

<b>Reference</b>	TPO/16/00012
<b>Report Title</b>	Confirmation of Tree Preservation Order No.12 2016
<b>Location</b>	Gold House, Warehorne Road, Warehorne, Kent. TN26 2JX
<b>Parish Council</b>	Warehorne Parish Council
<b>Ward</b>	Weald South

## Introduction

1. The Joint Development Control Manager and the Head of Strategic Sites and Design have delegated authority to deal with all matters relating to Tree Preservation Orders. However, in order to comply with Human Rights Legislation, it is considered inappropriate for the same officer to make and then confirm Orders under delegated powers where an objection has been received. For this reason the following Tree Preservation Order, which is subject to an objection, is being reported to this Committee with a view to seeking authority for confirmation.

## The Order

2. The Order was made on 16<sup>th</sup> November 2016 to protect a mature Scots Pine tree situated to the North East Elevation of Gold House, Warehorne Road, Warehorne, TN26 2JX. A copy of the map and schedule may be found in Annexes 1a & 1b.
3. The tree occupies a prominent position on the North East Elevation of Gold House and possesses an archetypal mature habit for the species. It lies to the south-eastern corner of the Warehorne Leacon Conservation Area and is plainly visible when viewed from the B2067 and public rights of way AE614, 620 and 621 to the south east. Please see Annex 1g for a map of nearby public rights of way and the boundary of the Conservation Area.
4. The trees' protection is expedient in view of the fact that a Section 211 notice was received (16/00207/TC) to fell the tree and in the interests of amenity a TPO was served.
5. The purpose of the TPO is to ensure the retention of the tree which is an important local landscape component and a good example of a mature Scots Pine.

6. An objection to the confirmation of the TPO has been received from Mr A Farr of Gold House, on the following grounds:
  - The tree is of limited visibility owing to the 60mph speed limit on the B2067 and just one property sited nearby;
  - Application 16/00230/TC raised no objection to the felling of a prominent Willow tree...”on the village green surrounded by over 8 properties and St Matthew’s Church.”
  - Proximity to the property – the tree is described as 3.2m from the property and the Royal Institute of Chartered Surveyors (RICS) suggested minimum distance is described as 3.5m;
  - The property has had historic movement which was referred to in a survey undertaken in August 2016; the surveyor advised that the tree should be removed as it may be the cause;
  - Given the longevity of Scots Pine the Grade II property is at increased risk of damage over time and is of higher value than the tree;
7. The tree is a landmark visible from not only the B2067, but footpaths AE614, 620 and 621. Whilst the traffic may be travelling at up to 60mph on Warehorne Road, the Pine becomes visible from approximately 400m distant and coupled with the Grade II structure provides for an aesthetic pleasing boundary to the Warehorne Leacon Conservation Area. Annex 1c shows the Google Streetview of Gold House and the Scots Pine from 300m distant on the B2067.
8. Application 16/00230/TC was to remove a pollarded Weeping Willow tree that was in a property to the north of the Warehorne Conservation Area. The willow tree was not particularly visible from the adjacent properties or street scene being located within a small enclosed rear garden. and may be seen as a species that requires some space in terms of both crown and rooting volume. It was therefore concluded that the loss of the tree would not be detrimental to the general amenity of the area. The context of this site is therefore completely different to that of the application site.
9. The proximity of the tree to the property and RICS minimum distance is highlighted as a ground for objection. The RICS link from the website has a table (See Annex 1d) that does not include the Pine species and I believe that instead the Cypress genus has been taken for the information; Cypress is classified as a ‘High Water Demand’ species whilst Pine has lower potential being a ‘Moderate Water Demand’ species. That aside, the RICS information is qualified with the statement ...”It must be noted that in most cases trees located close to buildings will not cause any damage”... and ...”It is also worth

pointing out that some experts argue that these distance tables are too conservative". Trees may grow quite close to structures and never cause any damage to them either through subsidence or mechanical damage.

