
Delegated report Officer: Richard Rodgers

Application ref. DMOT/2021/0204

The pruning of 5 beech trees at 37 Burton Road, Repton, Derby, DE65 6FN

Valid date: 03/02/2021

Consults expired: 01/03/2021

EIA development? No

Section 106 agreement? Not required

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

Relevant planning history

2015/1199 - erection of new dwelling (following demolition). The trees are close to this new dwelling. The trees have been given due protection, by way of an actioned Arboricultural Method Statement (AMS) throughout the build.

Responses to consultations and publicity

No comments 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; and
- Repton Neighbourhood Development Plan: Policy OS3 - Important trees and hedgerows

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 submitted documents and individual site circumstances, the main issues central to the determination of this application is whether the proposed works are appropriate, given the conservation area setting and whether public amenity offer thereafter is compromised, to the point where a Tree Preservation Order (TPO) is required.

Planning assessment

It is undisputed that there are a number of low lying branches that require removing or shortening here to remove some exacerbated liveability concerns now the new house adjacent has been built. The trees here do have low lying canopies and some raising of those would not impact adversely on their health or amenity offer, indeed the cutting back over the highway is only as the Highways Authority would do (as exempt work) to maintain their required clearances.

Recommendation

No Objection

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:	17/03/2021
Report agreed:	17/03/2021
Authorised officer:	Richard Stewart
