

# Council of the Isles of Scilly

## Delegated Planning Report

### Tree Works Notification

**Application Number:** P/21/080/TWA

**Received on:** 20 September 2021

**UPRN:** 000192000967

**Application Expiry date:** 2 November 2021

**Neighbour expiry date:** 13 October 2021

**Site notice posted:** 24 September 2021

**Site notice expiry:** 15 October 2021

**Applicant:** Mr A Martin Duchy of Cornwall

**Site Address:** Castle Farm House  
Old Town Lane  
Old Town  
St Mary's  
Isles Of Scilly  
TR21 0NN

**Proposal:** Pollarding of approximately 20 semi-mature elms along the southern boundary to approximately 5 feet to prevent shading to neighbouring gardens which is causing damp to property and issues in the gardens.

**Application Type:** Tree Works Applications

**Recommendation:** No objections

## Site Description and Proposed Development

The site of this group of elm trees lies on the southern boundary of the garden of Castle Farmhouse flats and to the East of Moorview, Old Town. The trees bound the north of the main road (A3112) at the tight rise and bend past Blue Carn Cottage round to Castle Cottages.

The trees have grown up to a height similar to that of Castle Farmhouse and are causing shading and damp at the property, so the proposal is to pollard them to a height of approximately 5 foot.

## Consultations and Publicity

The application has had a site notice on display for 21 days (24/09/2021 – 15/10/2021). The application appeared on the weekly list on 28<sup>th</sup> September 2021. Due to the nature of the proposal no external consultations are required.

## Representations from Residents:

Neighbouring properties written to directly: 1A, 1B & 2 Castle Farmhouse and Moorview all on Old Town Lane and bordering the site.

[0] letters of objection have been received and include the following points:

[0] letters of support have been received and include the following points:

## Constraints:

- SM15469 – Ennor Castle – 20m
- Archaeological Constraint Area – Old Town – 0m
- TO1/2018 – 2x Elms, The Distillery, Old Town Lane – 30m

## Tree Assessment

Tree Works Proposed	YES OR NO
Tree Felling	NO
Tree Pruning	YES
Works required to reduce hazards	YES
Works required for general tree maintenance	YES
Multiple Trees	YES
Single Tree	NO
Native Trees	YES
High Amenity Value	NO

**Analysis:** The trees are protected by the Conservation Area designation which covers the entire Isles of Scilly. Prior to any person undertaking tree pruning or felling works they are required to serve Notice 211 on the Council, allowing 6 weeks notification of any tree works to be carried out. This allows sufficient time for the Local Planning Authority to assess the appropriateness of the works proposed and determine whether a Tree Preservation Order (TPO) is required, that would essentially permit the use of restrictive conditions on any works proposed. It also ensures that adequate (and qualified) justification is submitted to support the works, particularly in cases of tree removal, where the works are deemed to have harmful impact upon the amenity value they hold and any importance to the character of the conservation area.

The pollarding of around 20 elm trees is on the basis of shading from them causing damp and other issues to nearby property and gardens. The trees are very much within the settlement of Old Town and loom largely in the street scene. It is noted that Elm Tree pollarding has been permitted on two TPO trees nearby at the Craft Barn, on Old Town Lane and nearby in Ennor Close. This establishes that in this area, Elm Trees have been successfully pollarded in a similar way to the works proposed, to ensure boundaries of domestic properties are managed adequately.

The Elm trees are native, and the mature trees have a high degree of amenity value within the Old Town area. Additionally, the character of the wider Conservation Area, which seeks to protect the historic built environment, is enhanced by the presence of mature trees, particularly the mature elm trees, which are native to the UK. It is acknowledged however that the trees are getting large for the domestic setting in which they grow and pollarding as proposed would ensure they are retained but would be of a scale more appropriate to the garden boundary locations and settlement in which they grow. On this basis the pollarding works are considered acceptable without the need to designate a TPO.

Tree Preservation Order	YES OR NO
Recommendation for a TPO	NO

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**Print Name:** Lisa Walton

11/11/2021

**Job Title:** Chief Planning Officer

**Signed:**



*Authorised Officer with Delegated Authority to determine Planning Applications*

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