
Delegated report Officer: Richard McMichael

Application ref. DMOT/2020/1488

The pruning of trees at Lullington Estate, Lullington, Swadlincote, Derbyshire, DE12 8EJ

Valid date: 08/12/2020

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

9/2016/0715 – The felling and pruning of trees. Approved, Sep 2016.

Responses to consultations and publicity

Tree Officer – Most trees do not fall within the conservation area and others do require the notified works. I recommend that the Notification of Intent is accepted.

Relevant policy, guidance and/or legislation

The relevant Development 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)

The relevant local guidance is:

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

Planning assessment

The application proposes works to trees in several locations in Lullington. Only some of the trees are located within the Lullington Conservation Area. 14 trees in total are deemed necessary to receive works due to the health of the trees or their impact on road safety. The Trees Officer has agreed that the trees that are within the Conservation Area require the stated works and that the application should be approved. Therefore, the proposed works are deemed to be acceptable and not considered to have a detrimental impact on biodiversity and character of the area.

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:	27/10/2021
Report agreed:	11/11/2021
Authorised officer:	Sarah Beeby
