

Officer Report

Application No.	20/0424/FH
Site Address	Lincoln House, Walton Manor Close, Folkestone, CT19 5SX
Officer Name	Jo Daniels
Proposal	1.5 metre overall crown reduction of two Prunus trees (T2 and T3) both subject of Tree Preservation Order No 2 of 2009

Recommendation

Report Number	RD-421508
Recommended Decision	Recommended to be Approve with Conditions
Recommendation Date	06 May 2020

Report

Performance data:-

Date application valid: 1/4/20

Applicable 8 week target date: 6/5/20

Planning Performance Agreement (PPA) or Planning Extension Agreement (PEA) Yes/No

If Yes, revised 8/13/16 week target date:

Is the application being determined after 26 weeks without a PPA or a PEA Yes/No

SITE VISIT

A site visit has been carried out. The site and proposals were assessed from the public highway park and key features are noted in the assessment.

SITE

The site is Lincoln House, one of two purpose built blocks of flats situated at the northern end of Walton Manor Close and south of Churchill Avenue. The site is located within a residential area on the north eastern outskirts of Folkestone.

The medium sized Cherry trees (T2 and T3) are located within a group on the north eastern boundary of the site and adjacent to 1 Churchill Close which is set at a higher level. The trees form part of G1 of TPO No. 2 of 2009. Individually the trees are barely visible in the street scene, but the group can be seen from Lincoln Close and from the public footpath which runs to the rear of the site.

RELEVANT HISTORY

None

PROPOSAL

During the winter storms, a third Cherry (T1) within the group partially collapsed into the adjoining garden and consent was granted under a '5 day notice' to remove it. The land owner instructed an arboricultural consultant to inspect the remaining trees in the group and prepare a report recommending appropriate works to them.

The recommended proposed works comprise of a crown reduction of up to 1.5 metres of the trees to reduce wind sail as a result of extra exposure to wind due to the removal of T1. It is also proposed to reduce a third tree within the group, an Acer (T4), but this tree does not form part of the TPO therefore consent is not required to undertake works to it.

CONSULTATIONS

None received

REPRESENTATIONS

None received

PUBLICITY

Neighbour Letter expiry 23/4/20

POLICIES

Shepway District Local Plan Review Saved Policies: SD1; BE17

Shepway Core Strategy Local Plan 2013 Policies: DSD

APPRAISAL

The trees have fairly low visual amenity value but as a group serve to provide a natural screen and buffer between the dwellings in Churchill Close and the flats.

The trees are partially clad with ivy and their canopies are rather heavy and unbalanced. Following the removal of the collapsed Cherry it is likely that the trees will be exposed to wind force to which they are unaccustomed, and therefore it is proposed to undertake a crown reduction to ease the weight in the crown to lessen the risk of structural failure.

The proposed work appears reasonable and acceptable and in line with good arboricultural practice to address the above issues.

It is not considered that the proposed work will have a detrimental effect on the long term health of the trees, the visual amenity of the TPO or on the character and appearance of the area.

HUMAN RIGHTS

I have also taken into account the human rights issues relevant to this application. In my view, the Assessment section above and the Recommendation represents an appropriate balance between the interests and rights of the applicant (to enjoy his land subject only to reasonable and proportionate controls by a public authority) [and the interests and rights of those potentially affected by the proposal (to respect for private life and the home and peaceful enjoyment of their properties)] and the wider public interest.

PUBLIC SECTOR EQUALITY DUTY

In determining this application, regard has been had to the Public Sector Equality Duty (PSED) as set down in section 149 of the Equality Act 2010, in particular with regard to the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it. It is considered that the application proposals would not undermine objectives of the Duty.

It is considered that the application proposals would not conflict with objectives of the Duty.

RECOMMENDATION

In light of the above, it is considered the proposal complies with the above policies and the NPPF and therefore no objections are raised.

Case Officer: Jo Daniels

Report and draft decision notice completed and passed to senior officer.

Name: Position: Date:

File passed to admin to issue decision. Falls within the scheme of delegation (no requirement to pass to senior officer).

Name: Jo Daniels Position: Planning Technician Date: 6/5/20

Recommended Conditions (2)

1

The work hereby permitted shall be begun before the expiration of two years from the date of this consent.

Reason:

To enable the Council to consider the position again should the work not be carried out within the prescribed period.

2

The agreed works shall be carried out in accordance with British Standard 3998: 2010 (Tree Work - Recommendations) and comprise of an overall crown reduction of 1.5 metres.

Reason:

To ensure that the works are carried out in accordance with good practice in

accordance with saved policies SD1 and BE17 of the Shepway District Local Plan.