

Delegated officer's report	Officer: Tony Burdett
Application ref. DMOT/2019/0909	
The felling of trees at Slade House, Rose Lane, Ticknall, Derby, DE73 7JW	
Valid date:	24/07/2019
Consults expired:	04/09/2019
EIA development?	No

This decision is delegated to officers under the terms of the current Scheme of Delegation.

Relevant planning history

None relevant

Responses to consultations and publicity

None

Relevant policy, guidance and/or legislation

Relevant Legislation

Town and Country Planning (Tree Preservation) (England) Regulations 2012

Local Policy

Local Plan Part 1 (LP1): BNE4

Local Plan Part 2 (LP2): BNE7

National Guidance

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

Local Guidance

Ticknall Conservation Area Character Statement (CACS)

Planning considerations

In taking account of the application documents submitted (and supplemented and/or amended where relevant) and the site and its environs, the main issue central to the determination of this application is whether the amenity value of the trees is high enough to warrant a Tree Preservation Order (TPO), given the extent of works proposed.

Planning assessment

The trees form a Holly hedge alongside the boundary of the site with Dame Catherine School Car Park. The spire to the listed St George's Church is largely obscured from vantage points along Rose Lane. Although the hedge has a certain amount of intrinsic attractiveness, the restoration of public views of the church, in the short term at least, outweighs the amenity value of the hedge. A new hedge has been planted and longer term availability of views of the historic building would, to a great extent, be determined by the manner in which the property owner chooses to manage it.

In view of the aforementioned considerations a TPO would not be justified in this case.

Recommendation

Approve

None of the other matters raised through the publicity and consultation process amount to material considerations outweighing the assessment of the main issues set out above, noting that conditions or obligations have been attached where meeting the tests for their imposition. Where relevant, regard has been had to the public sector equality duty, as required by section 149 of the Equality Act 2010 and to local finance considerations (as far as it is material), as required by section 70(2) of the Town and Country Planning Act 1990 (as amended).

Recommendation made:	Approve
Report agreed:	04/09/2019