

OFFICERS REPORT

Application No: Y16/1124/SH

Location: Land Opposite 45 The Street The Street Hawkinge Kent

Proposal Pruning back to previous pruning points of an Ash subject of Tree Preservation Order No 20 of 1988

ASSESSMENT

Performance data:-

Date application valid: 18/11/16

Applicable 8 week target date: 13/1/17

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 22/11/16

The site and proposals were assessed from the site and public footpath and the key features are noted below.

SITE

The site is a triangular plot of woodland between The Street and Mill Lane and set within a residential area on the northern outskirts of the small town of Hawkinge. To the west side of the site there is a large area of protected woodland and to the south and west are three modern cottages, their rear boundaries adjoining the site. To the south is Mill Farm. There is a public footpath running along the southern side of the site connecting The Street with Mill Lane. The site also lies within an Area of Outstanding Natural Beauty.

The large mature ivy clad Ash tree subject of this application is situated in the south western corner of the site, adjacent to the boundary with Grove Cottage over which its canopy extends. It is subject of a group Tree Preservation Order, No.20 of 1988, and though individually it is not readily visible in the street scene or from the public footpath, collectively with other trees within the woodland it makes an important contribution to the sylvan character and visual amenity of the area, and to the semi-rural feel of this attractive residential location.

HISTORY

There have been two previous applications for works to trees at this location: Y00/1163/SH granted consent for felling of two and crown reduction of one Monterey Cypress trees the subject of Tree Preservation Order No. 20 of 1988

Y13/0842/SH granted consent for works to a number of woodland trees subject of Tree Preservation Order No. 20 of 1988 to include the felling of fourteen trees and various pruning works to five trees.

PROPOSAL

This application, made on behalf of Hawkinge Town Council, the land owners, seeks to re-reduce the Ash tree by approximately 50%, back to previous reduction points, on the grounds that it is causing excessive shading to Grove Cottage and there are concerns that dropping branches could cause damage to the property. It is proposed to reduce the group of adjacent vegetation but the group consists of young trees and scrub (Hawthorn and Elder) that would not have been there when the Order was made in 1988, and as such are not protected. Consequently these have been removed from the application.

CONSULTATION RESPONSES

Consultation responses are available in full on the planning file. The main points raised are summarised below.

Hawkinge Town Council: no objection

REPRESENTATIONS

No representations received.

PUBLICITY

Neighbours notified by letter. Expiry date 12/12/16

RELEVANT POLICIES

Shepway District Local Plan Review Saved Policies: SD1; BE17

Shepway Core Strategy Local Plan 2013: DSD; CDS4

APPRAISAL

The small area of mixed woodland in which the tree is located forms an important landscape feature.

The tree has been reduced previously, and whilst the reduction is quite substantial, it would not be appropriate to withhold consent on this occasion. The proposed works are considered reasonable and acceptable and in line with good arboricultural practice to address the above issues and to prevent the tree from posing a nuisance to the occupiers of Grove Cottage.

The proposals are considered unlikely to be harmful to the long term health of the tree, the visual amenity of the TPO or the character and appearance of the area.

RECOMMENDATION

In light of the above, it is considered the proposal complies with policy and the NPPF and is therefore recommended for approval subject to conditions.

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.

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 pas to senior officer).

Name: Jo Daniels Position: Planning Technician Date: 6/1/17