
Delegated report Officer: Richard Rodgers

Application ref. DMOT/2021/0052

The pruning of Lime trees covered by South Derbyshire District Council Tree Preservation Order no. 466 at Askew House, Milton Road, Repton, Derby, DE65 6FZ

Valid date: 22/02/2021

Consults expired: 29/03/2021

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

Recent TPO to protect trees in light of adjacent developments.

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): S1 (Sustainable Growth Strategy), BNE3 (Biodiversity), BNE4 (Landscape Character and Local Distinctiveness)
- Local Plan Part 2 (LP2): BNE7 (Trees, Woodland and Hedgerows)
- 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 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 biodiversity and amenity value remains acceptable.

Planning assessment

Whether the works are justified

The proposed works are deemed proportionate and without significant detriment to this impressive linear feature. Bole clearing to 7m does seem a little excessive to allow for vehicular clearance but these trees are particularly hardy and that level of work (primarily clearing epicormic growth - no structural limbs etc) can be sustained without detriment to their healthy retention or their landscape

offer.

Whether the resultant biodiversity and amenity value remains acceptable.

Providing the work is carried out to the appropriate standard (to be secured by condition) the long term amenity and wildlife value of the trees would not be unacceptably diminished and would still make a valuable and positive contribution the character of the area, in accordance with policies BNE3, BNE4 & 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:	15/04/2021
Report agreed:	19/04/2021
Authorised officer:	Steffan Saunders
