

Planning Committee Report	
Planning Ref:	PL/2023/0002456/TCA
Site:	Holly Bank Earlsdon Avenue South, Coventry, CV5 6DS
Ward:	
Proposal:	Crown reduce silver birch tree to previous reduction points or suitable growth points dependant on decay present (approx. 3.5metres) Crown thin by 10-15% Crown lift the northern canopy by 3.0 metres.
Case Officer:	Grace Goodman

SUMMARY

The application proposes to crown reduce silver birch tree to previous reduction points or suitable growth points dependant on decay present (approx. 3.5metres). Crown thin by 10-15% and crown lift the northern canopy by 3.0 metres. The purpose of his report is to assess whether the trees the subject of this notice are worthy of special protection through the designation of a Tree Preservation Order in the interests of the amenity of the area.

BACKGROUND

The application has been recommended for approval. The application has not received any public representations objecting to the proposal.

KEY FACTS

Reason for report to committee:	One of the flats within the site is owned by a Councillor
Current use of site:	Informal landscaped area on a residential site
Proposed use of site:	Informal landscaped area on a residential site
Conservation Area:	Earlsdon Conservation Area

RECOMMENDATION

Planning committee are recommended to grant consent for the proposed tree works.

REASON FOR DECISION

The proposal is acceptable in principle.

The proposal will not have an adverse impact upon the amenity of the Conservation Area of the visual amenity of the street scene.

The proposal accords with Policies HE2, GE3 and GE4 of the Coventry Local Plan 2016, together with the aims of the NPPF.

APPLICATION PROPOSAL

The application is a notice under section 211 of the Town and Country Planning Act 1990 for works to trees in a designated Conservation Area. The application proposes to crown reduce silver birch tree to previous reduction points or suitable growth points dependant on decay present (approx. 3.5metres). Crown thin by 10-15% and crown lift the northern canopy by 3.0 metres.

SITE DESCRIPTION

The tree the subject of this application is a mature Birch tree approximately 40 years of age, and approximately 15m in height and 10m in crown spread. It is located at approximately 3- 4m from the adjacent apartment building, Holly Bank. The tree sits within the landscaped grounds of these 3 storey apartments.

PLANNING HISTORY

None

POLICY

National Policy Guidance

National Planning Policy Framework (NPPF). The NPPF sets out the Government's planning policies for England and how these are expected to be applied. It sets out the Government's requirements for the planning system only to the extent that is relevant, proportionate and necessary to do so. The NPPF promotes sustainable development and good design is recognised as a key aspect of this.

The National Planning Practice Guidance (NPPG), adds further context to the NPPF, and it is intended that the two documents are read together.

Local Policy Guidance

The current local policy is provided within the Coventry Local Plan 2016, which was adopted by Coventry City Council on 6th December 2017. Relevant policies relating to this application are:

Policy HE2: Conservation and Heritage Assets

Policy GE3: Biodiversity, Geological, Landscape and Archaeological Conservation

Policy GE4: Tree Protection

CONSULTATION

Non-statutory

No objection from Tree Officer

Neighbour consultation

There is no statutory duty for public consultation for an application for works to trees in Conservation Areas.

ASSESSMENT

Trees in a designated Conservation Area (that are not protected by a Tree Preservation Order) are protected by the provisions in section 211 of the Town and Country Planning Act 1990. These provisions require people to notify the Local

Planning Authority, using a 'section 211 notice', 6 weeks before carrying out certain work on such trees, unless an exemption applies. The work may go ahead before the end of the 6-week period if the local planning authority gives written consent. This notice period gives the Local Planning Authority the opportunity to consider whether to make a Tree Preservation Order (TPO) on the tree. This application relates solely to tree works proposed at the site.

The primary consideration of this report is whether the trees subject of the notice are worthy of special protection through the designation of a Tree Preservation Order in the interests of the amenity of the area. In making that decision the key criteria for assessing amenity are:

- Visibility from public vantage points;
- Individual impact - related to size and form (now or in future), rarity, value as a screen or contribution to the character or appearance of a Conservation Area);
- Wider impact - significance of the trees within the local surroundings (collective value).

Policy HE2 indicates that important landscape features of value to the amenity or history of a locality, including mature woodlands, trees and hedgerows, will be protected against unnecessary loss or damage.

The silver birch, the subject of the application is around 40 years of age. This soft-wooded species is relatively short lived at approximately 60 – 80 years of age, where it attains heights in excess of 25m.

This tree has previously undergone crown reduction works, prior to the designation of Conservation Area status. This soft-wooded species does not particularly tolerate crown reduction works very well, especially at this mature age class. Such works often result to stem decay to the locations of previous pollard points/heads. Therefore, the risk of branch failure resulting from decayed pollard heads which support to the main crown, is likely.

The current notified works will aid to continue the retention of this tree within the perspective and scale of the immediate restrictive surrounding area. The existing crown is not visible to the surrounding local public vantage points, and therefore the tree would not qualify to afford protection by means of a TPO.

Equality implications:

Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states: -

(1) A public authority must, in the exercise of its functions, have due regard to the need to:

- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Officers have taken this into account and given due regard to this statutory duty, and the matters specified in Section 149 of the Equality Act 2010 in the determination of this application.

There are no known equality implications arising directly from this development.

CONCLUSION

The proposed tree works are considered to be acceptable in principle and will not result in any significant impact upon the conservation area or visual amenity in accordance with Policy HE2 of the Coventry Local Plan 2016. The officer recommendation is that it would not be expedient to make a Tree Preservation Order in this instance. Planning Committee are therefore recommended to grant consent for the proposed tree works.