
Delegated report Officer: Julie Marson

Application ref. DMOT/2021/1674

The felling of one tree and the pruning of two at The Hollow, 70 Penn Lane, Melbourne, Derby, DE73 8EP

Valid date: 29/10/2021

Consults expired: 23/11/2021

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

9/2013/0110 Pruning of silver birch & felling of holly trees - No objection 25.3.2013

DMOT/2021/0450 Pruning of acacia tree - No objection 25.4.2021

Responses to consultations and publicity

Melbourne Civic Society - 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 trees is high enough to warrant a Tree Preservation Order (TPO), given the extent of works proposed.

Planning assessment

The trees are located within the large garden of the property so in part are screened from the public realm by other trees - this is a well treed context. The multi stemmed common prunus (from the submitted photographs) is considered to not be of high amenity value and there are other trees and bushes that are of greater amenity value and these would off set the removal of the prunus.

The pine tree is to have a crown lift of 6m and deadwood removed - these works are considered acceptable as it will tidy the tree and will not unduly diminish its health or amenity contribution. With the Ash, the removal of lower limbs that are close to the ground, this is considered acceptable and no harm would come to the tree.

It is considered that the pruning works to the trees would not damage the long term health of the trees and is necessary tree management, therefore it is considered the trees are not under threat as a result of the proposed works.

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:	09/12/2021
Report agreed:	10/12/2021
Authorised officer:	Emma Palmer-Barnes
