

Officer Report

Application No.	24/0192/FH
Site Address	21 Kilndown Place, Stelling Minnis, Canterbury, CT4 6EZ
Officer Name	Katy Claw
Proposal	Works to trees subject to TPO No15 of 2016 numerous Birch to be reduced in height by 5 metres and removal of one broken tree

Recommendation

Report Number	RD-434445
Recommended Decision	Recommended to be Approve with Conditions
Recommendation Date	08 May 2024

Report

SITE

The site is located within a new housing estate on the outskirts of the village of Stelling Minnis. The trees in question form part of a wider blanket TPO which borders the wider housing estate.

RELEVANT HISTORY

Y15/1292/SH - Demolition of buildings and structures, remediation of land and the erection of 30 houses and two B1 office units of 465m2 floor area, plus the closure of existing access to Stone Street and creation of new access to Thorn Lane.
Approved with conditions

PROPOSAL

This application seeks permission to reduce in height by approximately 5 metres, Birch trees which bound the application site, reducing the height to the same height as the fir trees which sit behind the Birch trees.

CONSULTATIONS

Elsted Parish Council – No comments received

REPRESENTATIONS

None

PUBLICITY

Neighbours notified by letter. Expiry date: 09.04.2024
Site Notice. Expiry date: 10.04.2024

POLICIES

The Development Plan comprises the Core Strategy Review 2022 and the Places and Policies Local Plan 2020.

Places and Policies Local Plan Policies (2020)

Sandgate Design Statement - SDS 5 (Character Areas)

National Planning Policy Framework (NPPF) 2023

National Planning Policy Guidance (NPPG)

Town & Country Planning Act 1990 and Town Country Planning (Tree Preservation) (England) Regulations 2012.

APPRAISAL

Assessment of proposal

The trees subject of this application are set away from any highway and are not visible from the wider streetscene.

The trees to be reduced total around 50 and these are subject to a blanket TPO.

The trees do not appear to be ancient and individually are of no particular merit. The blanket TPO runs around the perimeter of the application site as well as a number of other properties bordering the development site.

Aside from 1 tree which has failed in part, the rest of the trees appear healthy, but it is considered that their health would not be compromised by the proposed reduction.

The trees are Birch trees and are of no particular merit in themselves but as a group they would improve the visual amenity of the immediate area and act as a buffer between the development site and the countryside beyond.

The reduction is considered acceptable as the works would not result in the loss of the trees and a degree of visual integrity would be preserved.

The proposed works would have little impact on the wider housing estate setting and therefore, no objections are raised.

Duty to cooperate

In accordance with paragraph 38 of the National Planning Policy Framework (NPPF), February 2019 the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and creative way by offering a pre-application advice service and, where possible, suggesting solutions to secure a successful outcome and as appropriate, updating applicants / agents of any issues that may arise in the processing of their application. In this instance the application was acceptable as submitted.

RECOMMENDATION

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

Recommended Conditions (1)

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For the avoidance of doubt, the work hereby approved relates to the following schedule of works, as set out within the Application form and site plan. The agreed works shall be carried out in accordance with British Standard 3998: 2010 (Tree Work - Recommendations) and comprise the following:

Reduction in height of Birch trees by no more than 5 metres.

Reason:

For the avoidance of doubt and in the interests of good arboricultural practice.

Suggested Informatives (1)

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Care should be taken to consider nesting birds between March and September as in accordance with the Wildlife and Countryside Act 1981 (as amended) and also the need to consider the protection of any roosting or foraging bats afforded protection under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations (2017) (as amended).

