



Applicant:
Cheryl Lomas

Ref. No. DMOT/2021/1042
Made valid on: 29 June 2021

DECISION NOTICE

Description and location of proposal: The pruning of tree(s) covered by South Derbyshire District Council Tree Preservation Order no. 132 at 105 Merlin Way, Mickleover, Derby, DE3 0UJ

Decision made: In exercise of its powers as the Local Planning Authority under the Town and Country Planning Act 1990 and related subordinate legislation, South Derbyshire District Council hereby gives notice that consent for the proposal as described above is hereby **Approved subject to the following Conditions:**

1. The work hereby approved shall be carried out within two years of the date of this consent.

Reason: To conform with Regulation 17 of the Town and Country Planning (Tree Preservation) (England) Regulations 2012, in order to enable the Local Planning Authority to consider any proposals beyond this period in the interests of safeguarding the amenity value of the tree(s).

2. The works shall be carried out in accordance with BS3998:2010 - Tree Work.

Reason: To ensure works are carried out the best standards.

3. Notwithstanding the submitted details, the cherries (trees 1 and 3) shall only be deadwooded and/or have defective material/hazard limbs removed.

Reason: For the avoidance of doubt, a 4m reduction on the cherry trees would reduce them to nothing more than a stump.

You are advised of the following matters:

Changes in intention: any deviation from the approved plans/drawings and/or details should be discussed with the Local Planning Authority in advance. This includes circumstances where the applicant/developer subsequently identifies inaccuracies with the approved documents or conflict with other regulatory requirements. A formal application to amend the proposals or secure a revised permission may be necessary. Failure to secure necessary approval may result in the commencement of enforcement proceedings.

Scope of this decision: this is a planning decision notice which, unless expressly applied for and stated in the description of development above, conveys no decision of associated planning consent (such as listed building or advertisement consent); nor does it convey a decision under, or override, supersede or negate, any other legislation or the need to comply with restrictive covenants under Civil Law. In particular the necessary approval under the Building Regulations and the Public Health Acts must be obtained before the carrying out of building works. Where the adopted highway, including verges and pavements, is to be altered, the Local Highway Authority (Derbyshire County Council) should be contacted to establish its requirements.

Emma Palmer-Barnes

Authorised Officer of the Council

Date: 24 November 2021

Enquiries: Any correspondence or enquiries concerning this decision should be sent to planning@southderbyshire.gov.uk quoting the above reference number.