

OFFICERS REPORT

Application No: Y17/0884/SH

Location: Carlton Leas The Leas Folkestone Kent CT20 2DJ

Proposal Felling of a Pine tree situated within a conservation area followed by the planting of a Cordyline Palm (as agreed by Agent by email of 8th August 2017).

ASSESSMENT

Performance data:-

Date application valid: 25/7/17

Applicable 6 week target date: 5/9/17

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 1/8/17

The site and proposals were assessed from various points around the site and the key features are noted below.

SITE

The site is Carlton Leas, a six storey purpose built block of flats located on the north side of The Leas, opposite the Leas Cliff Hall and within the designated Folkestone Leas and Bayle Conservation Area.

The medium sized Pine is set within the north eastern corner of the small south easterly facing front garden which is bounded by a dwarf wall partially topped by an evergreen hedge.

The tree appears to be the last remaining Pine in this location; the remainder were felled under Y09/0711/SH and replaced with Cordyline Palms. The Pine, together with the Palms, serve to soften the rather stark elevation of the building as well as providing an important element to the visual amenity of the cliff top promenade, which is one of Folkestone's main visitor attractions.

The Pine is prominent in the street scene and is considered to make an important contribution to the conservation area as a whole in this attractive coastal location.

HISTORY

There have been three previous applications for works to trees at this address: Y06/0043/SH raised no objections to the felling of 5 Pine trees, crown lift to 2 Pine trees and removal of dead branches to 1 Pine tree situated within a conservation area; Y09/0711/SH raised no objections to the felling of eight Pine trees situated within a conservation area and planting of four replacement Cordyline trees, and Y16/0322/SH granted consent for works to trees situated within a conservation area comprising: Pine (T1) reduce two branches on south side

by 1 metre to re-shape; Cordyline (T2) reduce four branches to leave tree at approximately 4 metres in height; Cordyline (T3, T6 and T7) pollard to a height of approximately 3 metres and prune to re-shape; Cordyline (T8) thin out and reduce five branches to leave tree at a height of approximately 3 metres

PROPOSAL

The application seeks to fell the Pine on the grounds that it is causing light issues to flats and potential danger to building due to proximity to boundary wall and neighbouring property.

CONSULTATION RESPONSES

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

Folkestone Town Council: no objections - would expect the overpowering tree to be replaced by a more appropriate species

Arboricultural Manager: are there plans to re-plant with another tree such as a Cordyline to match the others in the gardens of Carlton Leas? If not, recommend that a TPO be served on the Pine.

REPRESENTATIONS

No representations received.

PUBLICITY

Site notice displayed. Expiry date 23/8/17

RELEVANT POLICIES

Shepway District Local Plan Review Saved Policies: SD1; BE4

Shepway Core Strategy Local Plan 2013 Policies: DSD

APPRAISAL

As mentioned above, the landscaping in this location is an important component of the overall visual amenity of this popular area, as well as providing a pleasant backdrop to the brick facade of the flats. It appears that there were originally a number of Pines in this location but eight were felled in 2009 and replaced with Cordylines which have clearly thrived in this location.

Though the tree has high visual amenity value, it is becoming quite large and is beginning to encroach over the boundary to the adjoining hotel and is restricting light to those flats adjacent to it. There are also concerns over potential damage to the building in the future but these fears are unfounded and would not, without proof, be sufficient reason to fell the tree.

Pruning of the Pine to address the shading issue is not really an option since this species of tree does not respond well to pruning and is likely to spoil its visual amenity. Therefore the most suitable course of action would be to fell the tree and replant with a Cordyline to match the existing, as recommended by the Arboricultural Manager, and the applicant has confirmed that they are in agreement with this.

The felling of the Pine is unlikely to have a detrimental effect on the character and appearance of the conservation area, as the existing Cordylines and the planting of a new Cordyline are likely to mitigate its loss.

RECOMMENDATION

In light of the above, it is considered the proposal complies with policy and the NPPF and therefore no objections area 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: 25/8/17