
Delegated report Officer: Kirsty Harte

Application ref. DMOT/2021/1115

The felling of a pine at 106 Main Street, Ticknall, Derby, DE73 7JZ

Valid date: 01/07/2021

Consults expired: 06/08/2021

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

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 local guidance is:

Ticknall 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 located within the garden and this application to fell it has been submitted due to the excessive shading and the damage it is causing to the garden, which appears a relatively small cottage type amenity area. It is not highly visible from the public realm, or of significant amenity value as a single specimen due to the amount of trees which surround the area and the intervening built structures. Its species and nature are such that it does not provide high public amenity value and 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:	10/08/2021
Report agreed:	11/08/2021
Authorised officer:	Sarah Beeby
