

OFFICERS REPORT

Application No: Y16/1010/SH

Location: Yew Tree House Vicarage Lane Elham Canterbury Kent CT4 6TT

Proposal Crown reduce to previously reduced height of 1.5 metres and shape sides of a group of four Laurels situated within a conservation area.

ASSESSMENT

Performance data:-

Date application valid: 9/9/16

Applicable 6 week target date: 21/10/16

Planning Performance Agreement (PPA) or Planning Extension Agreement (PEA) ? Y/N

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

Is the application being determined after 26 weeks without a PPA or a PEA? Y/N

SITE VISIT

Carried out site visit on 15/9/16

The site and proposals were assessed from inside the site and from the surrounding street and adjacent footpath and the key features are noted below.

SITE

The site is the well stocked east facing rear garden of Yew Tree House a reasonably sized attached period dwelling, situated in a quiet backwater on the north east side of Vicarage Lane and close to the Parish Church of St Mary's. The site is within the Kent Downs AONB and within the designated conservation area.

The group of four medium sized Laurels are situated on the rear boundary of the enclosed rear garden and are not visible in the street scene, therefore they have no public visual amenity. However together with other mature trees and shrubs within this and adjacent properties, they collectively contribute to the character and appearance of the conservation area as a whole in this picturesque location in the heart of the attractive rural village of Elham.

HISTORY

There have been two previous applications for works to trees at this property: Y00/0092/SH refused consent for felling of a Conifer tree situated within a conservation area and Y00/0058/SH granted consent for the felling of a Spruce tree subject of Tree Preservation order No 5 of 2000.

PROPOSAL

The application comprises the re-pollarding of the Laurels back to previous pruning points to leave them at a height of approximately 1.5 metres and shape sides. The works are required to keep the trees managed and is a repeat of works previously undertaken.

CONSULTATION RESPONSES

None received.

No representations received.

RELEVANT POLICIES

Shepway District Local Plan Review Saved Policies: SD1; BE4

APPRAISAL

The proposed reduction of the Laurels to approximately 1.5 metres is a repeat of that previously undertaken and is considered to be in line with good arboricultural practice, and deemed necessary to keep the trees managed.

It is judged that the proposal is unlikely to compromise the long term health or visual amenity of the trees, or the character and appearance of the conservation area.

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

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.

Case Officer: Jo Daniels

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

Name: _____ Position: _____ Date: _____

Report and draft decision notice amended (if appropriate)

Name: _____ Position: _____ Date: _____

Senior Officer

Report not agreed. Details of further work required as follows:

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: 17/10/16