

5.1 TPO 6 of 2020

PROPOSAL:	TPO 6 of 2020 was served to protect a mature Pine tree.
LOCATION:	Situated within the front garden of 5a Holly Bush Lane, Sevenoaks.
WARD(S):	Sevenoaks Eastern.

ITEM FOR DECISION

The application is referred to committee following an objection to TPO 6 of 2020.

RECOMMENDATION: That TPO 6 of 2020 is confirmed without amendment.

Description of Site

- 1 15a Holly Bush Lane is a detached property situated within the urban confines of Sevenoaks. The frontage or eastern aspect faces onto Holly Bush Recreation Ground. The Pine tree is situated within the front garden.

Policies

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

Constraints

- 4 The following constraints apply
 - TPO 06 of 2020.
 - Vine Court Conservation Area.

Amenity Value and Visibility of the Pine tree.

- 5 The Pine tree is situated within the front garden of the property. It can be clearly seen from the public highway and footpath outside the property. It appears to be in a sound and healthy condition and so offers a degree of amenity to the local area. The serving of this TPO would prevent its removal, thus preserving its amenity value.

Representations

- 6 An objection has been received to the serving of TPO 06 of 2020. The objectors are Mr and Ms N & J Bamfield of 5a Holly Bush Lane, Sevenoaks.

7 Mr and Ms Bamfield object on the grounds:

1. That the Pine tree is unsuitable for its location as it is a forest type tree which can grow to 35 metres in height. It was planted by the builders who built the property. It is currently situated 5m from the property and 2m from the footpath outside. Branches are currently 1m from the front of the house. The owners wish to remove it and replace it with a smaller species;
2. The Pine tree may cause structural damage to the property in the future. The roots of this tree have caused disruption to the driveway and may occur in the future to the public footpath outside the property;
3. That branches from the Pine tree interfere with wires attached to the property. They are concerned that unless these branches are pruned back damage may occur especially if it snows;
4. Pine needles shed by the Pine tree cause a mess to their front garden and drive and the public footpath outside;
5. The roots of this tree prevent them from growing plants within the front garden and the failure of the grass to become established impacts on the appearance of the property.

Appraisal

Consideration of Objections

- 8 TPO 6 of 2020 was served to prevent the felling of the Pine tree taking place. Its removal would have been detrimental to the local amenity. Protecting this tree with a TPO, does not mean that works may not be carried out in the future, but there would be control over the extent of any future pruning works.
- 9 With regards to the Pine tree being unsuitable to its location, at the moment it appears to be appropriate for its position. As this tree matures it will of course become larger although this will take many years to achieve. Should this tree have to be removed in the future for any reason, we can insist on replacement planting taking place and can also influence the species of replacement tree to be planted. However, if this tree is not protected by the TPO, the tree owners are not obliged to carry out replacement planting.
- 10 The objection relating to this tree causing structural damage in the future, this is difficult to predict. There are many mature trees located outside of properties within Sevenoaks where structural damage has not occurred. It does not always follow that a mature tree located near to a property results in structural damage. With regards to the disruption to the driveway, this could be remedied by reinstating the drive and at the time of inspection, no disruption was visible to the public footpath.
- 11 With regards to the branches of the Pine tree damaging wires, this could be overcome by carrying out sensible pruning works to the said branches. All that would be required would be a formal application for consent to cutback
(Item No. 5.1) 2

from the cables. Providing the requested works are reasonable, consent would be granted.

- 12 The problem of the needles shed by the Pine tree, could be overcome by carrying out regular maintenance works. The clearance of the needles from the public footpath would be a matter for the street cleaning teams. At the time of inspection this did not appear to be a concern.
- 13 With concern of establishing plants within the front garden, the planting of shade and drought tolerant species of grass and shrubs may enable the front garden to be landscaped to a degree that satisfies the homeowners.

Expediency of Preserving the Pine tree.

- 14 The Pine tree is prominent within its setting. The loss of this tree would be detrimental to the local and visual amenity. The serving of this order would retain this tree and control would be exerted on the extent of any future pruning works to it.

Conclusion.

