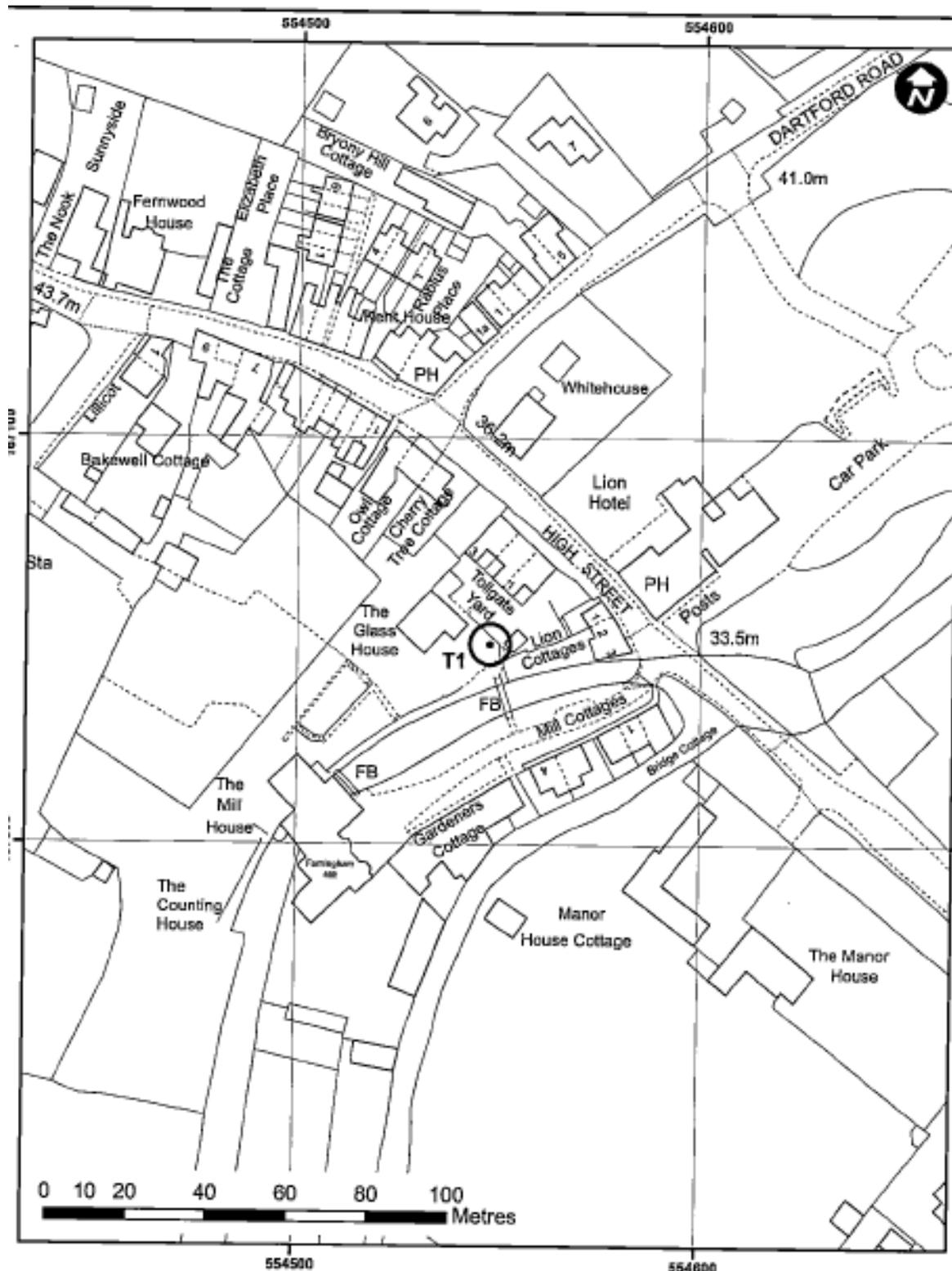
- 10 It is therefore recommended that TPO 12 of 2019 be confirmed without amendment.

Background Papers

TPO plan with Schedule 1 attached as Appendix 1

Contact Officer(s): Les Jones 01732 227000

Richard Morris
Chief Planning Officer



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|--|---|--|
|  <p>Sevenoaks DISTRICT COUNCIL</p> <p><small>© Crown copyright and database rights 2019 Ordnance Survey 100019428.</small></p> | Tree Preservation Order | |
| | TPO 12 (2019) | Scale: 1:1,250 Date: September 2019 |
| | Tollgate Yard, High Street, Farningham, Kent, DA4 0DP | |

Prepared by the GIS Team, Sevenoaks District Council

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 | Pine | Situated on the southern boundary of Tollgate Yard, High Street, Framingham, 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.