

Report of Head of Development Management & Building Control
TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED),
SECTIONS 198-201 AND 203

**TREE PRESERVATION ORDER NO. 803 (TPO 803):
TREES SITUATED ON GARDEN CITY, WEST DRAYTON (ASCL).**





1.0 Summary

1.1 To consider whether or not to confirm TPO 803.

2.0 Recommendations

2.1 That TPO 803 is confirmed with amendments.

2.1.1 Amendments as followed T7 species, corrected from oak to walnut. Reposition T6 on map to show tree within correct property. Amendments shown in red ink.

3.0 Information

3.1 The making of TPO 803 was authorised under delegated powers on 10th May 2023 following concerns from local residents that the nature of the landscape has changed over time, by the removal of large trees in the area.

3.2 The trees highlighted for protection provides attractive landscape features that contributes to the amenity and arboreal character of the local area. The trees merit protection on amenity grounds. Following the creation of TPO 799 on Frays Island, several residents contacted us raising concerns regarding tree protection on Garden City Estate, prompting us to look closer at the surrounding area. TPO 803 is a result of these follow up investigations.

3.3 The trees have long-life expectancies and so will provide amenity for years to come.

4.0 The Objection

Two formal objections (summarised verbatim below) to TPO 803 were received from two of the property owners for the following reasons:

4.1 A resident believes that the trees on the boundary of his house need annual pruning to control rapid growth.

4.2 A resident has stated that we have not individually identified trees in A3.

4.3 A resident of has stated he feels some of the trees are unsafe as they are “planted on soft soil” and have “snapped and fallen during bad weather”.

4.4 A resident is aggrieved that Hillingdon Council is protecting trees and not offering financial help to maintain them.

4.5 A resident feels that other mature trees that should have been included have been omitted from TPO 803.

5.0 Observations on the objections to TPO 803:

5.1 An option for the cyclical management of the protected trees may be agreed upon by us, if the work is in line with good management practices. Through the process of TPO application

5.2 We have included all **native** trees in A3, and as such, any non-native trees can be worked upon without application. As government guidelines state, trees can be grouped into areas, and it is their amenity value as a collective that is being protected.

5.3 The tree protection order does not stop the residents from working on unsafe trees. If a tree is shown to be an imminent threat, this tree would be exempt from the application process.

5.4 As per Government guidance, trees on private land are the responsibility of the landowner. The creation of a TPO does not increase maintenance costs incurred and therefore we do not assist in funding work on private trees.

5.5 We will assess the other suggested areas / trees for TPO and if necessary, create another to cover these.

6.0 Other matters:

6.1 2 representations were received asking for the creation of a new TPO and therefore in favour of TPO 803 for the following reason (summarised verbatim below):

6.2 The residents were concerned that tree felling works in the local area was leading to a general decrease in important trees in the ASLC.

7.0 Conclusion

It is recommended that TPO 803 be confirmed.

The following background documents were used in the preparation of this report:

- Provisional Tree Preservation Order No. 803 (2023)
- Emails of objection and support to TPO 803

Town and Country Planning Act 1990
LONDON BOROUGH OF HILLINGDON TREE PRESERVATION ORDER No. 803
(2023)

In respect of

TREES SITUATED ON GARDEN CITY, WEST DRAYTON (ASCL).

The LONDON BOROUGH OF HILLINGDON Council, in exercise of the powers conferred on them by section 198 of the Town and Country Planning Act 1990 make the following Order—

Citation

1. This Order may be cited as the LONDON BOROUGH OF HILLINGDON TREE PRESERVATION ORDER No. 803 (2023).

Interpretation

2. — (1) In this Order “the authority” means the LONDON BOROUGH OF HILLINGDON.
(2) In this Order any reference to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990 and any reference to a numbered regulation is a reference to the regulation so numbered in the Town and Country Planning (Tree Preservation)(England) Regulations 2012.