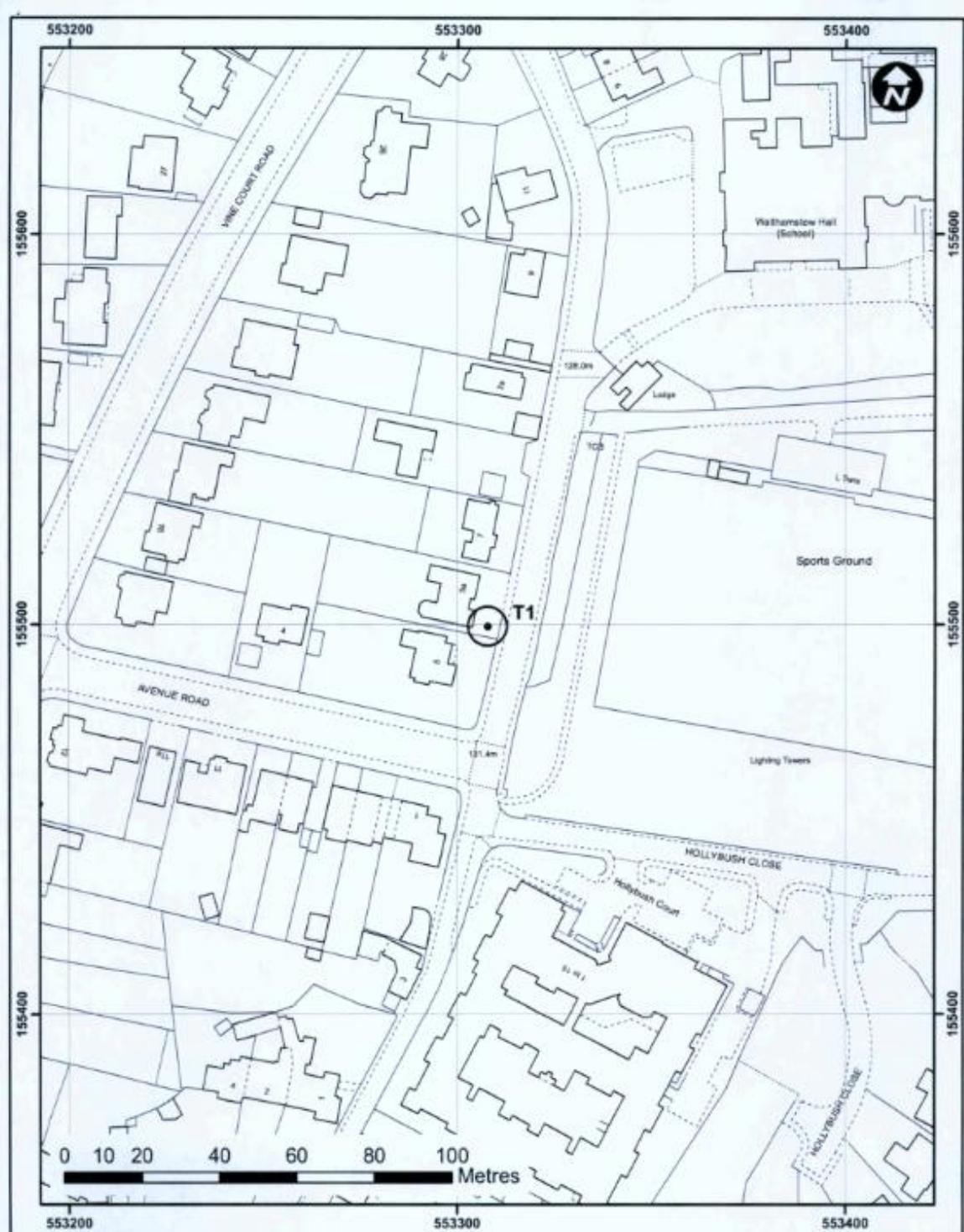
Recommendation: that TPO 6 of 2020 be confirmed without amendment.

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

Contact Officer

Harry Walker 01732 227000

Richard Morris
Chief Planning Officer



Tree Preservation Order	
TPO 6 (2020)	Scale: 1:1,250 Date: October 2020
5A Holly Bush Lane, Sevenoaks, Kent, TN13 3UN	
<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	Pine	Situated within the front garden of 5a Holly Bush Lane, Sevenoaks, 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.		