10. The causal agent of the historic movement may not be the Scots Pine as there are a number of factors to consider, and in any event, a reasonable benchmark for evidence should be employed. At the time of the site meeting with Mr Farr it was noted that there were other species of tree more proximate to the structure as Annex 1e shows, and furthermore, Mr Farr advised that a service run had recently been laid to a depth that had severed most of the roots in the vicinity of the end wall of the structure. Additionally, the applicant has been invited to provide substantive evidence from a surveyor that the tree could be implicated as the agent of the historic movement, this evidence has not been provided thus far. Should evidence be presented that demonstrated the movement of the structure in a cyclical pattern that accords with tree-related subsidence, the Council would of course sanction the tree's removal.
11. The longevity of the Pine should not present a higher risk, as an examination of the vigour presents it as a mature tree that is heading towards over-maturity. This lifecycle stage is usually characterised by shoots growing only a small amount and a propensity toward lateral rather than vertical growth. It is difficult to quantify how many years the tree will be viable for, but an estimate of 20-60 years would be reasonable. In raw terms the listed structure is of higher value, however, Conservation Areas are seen as a composite of both the built environment and the landscape assets resulting in the characteristic of amenity. It may be inferred from examination of the photograph in Annex 1f, that the tree and structure are complementary.

## Recommendation

To confirm the order notwithstanding the objection.

**Contact Name:** Phillip Cook

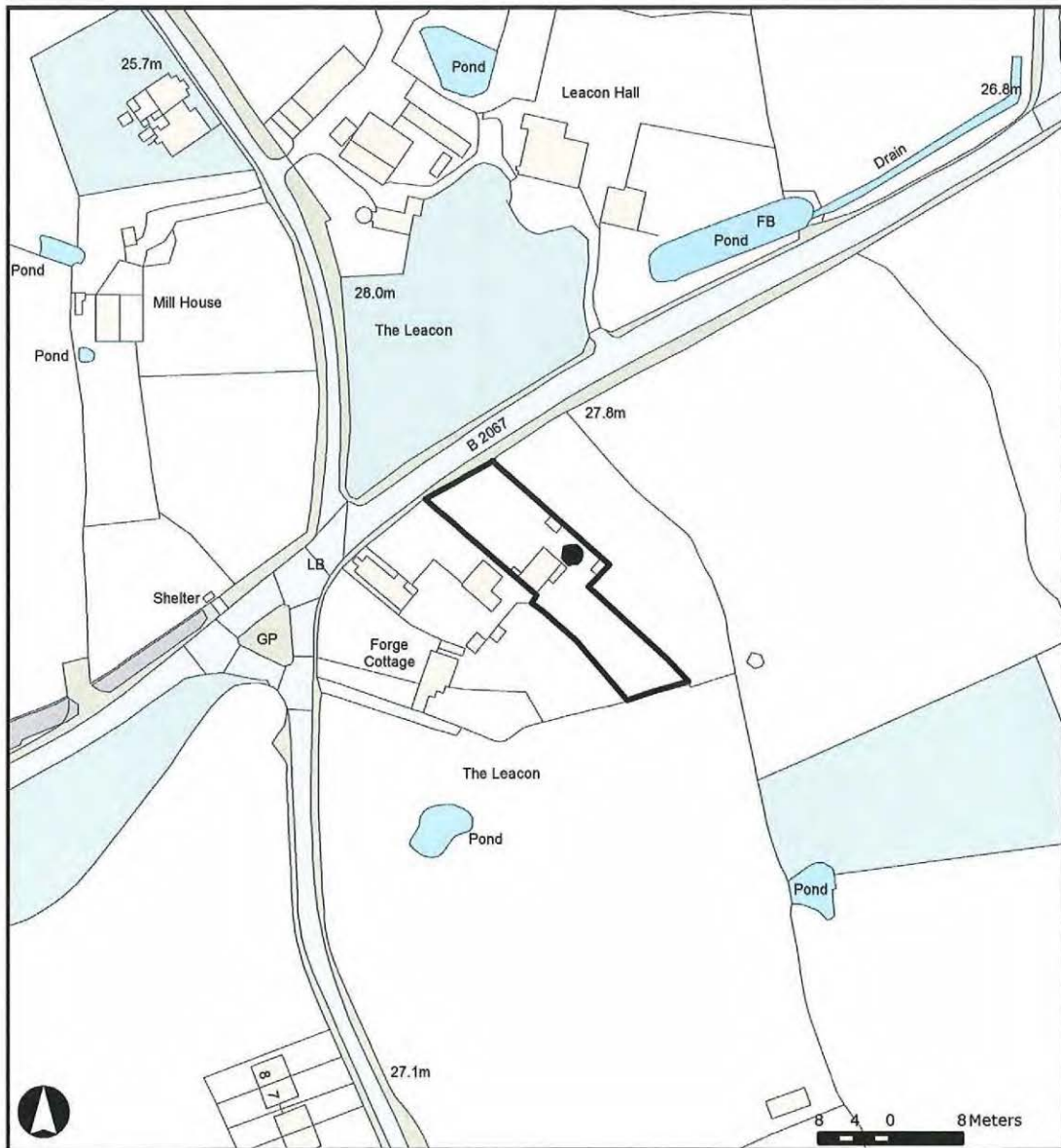
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Annex 1 - Location Plan



