



St Edmundsbury
BOROUGH COUNCIL

DEV/SE/17/016

Development Control Committee 6 April 2017

**Planning Application DC/17/0166/TPO
Apartment 10, Regency Place, Maynewater Lane,
Bury St Edmunds**

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|----------------------|--|---------------------------|------------|
| Date | 27.01.2017 | Expiry Date: | 24.03.2017 |
| Registered: | | Extension of time: | 07.04.2017 |
| Case Officer: | Matthew Gee | Recommendation: | Grant |
| Parish: | Bury St Edmunds | Ward: | Abbeygate |
| Proposal: | TPO 235 (1973) - Tree Preservation Order - (i) Lime - T51 - Reduce by 7 metres (ii) Copper Beech - T52 - 1-2 metre lateral reduction all round | | |
| Site: | Apartment 10, Regency Place, Maynewater Lane, Bury St Edmunds | | |
| Applicant: | Mr Andrew Hobbs | | |

Synopsis:

Application under the Town and Country Planning Act 1990 and the (Listed Building and Conservation Areas) Act 1990 and Associated matters.

Recommendation:

It is recommended that the Committee determine the attached application and associated matters.

CONTACT CASE OFFICER:

Matthew Gee

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Background:

This application is referred to the Development Control Committee because it has been submitted on behalf of the applicant by an agent who is an employee of the Council.

Proposal:

1. Permission is sought for
 - i. Lime - T51 - Reduce by 7 metres
 - ii. Copper Beech - T52 - 1-2 metre lateral reduction all round

Site Details:

2. The site is located off Maynewater Lane, and comprises of an apartment block with parking to the west and south.
3. The two trees that are under consideration are located along the northern boundary and along the southern edge of the Mayne Water.

Planning History:

4. SE/06/2827 - TPO235(1973)28 - Tree Preservation Order Application Copper Beech (T52 on Order) - Crown reduce two extended lateral limbs over site by 20% and thin remaining two limbs by 15%. - Approved

Consultations:

5. Tree Officer: No objection
 - i. The large Beech tree has a wide, domed canopy which is now starting to encroach on nearby buildings. An all-round reduction of up to 1-2 meters would be suitable and would also have a very minimal impact on the tree.
 - ii. The Lime tree has a considerable amount of dead wood in the upper part of the crown which could indicate the beginnings of dieback. The tree appears to have once had a very good shape but this can no longer be retained due to the amount of dead wood. A heavy reduction of up to 7m would be suitable and this will also allow the tree to regenerate a healthier crown for the future.

Representations:

6. Town Council: No objection based on information received
7. Letter of objection – 41 Tannery Drive: Objection on the grounds that the works will result in privacy issues for both sets of dwellings, and that the trees provide an integral focus for the wildlife of the area.

Officer Comment:

8. The tree officer has raised no objections to the proposed works. As such it is considered that the works are in accordance with good arboricultural standards and will not adversely impact the health or longevity of both the Lime and Copper Beech.
9. A letter of objection has been received with regards to possible impact on the privacy of neighbouring residents and the impact on surrounding wildlife. Issues of privacy and impact on wildlife are not able to be taken into consideration as part of TPO applications. However, wildlife is protected under the 'Wildlife and Countryside Act 1981', which is advised to all applicants.

Conclusion:

10. In conclusion, the principle and detail of the development is considered to be acceptable and in compliance with national policy.

Recommendation:

11. It is recommended that planning permission be **APPROVED** subject to the following conditions:
 1. Works to be carried out to the latest arboricultural standards
 2. Works to be completed within 2 years

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online: