

5.1 - **Objection to Tree Preservation Order number 17 of 2012**

Located at 48 Brattle Wood, Sevenoaks

ITEM FOR DECISION

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

RECOMMENDATION:

That the Tree Preservation Order No 17 of 2012 be confirmed without amendments.

The Site and Background

- 1 Tree Preservation Order (TPO) No. 17 of 2012 relates to an Oak tree situated at 48 Brattle Wood, Sevenoaks.
- 2 This protection order was served following a planning application (SE/12/02235/HOUSE), which would impact on this tree. Although situated within the rear garden of the property, this tree is prominent and can be seen from the front of the property and from the neighbouring gardens. It would have a negative impact on the amenity of the local area. TPO No. 17 was served in order to afford it continued protection.

Representations

- 3 An objection to the TPO has been received from Mr and Ms Spurway, the owners of the property. Mr & Ms Spurway object on the grounds that the Oak does not afford a reasonable degree of public benefit as it is obscured by the property. Only the residents of 46, 48 & 50 Brattle Wood can clearly view the tree. Mr and Ms Spurway also object as the tree is not under threat of removal or damage. The planning application that included plans to level the area of ground within the vicinity of the canopy of the Oak tree has been abandoned. The owners also object on the grounds that this tree is of low amenity value. The confirming of the order would prevent them from carrying out regular maintenance.
- 4 Another objection has been received from Ms A Gada of 46 Brattle Wood, a neighbouring property. Ms Gada objects to the serving of the order on the grounds that the serving of this order will allow the Oak to become too large and so will block sunlight to the garden, shed excessive leaves during the autumn and increase the risk of wind throw due to its larger size.
- 5 In response to these objections, this tree can clearly be seen from the public footpath and main highway to the front of the house. Its loss would be detrimental to the local amenity. The issue of light obstruction, obstruction of views or the tree becoming too large, could be overcome by carrying out pruning works such as crown thinning or a crown reduction.

Conclusion

- 6 Given the aforementioned information. It is suggested that the details as provided within the objection to this TPO are not strong enough reasoning to leave this prominent tree without any formal protection. It is my recommendation therefore that TPO No. 17 of 2012 be confirmed without amendments. Please find attached TPO/17/2012 (Appendix 1).

Contact Officer(s):

Mr L Jones Arboricultural & Landscape Officer

Extension 7289

Kristen Paterson

Community and Planning Services Director

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	Oak	Situated within the rear garden of 48 Brattle Wood, Sevenoaks.

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.