# Tree Preservation Order No. 12 2016



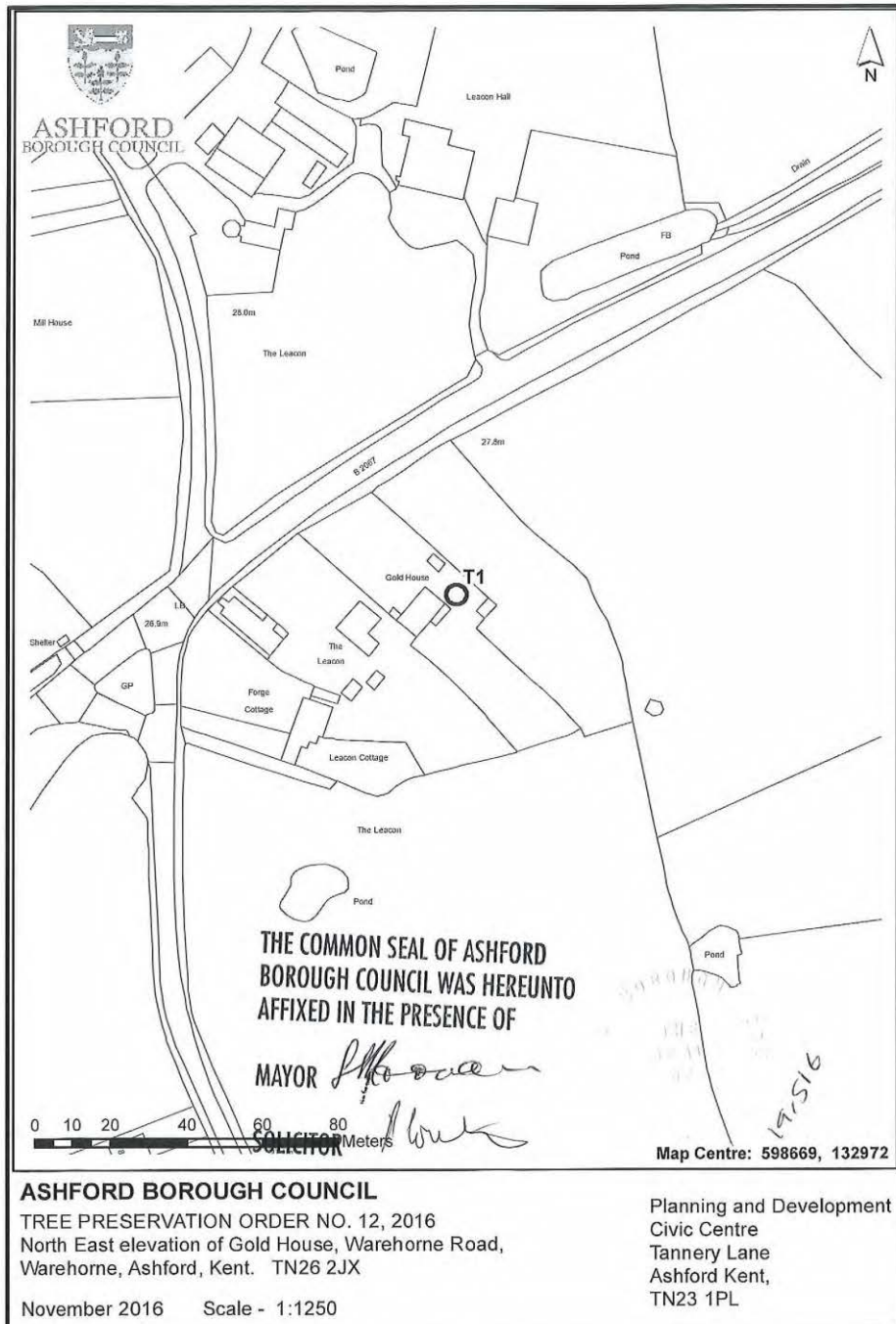
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Annex 1a - Schedule of TPO Trees

