

From:

To:

Cc:

Subject:

SMD/2025/0296 - The Lawn Cemetery, St Luke's Church, Endon

Sent:

10/10/2025 10:28:51

Ben

I have the following comments on this application seeking planning permission for change of use from agricultural land to cemetery as an extension to Endon & Stanley Parish Council's Lawn Cemetery.

Summary: no objection, subject to a condition to secure implementation and maintenance of proposed new planting. An informative note is also suggested clarifying authorisation of proposed pruning of overhanging trees.

Detail:

The application is accompanied by an arboricultural report in accordance with BS 5837:2012, which identifies that 2 mature trees adjacent to and overhanging the southern boundary of the application site are protected under TPO, whilst trees overhanging from adjacent land to the south and west of the site are protected by virtue of being located within the Endon Conservation Area. Some Root Protection Areas (RPAs) from these off-site trees partially extend within the application site boundary.

There is little if any actual physical/operational development proposed. The site block plan as proposed and application details indicate that grave plots closest to the southern end of the site would be located well back from the boundary (c.4m at absolute closest, but generally substantially more) which in practice will appropriately avoid grave excavations encroaching within the RPAs of adjacent trees. Crown lifting by removing low overhanging secondary branches to provide c.3m clearance above ground level is proposed – this would be reasonable in order to allow management of existing scrub vegetation which is to be retained at the periphery of the site; such pruning would not be harmful to the amenity value or condition of these trees and is considered acceptable. In this instance it would be appropriate to agree that planning permission, if granted, would automatically authorise the proposed crown lifting and therefore a separate TPO application for pruning consent need not be required.

A small dead Holly tree at the western-most corner of the existing Parish Lawn Cemetery is indicated to be removed. Although not within or even adjacent to the application site, and not affected by or required to be removed to accommodate the proposed development, this tree may anyway be felled under the “dead/dangerous” exemption from Conservation area tree work notification procedures, but the application details anyway include appropriate replacement planting proposals.

Seven grave plots proposed at the sides of the access path from the existing cemetery would partially encroach within adjacent tree RPAs; the application details advise that these plots would be used only for cremated remains burials rather than standard interment grave excavations. As a result, there would be minimal impact, if any, on tree root systems.

It would be appropriate to complete the hedgerow along the eastern boundary by planting a stretch of new native species hedge along the current gap as indicated in the application details, and this should be required by condition:

1. The proposed new hedgerow planting scheme shown on Forte Architectural Design “Proposed Layout” Drg. No. FAD-47-P-03, and proposed tree planting shown Apex Environmental Ltd “Tree Landscape Plan” Drg. No. AEL-19128-Rev B, shall be fully implemented before the end of the first available dormant season (November to February inclusive) following commencement of the change of use hereby approved. The trees, shrubs etc planted in accordance with these planting schemes shall be properly maintained for a period of 5 years following planting. Any plants

which within this period are damaged, become diseased, die, are removed or otherwise fail to establish shall be replaced during the next suitable season.

In conclusion, the proposed change of use combined with the proposed layout would have no significant detrimental impact on existing trees, and I have no objection to this application. Temporary tree protection conditions would not be relevant or required in this instance if planning permission is granted. I would suggest that the following informative note be added to the decision notice in the event of approval:

1. The change of use planning permission hereby granted may be taken to authorise the proposed crown lift pruning to a height of approximately 3m above ground level to trees overhanging the southern boundary of the application site, but notwithstanding this confirmation it should be noted that the tree owner's permission would still also be required for any such work beyond the site boundary or for access onto adjacent land in order to carry out such work, and this planning permission places no obligation on the adjacent owner to allow, arrange, carry out or pay for any authorised work to their trees beyond the boundary or to give access to their land. The applicant and any appointed agent or contractor should therefore satisfy themselves that any permission which may be required from the neighbouring landowner has been given.

Steve Massey Arboricultural Officer

Development Services

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