Effect

3. — (1) Subject to article 4, this Order takes effect provisionally on the date on which it is made.

(2) Without prejudice to subsection (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners) and, subject to the exceptions in regulation 14, no person shall—

- (a) cut down, top, lop, uproot, wilfully damage, or wilfully destroy; or
- (b) cause or permit the cutting down, topping, lopping, uprooting, wilful damage or wilful destruction of,

any tree specified in the Schedule to this Order except with the written consent of the authority in accordance with regulations 16 and 17, or of the Secretary of State in accordance with regulation 23, and, where such consent is given subject to conditions, in accordance with those conditions.

Application to trees to be planted pursuant to a condition

4. In relation to any tree identified in the first column of the Schedule by the letter “C”, being a tree to be planted pursuant to a condition imposed under paragraph (a) of section 197 (planning permission to include appropriate provision for preservation and planting of trees), this Order takes effect as from the time when the tree is planted.

Dated this day of 10/05/2023

Signed on behalf of the London Borough of Hillingdon

A handwritten signature in black ink, appearing to be the initials 'JH' followed by a horizontal flourish.

.....

Authorised by the Council to sign in that behalf

SCHEDULE
Specification of trees

Trees specified individually

Reference on map	Description	Botanical name	Situation
T1	Lime	<i>Tilia sps</i>	23 Frays Avenue
T2	Lime	<i>Tilia sps.</i>	23 Frays Avenue
T3	Sycamore	<i>Acer pseudoplatanus</i>	25 Frays Avenue
T4	False Acacia	<i>Robinia psuedoacacia</i>	25 Frays Avenue
T5	Silver Birch	<i>Betula pendula</i>	25 Frays Avenue
T6	Deodar Cedar	<i>Cedrus deodara</i>	34 Frays Avenue
T7	Walnut Oak	<i>Juglans nigra</i> <i>Quercus robur</i>	41 Lawn Avenue
T8	Japanese Flowering Cherry	<i>Prunus serrulata</i>	23 Lawn Avenue

Trees specified by reference to an area

Reference on map	Description	Botanical name	Situation
A1	various native species		Island east of Frays Avenue
A2	various species		R/O Frays Avenue
A3	various native species		Orlingbury, Lawn Avenue

Groups of trees

None

Woodlands

Reference on map	Description	Botanical name	Situation
W1	various native deciduous species		Land west of River Colne

Signed on behalf of the
London Borough of Hillingdon

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to sign in that behalf



GARDEN CITY, WEST DRAYTON (ASCL)

Tree Preservation Order Number

803 (overview map)

