
Delegated report Officer: Kirsty Harte

Application ref. DMOT/2019/1215

The Crown Reduction of a weeping willow covered by South Derbyshire District Council Tree Preservation Order no. 184 at Greenfield Lodge, Watery Lane, Scropton, Derby, DE65 5PL

Valid date: 11/11/2019

Consults expired: 17/12/2019

EIA development?

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 received

Relevant policy, guidance and/or legislation

The relevant Development Plan policies are:

Local Plan Part 1 (LP1): BNE4

Local Plan Part 2 (LP2): BNE7

The relevant National Policy and Guidance is:

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

The relevant Legislation is:

The Town and Country Planning (Tree Preservation) Regulations 2012

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 issues central to the determination of this application are:

- Whether the works are justified; and
- Whether the resultant amenity value remains acceptable

Planning assessment

The proposal is for crown reduction of a weeping willow tree covered by Tree Preservation Order No. 184. The tree has a history of branch/limb shredding, the most recent of which involved a limb of considerable dimension resulting in irreparable damage to the tree. Therefore it is justifiable to reduce the crown by 20%. The proposal would retain the public amenity value of the tree in accordance with Local Plan policies BNE4 and BNE7.

Recommendation

Approve with Conditions

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), as well as climate change, human rights and other international legislation.

Recommendation made:	03/01/2020
Report agreed:	03/01/2020
Authorised officer:	Richard Stewart
