

**WELWYN HATFIELD BOROUGH COUNCIL
EXECUTIVE DIRECTOR - PLANNING, PUBLIC PROTECTION AND GOVERNANCE**

DELEGATED APPLICATION

Application No: 6/2021/1639/EMT
Location: 18 Rooks Hill Welwyn Garden City AL8 6ET
Proposal: Lawson Cypress - fell
Officer: Mr Gregory Coppenhall

Recommendation: Granted

6/2021/1639/EMT

Context			
Site description	18 Rooks Hill, Welwyn Garden City, AL8 6ET		
Constraints	Estate Management Scheme, as defined within the Leasehold Reform Act 1967		
Relevant Estate Management history	<p>Planning</p> <p>Application Number: 6/2021/0986/EMT Decision: Granted Decision Date: 20 May 2021</p> <p>Proposal: Lawson Cypress to reduce by 6m height</p> <p>Hawthorn hedge behind Lawson Cypress to reduce height by approximately 3.5m</p> <p>Application Number: 6/2021/1631/TC Decision: No Objection Decision Date: 06 July 2021</p> <p>Proposal: Lawson Cypress - fell</p>		
Consultations			
Neighbour representations	Support: 0	Object: 1	Other: 0
Summary of neighbour responses	<p>20 Rooks Hill Welwyn Garden City AL8 6ET Comment: The 4 Lawson Cypress in this application were planted on the boundary of 18 Rooks Hill approx 30 years ago and have been reduced once in that time ,they are healthy and growing well.</p> <p>The trees serve their purpose as a screen between Stadium Service Station, Stanborough Road AL8 6XA and both 18 and 20 Rooks Hill .The trees prevent both noise pollution and light pollution from the service station, and if felled would provide a direct line of vision from the forecourt and car washes into 2 of the bedrooms of 20 Rooks Hill. and leave the property open to air pollution from petrol and exhaust fumes.</p> <p>The trees also provide a natural habitat for Blackbirds, Robins, Bluetits, Dunnetts, Magpies and Jackdaws, insects and local wildlife.</p> <p>Felling of these trees would have a significant affect on the privacy of the property from both the Service station and the neighbouring gardens.</p>		

Consultees and responses	None
Relevant Policies	Policy EM3 – Soft Landscaping
Main Issues	
Appropriateness of the works in relation to the tree(s)	<p>The applicant seeks to remove a Lawson’s cypress tree located in the rear garden. The tree is approximately 8m in height and 6m in canopy spread.</p> <p>The works should be carried out in accordance to BS:3998:2010 standards and must comply to all given conditions within this approval. A neighbour has expressed support for retaining the tree, however the tree does not qualify for protection by tree preservation order and the work request is considered appropriate. The objection mentions the support the tree gives to local wildlife, however the tree is a not a UK native and the replacement planting must be a native UK tree species which will enhance the ecological value of the area.</p> <p>A replant is conditioned to further preserve the character and amenities of the area for the future. The replant may also provide a screen for the neighbours from the service station as mentioned in their objection.</p>
Conclusion	
The work request is appropriate and would not result in the loss of landscaping that would harm the character and amenities of the area.	

Conditions:

1. The works hereby approved shall be undertaken in accordance with the British Standard 3998:2010 (Tree Work) and by an appropriately qualified person.

REASON: To ensure that any works undertaken comply with arboricultural best practice.

2. All works carried out in pursuance of this consent shall be and remain part of the Premises and shall be subject to the terms and conditions of the conveyance in all respects as if such works had at all times formed part of the Premises.

REASON: To comply with the requirements of the Leasehold Reform Act 1967 Estate Management Scheme for Welwyn Garden City.

3. This consent or copy hereof shall be annexed to the Conveyance.

REASON: To comply with the requirements of the Leasehold Reform Act 1967 Estate Management Scheme for Welwyn Garden City.

4. There shall be no encroachment over the boundary of the plot either above or below ground level, nor any interference with the foundations of the adjoining property without the agreement of the adjoining owner or lessee.

REASON: To comply with the requirements of the Leasehold Reform Act 1967 Estate Management Scheme for Welwyn Garden City.

5. This consent now issued is given by the Council only in accordance with the requirements of the Management Scheme/Conveyance or Leasehold Covenants.

REASON: To comply with the requirements of the Leasehold Reform Act 1967 Estate Management Scheme for Welwyn Garden City.

6. No works to the tree(s) hereby approved shall commence until details of a suitable replacement tree have been submitted to and approved in writing by the Council. Subsequently, the approved replacement shall not be planted, other than in accordance with the approved details.

REASON: A replacement tree is required given the current amenity value of the tree(s) in accordance with the requirements of Policy EM3 of the Estate Management Scheme.

DRAWING NUMBERS

7. The development/works shall not be started and completed other than in accordance with the approved plans and details:

Plan Number	Revision Number	Details	Received Date
Location plan		Location plan	21 May 2021
Tree sketch		Tree sketch	21 May 2021

REASON: To ensure that the development is carried out in accordance with the approved plans and details.

Determined By:

Ms Emma Griffin
12 August 2021