
Delegated report Officer: Tony Burdett

Application ref. DMOT/2021/0261

The felling of sycamore tree at 4 Victoria Mews, Derby Road, Melbourne, Derby, DE73 8FE

Valid date: 11/02/2021

Consults expired: 09/03/2021

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

9/2017/0626 and DMOT/2020/0859 Pruning of the same tree.

Responses to consultations and publicity

The Parish Council and Melbourne Civic Society have no objection.

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 local guidance is:

Melbourne Conservation Area Character Statement

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 issue central to the determination of this application is whether the amenity value of the tree is high enough to warrant a Tree Preservation Order (TPO), given the extent of works proposed.

Planning assessment

The tree is visible from the public car park but it is also very close to several buildings such that it is reasonable to control its size. The burden of repeat pruning is disproportionate to the tree's somewhat limited amenity value and felling is reasonable in the circumstances. As such a TPO is not warranted.

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:	11/03/2021
Report agreed:	25/03/2021
Authorised officer:	Steffan Saunders