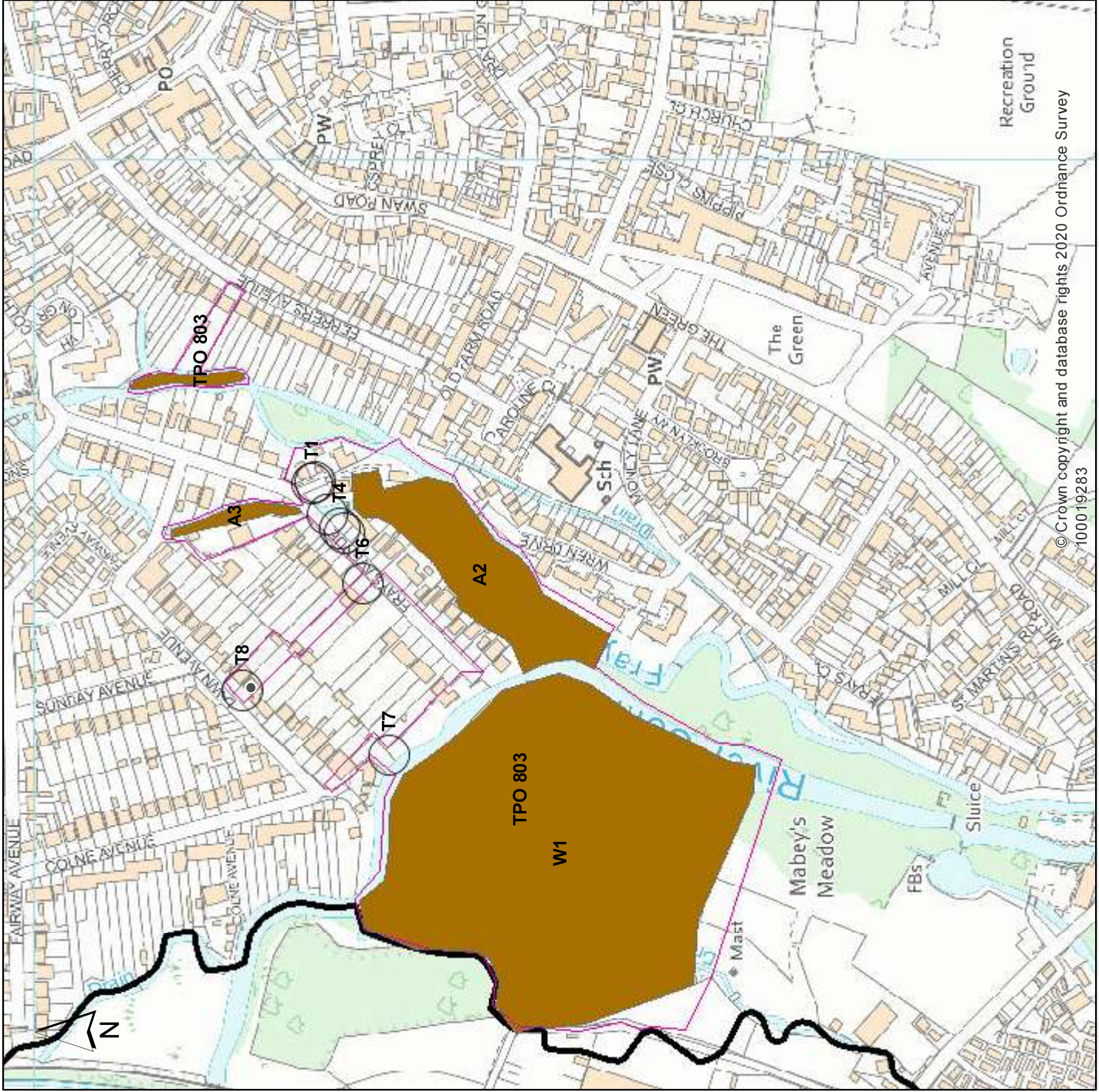
**LONDON BOROUGH OF
HILLINGDON**

Residents' Services

Civic Centre, Uxbridge, Middx, UB8 1UW
Telephone No. 01895 250111

Scale: 1:5,000

Date: May 2023



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GARDEN CITY, WEST DRAYTON (ASCL)

Tree Preservation Order Number

803 (Zoomed in part 1)

