

Officer Report

Application No.	21/0596/FH/TCA
Site Address	44 Sandgate Hill, Sandgate, CT20 3AX
Officer Name	Jo Daniels
Proposal	Felling of one Cordyline Palm (T1), one Magnolia (T2) and one Holly (T3), all situated within a conservation area

Recommendation

Report Number	RD-424992
Recommended Decision	Recommended to be No Objections
Recommendation Date	27 April 2021

Report

Date application valid: 19/3/21

Applicable 6 week target date: 30/4/21

SITE VISIT

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

SITE

The site is 44 Sandgate Hill, a large period semi-detached property currently divided into flats, set on the north side of Sandgate Hill, and within the Sandgate Conservation Area.

The rear garden climbs gently upwards in a north westerly direction towards Enbrook Park housing the Saga offices. There is a dense wooded strip on the south eastern boundary of the park which provides a natural screen between the dwellings on Sandgate Hill and the offices, and which forms an important visual amenity to the area.

There are three medium sized trees subject to this application, a Cordyline palm immediately to the front of the property, a Magnolia adjacent to the side of the property and a Holly in the rear garden.

The Holly and the Magnolia are barely visible from a public place and whilst the palm is prominent in the street scene, but not typical of trees within this location, as such none of the trees are considered to make a contribution to the character and appearance of the conservation area in this busy but attractive coastal location.

RELEVANT HISTORY

None

PROPOSAL

The application comprises of the felling of the trees on the grounds that they are too close to the dwelling and that the Holly is taking up too much space in the back garden.

CONSULTATIONS

Sandgate Parish Council: No objection subject to the views of the Tree Officer.

REPRESENTATIONS

None received

POLICIES

Shepway Core Strategy Local Plan 2013 Policies: DSD

Places and Policies Local Plan (2020) Policies: HB1

National Planning Policy Framework (NPPF) 2019

Section 15: Conserving and enhancing the natural environment

National Planning Policy Guidance (NPPG) Natural Environment

Sandgate Design Statement: Section 9 (Protection of wooded escarpment)

APPRAISAL

The trees have little amenity value compared with the adjacent wooded area and the landscaped gardens of Enbrook Park.

The Sandgate Design Statement states that the wooded hillsides provide the strong backdrop for the character and appearance of Sandgate. Section 9 of the statement (Protection of wooded escarpment) refers to the existing mature wooded skyline escarpments as being well established landscape characteristics that should be preserved and enhanced with additional appropriate planting where possible. In this case, whilst it is proposed that three trees are felled, it is not considered that they fulfil the criteria of woodland trees, therefore it is judged that the felling proposals do not contravene the aims of the design statement and as such are acceptable.

Similarly, although the Palm is highly visible, none of the trees are thought to fulfil the criteria for retention via a tree preservation order, therefore their felling is considered reasonable and acceptable for the reasons given above.

It is judged that the proposed works is unlikely to be detrimental to the visual amenity of the conservation area, 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.

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: Case Management Officer Date: 26/4/21