

## **PLANNING APPLICATION – 19/00698/FUL**

**Thorpe House, 149 Harwich Road, Little Clacton**

**28 May 2019**

The main body of the application site forms part of the residential curtilage of Thorpe House with an adjacent area of land to the west and north of the garden also included as part of the application site.

The western and northern site boundaries are demarcated with established hedgerows comprising primarily of indigenous species that provide a good level of screening. Although it would be desirable for the hedges to be retained they do not fall within the scope of legislation under which they could be afforded formal legal protection.

In terms of the trees on the land there are several small ornamental trees that are pleasant features in the garden but that cannot be seen from a public place. Consequently they have low amenity value and do not merit retention. The most significant trees on the application site are two mature Oaks. One of which is situated close to the north western corner of the existing dwelling and the other which is on the northern boundary.

Both of these trees feature prominently in the public realm and make a significant positive contribution to the character and appearance of the locality. They meet the criteria under which they merit formal legal protection by means of a tree preservation order.

Therefore both trees have been formally protected by Tendring District Council Tree Preservation Order TPO/19/00003

It appears that the position of the proposed dwelling on Plot 2 would be close to the Oak on the northern boundary and be within the Root Protection Area of the tree. Initially it appears that it would not be possible to achieve a satisfactory juxtaposition between the Oak and the dwelling in its current position.

In order to show the extent to which the protected trees are a constraint on the development potential of the land the applicant should provide Tree Survey and report including an Arboricultural Impact Assessment (AIA). This should be in accordance with *BS5837: 2012 Trees in relation to design, demolition and construction – Recommendations*.

Planning permission should not be granted unless the above AIA is produced and that it demonstrates that the development proposal could be implemented without causing harm to protected trees.

If at some stage planning permission is granted then details of soft landscaping should be secured by condition.

Clive Dawson  
**Tree and Landscape Officer**