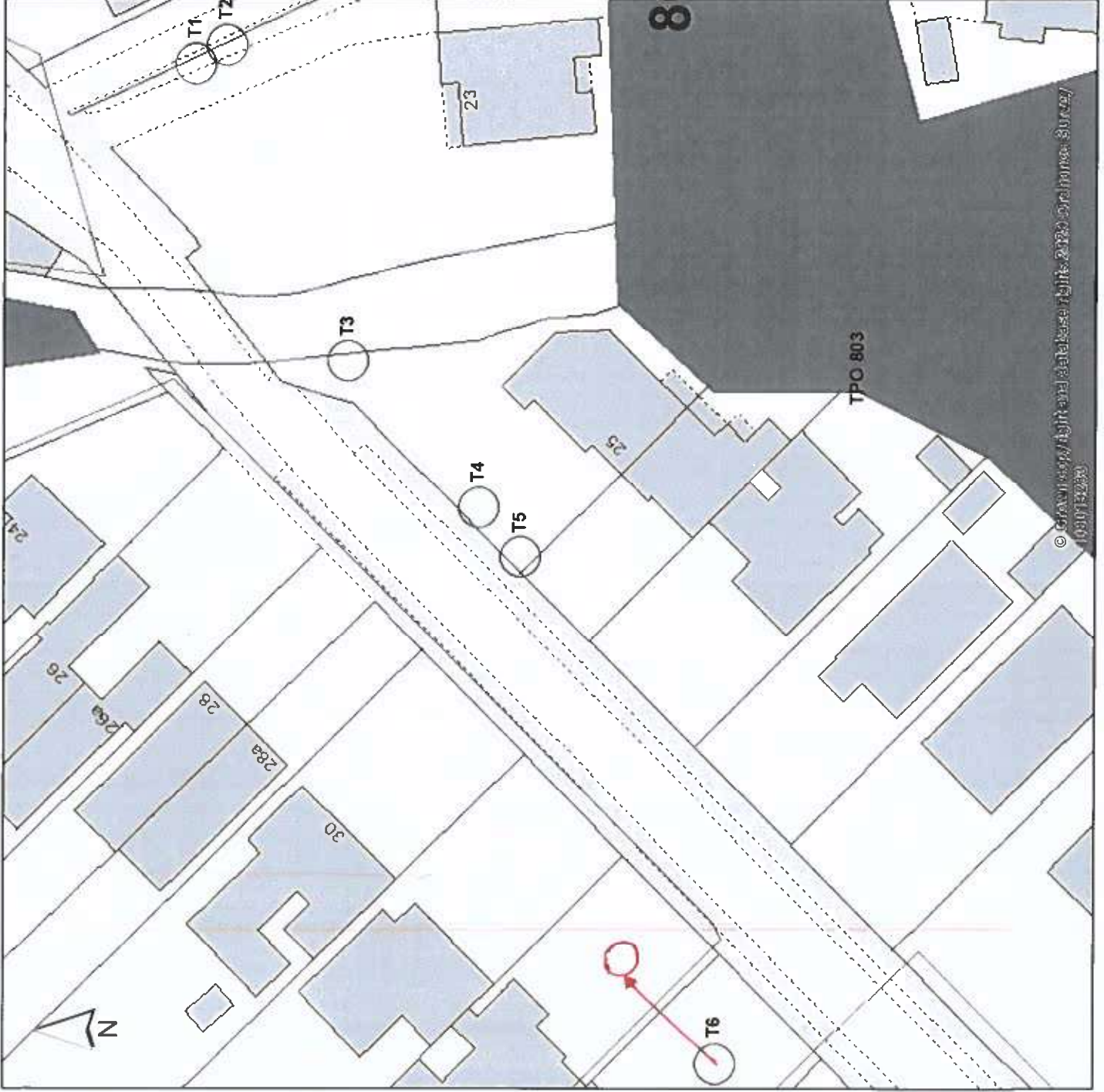
**LONDON BOROUGH OF
HILLINGDON**

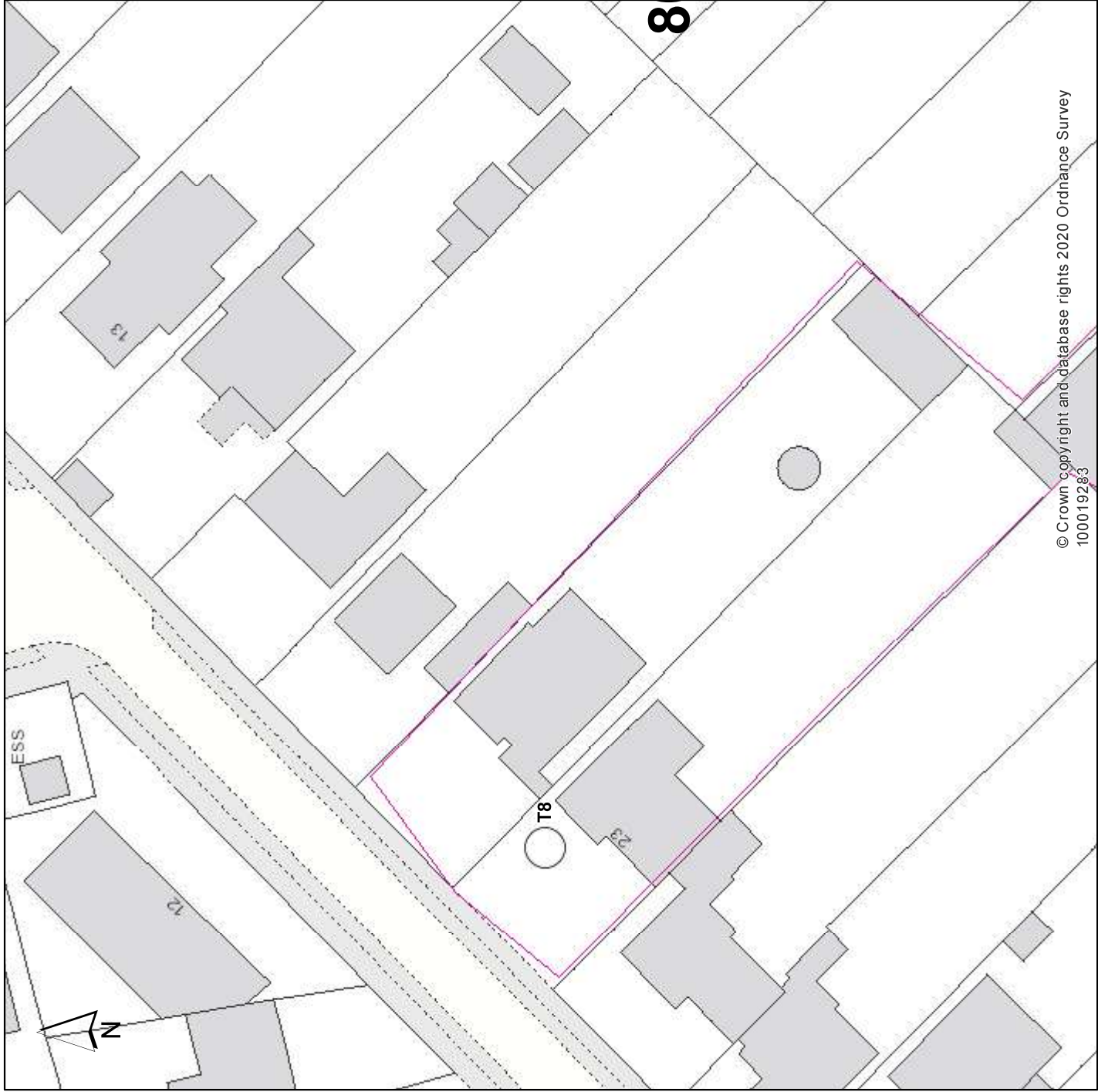
Residents' Services

Civic Centre, Uxbridge, Middx, UB8 1UW
Telephone No. 01895 250111

Scale: 1:500

Date: May 2023





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GARDEN CITY, WEST DRAYTON (ASCL)

Tree Preservation Order Number

803 (Zoomed in part 2)

