

OFFICERS REPORT

Application No: Y17/0188/SH

Location: 49 Earls Avenue Folkestone Kent CT20 2HA

Proposal Works to trees situated within a conservation area comprising: T1 Beech - crown reduction by reducing the height and spread by a maximum of 2.5 metres; T2 Magnolia - crown reduction by reducing the height and spread by a maximum of 2 metres.

ASSESSMENT

Performance data:-

Date application valid: 27/2/17

Applicable 6 week target date: 10/4/17

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 9/3/17

The site and proposals were assessed from Earls Avenue and the key features are noted below.

SITE

The site is the front garden of this detached period property currently divided into flats and set on the west side of Earls Avenue in a mainly residential area, close to the Leas and within an Area of Special Character the Folkestone Leas and Bayle Conservation Area.

The two large mature trees, a Copper Beech and a Magnolia are situated on the lawn of the east facing front garden which is bounded on the front elevation by a low brick wall, topped by a clipped evergreen hedge. The Beech is situated adjacent to the pedestrian access path to the flats and the Magnolia is situated immediately to the front of the building.

The trees are highly prominent within the street scene and together with the street trees that characterise this area of Folkestone, and those within adjacent properties, they are considered to contribute to the character and appearance of the conservation area, and to the leafy character of this attractive location.

HISTORY

There has been one previous application for works to trees at this address: Y10/0473/SH granted consent for a crown lift to 3.5 metres and 20% crown clean and thin of a Beech tree situated within a conservation area.

PROPOSAL

The application comprises the crown reduction of the Beech by reducing the height and spread by a maximum of 2.5 metres and the Magnolia by a maximum of 2 metres.

The works is required due to their excessive size and proximity to the building.

CONSULTATION RESPONSES

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

Folkestone Town Council: 'The Committee is concerned over the amount of reduction to the Magnolia but has no objection if the Tree Officer approves it.

REPRESENTATIONS

No representations received.

PUBLICITY

Site notice displayed. Expiry date 30/3/17

RELEVANT POLICIES

Shepway District Local Plan Review Saved Policies SD1; BE4; BE12

Shepway Core Strategy Local Plan Policies 2013: DSD

APPRAISAL

The trees contribute to the pleasant sylvan character of the area; however they are beginning to outgrow their location. The Magnolia in particular is encroaching over the front elevation of the building and is likely to be blocking light to those rooms at the front of the property.

With regard to the comment raised by Folkestone Town Council in connection with the amount of reduction to the Magnolia, this has been discussed with the Arboricultural Manager who has no concerns over the proposed reduction. The greatest amount for the branches to be reduced (by 2 metres) is required on the west side of the tree where it is touching the front of the building and where the canopy is more extensive, but the remainder of the tree will require a lesser reduction. It is likely that the tree will be left with a more balanced crown once the work is complete.

The proposed work appears reasonable and acceptable, and in line with good arboricultural practice to keep the trees managed and remove the encroachment. It is not considered that the proposals will be detrimental to the long term health of the trees or the character or appearance of the conservation area.

RECOMMENDATION

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

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 pass to senior officer).

Name: Jo Daniels Position: Planning Technician Date: 5/4/17