



*St Edmundsbury*  
BOROUGH COUNCIL

**DEV/SE/15/046**

# **Development Control Committee**

## **6 August 2015**

### **Planning Application DC/15/0957/TPO**

#### **Works to trees the subject of Tree Preservation Order 442(2006) at Rear of 2-6 cherry Tree Close, Bury St Edmunds**

**Date:** 1 June 2015      **Expiry Date:** 27 July 2015  
**Registered:**

**Case Officer:** Jaki Fisher      **Recommendation:** Approval

**Parish:** Bury St Edmunds      **Ward:** Risbygate

**Proposal:** Taxus (T1-T16 on plan) - (i) Crown raise to 3 metres from ground level; and (ii) reduce crown spread by 2 metres on most extreme tree and reduce remaining tree proportionately (all house side) (All T9 on Order)

**Site:** The trees located on the northern boundary of Bury St Edmunds Cemetery

**Applicant:** Matt Vernon, St Edmundsbury Borough Council

**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:

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**Background:**

**This application is referred to Planning Committee because the Borough Council is the applicant.**

**Proposal:**

1. Planning permission is sought for the pruning of 16 Yew trees. The proposal is to raise the crown of the trees to 3 metres above ground level and to reduce the crown spread of the trees on the house side by up to 2 metres

**Site Details:**

2. The trees are located on the northern boundary of the cemetery. They are located to the south of properties located on Cherry Tree Close (Nos 2-6).

**Planning History:**

3. The dwellings were granted consent under Planning Permission SE/07/0460 and a number of subsequent applications which secured amendments to the design

**Consultations:**

4. Tree officer

The need to cut back the branches on this fine row of protected Yew trees has arisen largely as a result of the adjacent new development. The layout has failed to fully take into account the aspect and evergreen shading effects of the trees which dominate and detract from the enjoyment of the small new rear gardens.

Although the proposed pruning is fairly minimal the result will be to leave the shape unbalanced but this is unavoidable in the circumstances and should not be a reason to reduce the height or other side of the trees as well.

**Representations:**

5. Bury St Edmunds Town Council: No objection based on information received subject to Conservation Area and Article 4 issues

**Officer Comment:**

6. The issues to be considered in the determination of the application are; the amenity value of the trees and the likely impact of the proposal on the amenity of the area; and in the light of this assessment, whether or not the proposal is justified, having regard to the reasons and additional information put forward in support of it.

7. In assessing the impact of the proposals the tree officer has observed that the proposals will have a beneficial impact on the private amenity of the residents of 2-6 Cherry Tree Close. From Bury St Edmunds Cemetery the works are unlikely to be noticeable so long as they are restricted as proposed.
8. There is no reason for the works stated on the application however the Councils Arboricultural Officer, who submitted the application on behalf of the Council has explained that there have been a number of complaints from residents regarding the overhanging branches. Although in normal circumstances this would not be a reason for the Council to prune the trees, on this occasion an exception has been made because the overhang into the gardens is in places severe and during inspection it was noted that neighbours have been 'hacking branches' back to limit the overhang.
9. This work is designed to sensitively prune back the trees to appease the neighbours and it is hoped will go some way in preserving the trees in the future.

**Conclusion:**

10. In conclusion, the proposed tree works are considered to be acceptable, justified and will result in a limited impact on the amenity of the locality.

**Recommendation:**

It is **RECOMMENDED** that proposed works be **Approved** subject to the following conditions:

1. 2 year time limit
2. Works to BS3998:2010 Tree works recommendations

**Documents:**

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

<https://planning.westsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=NNZHQGPD03H00>

Case Officer: Jaki Fisher

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