<b>SCHEDULE</b>		
<b>SPECIFICATION OF TREES</b>		
<b>Trees specified individually</b> (encircled in black on the map)		
<b>Reference on map</b>	<b>Description</b>	<b>Situation</b>
T1	Scots Pine	north east elevation of Gold House
<b>Trees specified by reference to an area</b> (within a dotted black line on the map)		
<b>Reference on map</b>	<b>Description</b>	<b>Situation</b>
		None
<b>Groups of trees</b> (within a broken black line on the map)		
<b>Reference on map</b>	<b>Description</b>	<b>Situation</b>
		None
<b>Woodlands</b> (within a continuous black line on the map)		
<b>Reference on map</b>	<b>Description</b>	<b>Situation</b>
		None

Annex 1b - TPO 12 2016 Map as Sealed.



Annex 1c -Google Street View from approximately 300m distant on B2067



Annex 1d – RICS Link to Tree Recommended Distance Table

trees concerned. In all cases it is wise to consult a qualified expert.

**KEEPING A SENSIBLE DISTANCE**

		Suggested minimum distance from property	Maximum root spread recorded
Cypress	<i>Cupressus</i>	3.5 metres	20.0 metres
Cypress	<i>Chamaecyparis</i>	3.5 metres	20.0 metres
Birch	<i>Betula</i>	4.0 metres	10.0 metres
Apple	<i>Malus</i>	5.0 metres	10.0 metres
Pear	<i>Pyrus</i>	5.0 metres	10.0 metres
Cherry, Plum and Peach	<i>Prunus</i>	6.0 metres	11.0 metres
Hawthorn	<i>Crataegus</i>	7.0 metres	11.5 metres
Rowan & Mountain Ash	<i>Sorbus</i>	7.0 metres	11.0 metres
Plane	<i>Platanus</i>	7.5 metres	15.0 metres
Lime	<i>Tilia</i>	8.0 metres	20.0 metres
Black-Locust	<i>Robinia</i>	8.5 metres	12.4 metres
Beech	<i>Fagus</i>	9.0 metres	15.0 metres
Ash	<i>Fraxinus</i>	10.0 metres	21.0 metres
Horse Chestnut	<i>Aesculus</i>	10.0 metres	23.0 metres
Elm	<i>Ulmus</i>	12.0 metres	25.0 metres
Maple & Sycamore	<i>Acer</i>	12.0 metres	20.0 metres
Oak	<i>Quercus</i>	18.0 metres	30.0 metres
Willow	<i>Salix</i>	18.0 metres	40.0 metres
Poplar	<i>Populus</i>	20.0 metres	30.0 metres

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Annex 1e Photograph from side of property showing pruned trees and site of service run.





Annex 1f - Google Street View of Gold House and Scots Pine from B2067 at 40m distance



Annex 1f – Map of Public Rights of Way and Conservation Area.

