



## Town Planning

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DX5727 Bromley

Kong Tree Care  
C/o Mr Ross White  
Kong Tree Care  
485 Hurst Road  
Bexley  
DA53JX

Application No : / DC/16/05602/TPO  
Date : 7th February 2017

### TREE PRESERVATION ORDER

### NOTIFICATION OF TREE REFUSAL

Take notice that the Council of the London Borough of Bromley, in exercise of its powers as local planning authority under the appropriate Act(s), has **REFUSED** to consent to the proposal referred to in your application received on 7th December 2016.

at : 66 Madeira Avenue Bromley BR1 4AS

Proposal: T1 Tulip - Fell.  
SUBJECT TO TPO BB 9 1960 (A1)

For following the reasons:-

- 1 The felling of the tulip tree would be detrimental to the local amenities and the character of the area. The retention of the tree is considered a priority over the nuisance of surface damage at ground level. Further information would be required to support a claim that the tree is impacting the superstructure of the dwelling. The proposal is contrary to policy NE7 of the Bromley Unitary Development Plan (adopted July 2006).

You are further informed that :

- 1 You are advised that formal consent is not required for the removal of deadwood, dangerous branches and Ivy from protected trees.
- 2 The subject tree (T1) has been identified by officers as a tulip tree. The original description has therefore been amended to reflect this.

Signed:



**CHIEF PLANNER**

On behalf of the London Borough of Bromley Council

You are further informed that:

If you are aggrieved by this decision you have the right of appeal to the Secretary of State for Communities and Local Government. This appeal must be made within one month of the date of receipt of this letter. Forms and further details are available from:

The Planning Inspectorate  
Environmental Team  
Room 4/04, Kite Wing  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol  
BS1 6PN

Tel: 0117-372-8727

Email: [environment.appeals@pins.gsi.gov.uk](mailto:environment.appeals@pins.gsi.gov.uk)

If you suffer any loss or damage which is caused or incurred in consequence of this refusal or consent, you are entitled to recover from the Council compensation in respect of such loss or damage. If you wish to make a claim you must do so within 12 months from the date of this decision (or, if you appeal to the Secretary of State for the environment, within 12 months from the date of his decision). Claims should be submitted in writing to the Chief Planner, Civic Centre, Stockwell Close, Bromley BR1 3UH

**Approvals with or without conditions, or refusals of applications for planning permission under the Town and Country Planning Act 1990 and the Town and Country Planning (General Development Procedure) Order 1995 (as amended) and applications for Listed Building and Conservation Area Consent under the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended)**

If you disagree with the decision of the Local Planning Authority (LPA) to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, you may appeal to The Planning Inspectorate (PINS). This is an independent Executive Agency which provides fair and impartial decisions on appeals against LPA decisions on planning consents in accordance with Section 78 of the Town and Country Planning Act 1990 and for Listed Building and Conservation Area consents in accordance with Section 20 and 21 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Appeals must be made within 12 weeks of the Decision Notice date for householder planning applications and within 6 months for any other application. They must be submitted on a form, which is obtainable from The Planning Inspectorate Temple Quay House, 2 The Square, Temple Quay Bristol BS1 6PN or online from [www.planningportal.gov.uk](http://www.planningportal.gov.uk). If an enforcement notice is or has been served relating to the same or substantially the same development as in your application, then the time limit to appeal will expire 28 days after the enforcement notice is served – except that you will have a minimum of 28 days to appeal after the right of appeal begins and the time limit will expire no later than it would if there were no enforcement notice.

The Secretary of State (including PINS) is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the Local Planning Authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the Statutory requirements, to the provisions of the development order, and to any directions given under the order.

If planning permission, listed building or conservation area consent to develop land is refused, or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State (including PINS) on appeal, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the London Borough of Bromley a purchase notice requiring that the Council purchase his interest in the land in accordance with the provisions of Part VI Chapter 1 of the Town and Country Planning Act 1990 or in accordance with the provisions of Section 32 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

In certain circumstances, a claim may be made against the local planning authority for compensation, where permission or consent is refused, or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. These circumstances in which compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990 and in Section 27 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

**Applications for Express Consent under the Town and Country Planning Act 1990 and the Town and Country Planning (Control of Advertisements) Regulations 2007**

If you disagree with the decision of the local planning authority to refuse consent for the display of an advertisement or to grant consent subject to conditions, you may by notice served within 8 weeks of the receipt of this notice, or such longer period as the Secretary of State may agree, appeal to the Planning Inspectorate in accordance with the provision of Part 3 Section 17 of The Town and Country Planning (Control of Advertisements) Regulations 2007. Forms are available from The Planning Inspectorate Temple Quay House, 2 The Square, Temple Quay Bristol BS1 6PN or online from [www.planningportal.gov.uk](http://www.planningportal.gov.uk).

**Town and Country Planning Act 1990 (as amended). A Certificate of Lawfulness for an existing proposed use or development**

If you are aggrieved by a refusal to grant, a Certificate of Lawfulness, you may appeal to the Planning Inspectorate under Section 195 and 196 of the Town and Country Planning Act 1990 (as amended).

**AN IMPORTANT FOOTNOTE**

Permission or approval referred to overleaf is confined to permission under the Town and Country Planning Act 1990, Planning (Listed Buildings and Conservation Areas) Act 1990, the Town and Country Planning General Development Order 1995 as amended, and the Town and Country Planning (Control of Advertisements) Regulations 2007, and does not obviate the necessity of compliance with any other enactment, by law, or other provision whatsoever or of obtaining from the appropriate authority or authorities any permission, Building Regulation, consent, approval or authorisation which may be required.

You are reminded that the Borough Council's permission does not modify or affect any personal or restrictive covenants, easement, etc., applying to or affecting either this or any other land or the rights of any persons (including the London Borough of Bromley Council) entitled to the benefits thereof or holding an interest in the property concerned in this development or in any adjoining property.

**ACCESS FOR PEOPLE WITH DISABILITIES**

Your attention is drawn to British Standard and Government advice concerning means of access for people with a disability. This advice applies to educational, recreational and retail premises as well as office, factories and business premises.