**LONDON BOROUGH OF
HILLINGDON**

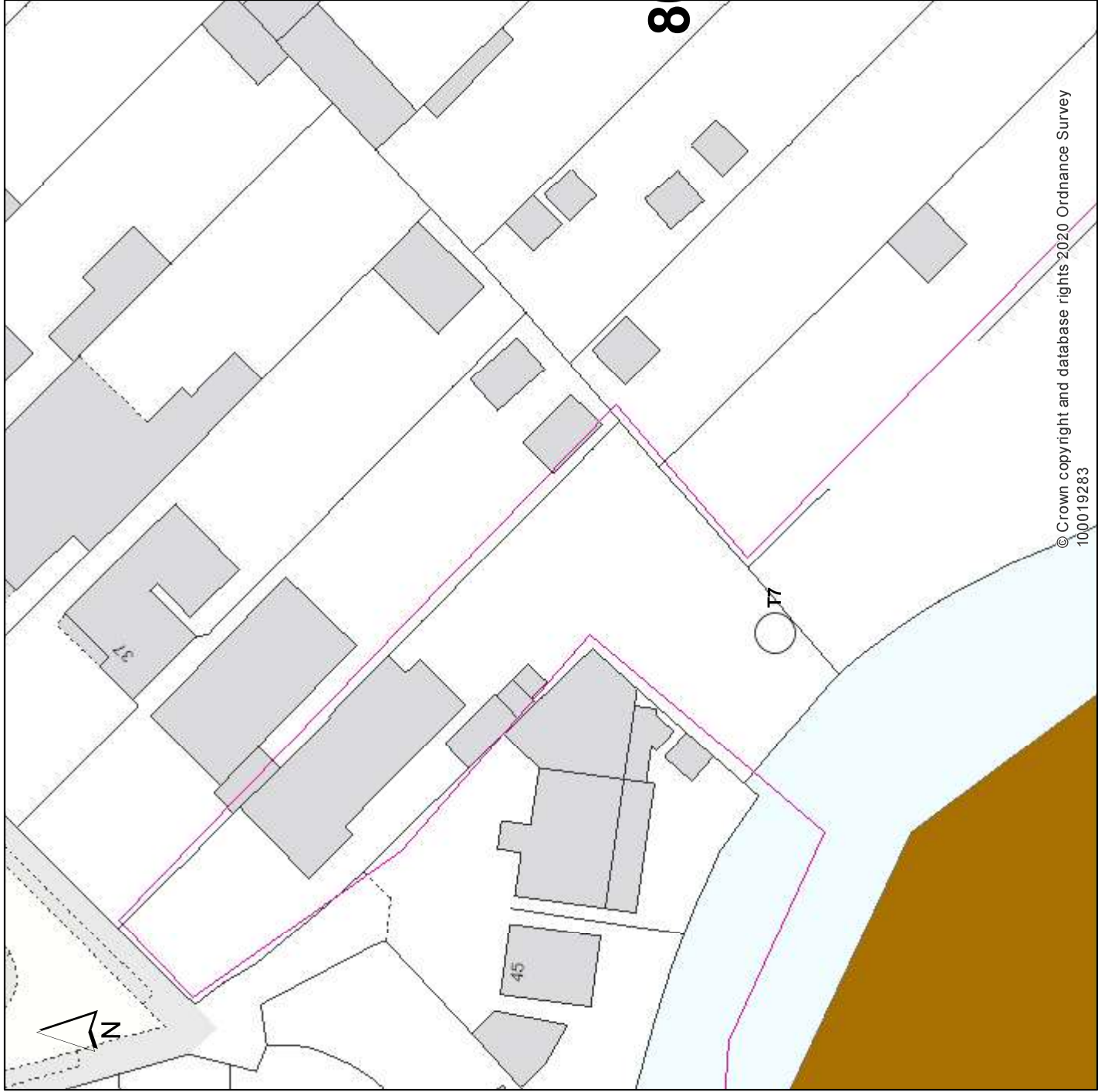
Residents' Services

Civic Centre, Uxbridge, Middx, UB8 1UW
Telephone No. 01895 250111

Scale: 1:500

Date: May 2023





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to sign in that behalf

GARDEN CITY, WEST DRAYTON (ASCL)

Tree Preservation Order Number

803 (Zoomed in part 3)

LONDON BOROUGH OF HILLINGDON

Residents' Services

Civic Centre, Uxbridge, Middx, UB8 1UW
Telephone No. 01895 250111

Scale: 1:500

Date: May 2023

