

Forest Heath District Council

**DEVELOPMENT
CONTROL COMMITTEE**

2 SEPTEMBER 2015

DEV/FH/15/035

Report of the Head of Planning and Growth

**PLANNING APPLICATION DC/15/1515/TPO – REAR OF 33 LAMBLE CLOSE,
BECK ROW**

Synopsis:

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

Recommendation:

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

CONTACT OFFICER

Case Officer: Matthew Gee
Tel. No: 01638 719792

Committee Report

Date**Registered:** 28/07/2015**Expiry Date:**

22/09/2015

Case**Officer:**

Matthew Gee

Recommendation:

Approve with Conditions

Parish:

Beck Row

Ward:

Eriswell and the Rows

Proposal:

TPO 048(1963)1 - Tree Preservation Order- 1no. Oak - Crown lift by 4m (197 on Order), the removal of ivy does not require consent.

Site:

Rear Of 33 Lamble Close, Beck Row, Suffolk, IP28 8AF

Applicant:

Mr Matt Vernon, Forest Heath District Council

Background:

This application is referred to the Development Control Committee because it has been submitted by Forest Heath District Council.

The application is recommended for APPROVAL.

Proposal:

1. Permission is sought for works to 1no. Oak tree involving a crown lift by 4m. The works are required because the tree is overhanging an adjacent garden and impeding access to and use of the garden.
2. The works form part of a 50 year management plan produced for each ancient tree on the site based on specialised veteran tree management practices. Works are primarily for stabilising the trees at risk of limb failure and promoting positive responses in vitality.

Application Supporting Material:

3. Information submitted with the application as follows:
 - TPO Plan
 - Arboricultural Works List

Site Details:

4. Aspal Close Local Nature Reserve is a Site of Special Scientific Interest, located on the western edge of the Breckland area. The site was purchased in 1982 by the District Council as a public open space and is well used locally. Historical records for the site date back some 800 years. The site covers approximately 19 hectares and is a wood pasture with 183 oak pollards.
5. The tree for which this application relates is located immediately adjacent to the

rear boundary of 33 Lamble Close. The tree has a number of branches overhanging the rear garden of 33 Lamble Close and it is covered in ivy. The tree is visible from a public footpath that runs adjacent to the tree.

Planning History:

6. F/2011/0666/TPO - Tree 289 - reduce upper crown by 2m, Tree 299 - reduce eastern pollard and southern part of crown by 2m and northern part by 1.5m, Tree 301 - reduce extended lateral limb over path by 4m and westerly upright limb by 1.5m. Remove minor trees or shrubs and pollard various young Oaks around dominant specimens in zones 1-6 - Approved by committee with conditions.
7. F/2012/0712/TPO - Veteran Oak Trees: Tree 323 - Reduce upper crown by 1.5m. Tree 234 - Reduce southerly limb by 15%. Reduce crown of Oak tree to NW of tree 241 by 30%. Tree 106 - Reduce limb growing into tree 773 by 3m. Tree 141 - Reduce crown to south and east by 2m. Tree 210 - Reduce upper crown by 2m. Tree 213 - Reduce whole upper crown by 2.5m and same for horizontal limbs. Remove Oak tree to NE of tree 242. Tree 289 - Reduce upper crown by 2m - Approved by committee with conditions.
8. DC/15/0749/TPO - TPO/1963/048 - Tree Preservation Order - Works to 27 Oak (*Quercus robur*) trees as attached schedule of works and map. All works form part a 50 year management plan produced for each ancient tree on the site based on specialised veteran tree management practices. Works are primarily for stabilising the trees at risk of limb failure and promoting positive responses in vitality. - Approved by committee with conditions.

Consultations:

9. None consulted.

Representations:

10. Parish Council: Awaited at time of preparation of the report. To be updated verbally at the meeting.
11. Tree Officer: The proposed works are good arboricultural maintenance where a tree is effecting the enjoyment of an adjacent property.

Policy: The following have been taken into account in the consideration of this application:

12. Forest Heath Core Strategy (2010):
 - Policy CS3 Landscape Character and the Historic Environment

Other Planning Policy:

13. National Planning Policy Framework (2012)

Officer Comment:

14. The site in question has a wide range of magnificent trees, many of which could be more than 500 years old. The majority of the ancient oaks have previously been subject to sensitive pollarding which has allowed the trunk to grow while removing weight from the upper limbs, leading to a long life-span based on a reduced risk of failure in the trunk.
15. The proposed works to the oak are considered to be appropriate and would resolve the issues that have been identified concerning the tree overhanging the garden of the neighbouring property. The works are proposed in order to raise the crown over the dwelling and allow access and use of the rear garden.

Conclusion:

16. In conclusion, the principle and detail of the proposed works is considered to be acceptable and in compliance with relevant development plan policies.

Recommendation:

17. It is recommended that the works proposed to the protected trees be **APPROVED** subject to the following conditions:
1. The works which are the subject of this consent shall be carried out within two years.
 2. The authorised works shall be carried out to the latest arboricultural standards and in line with the Pro Natura 'Ancient Pollard Management Plan' (2011).

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=NS5MPMPDJHK00>

Alternatively, hard copies are also available to view at Planning, Planning and Regulatory Services, Forest Heath District Council, District Offices, College Heath Road, Mildenhall, Suffolk IP28 7EY