
Delegated report Officer: Julie Marson

Application ref. DMOT/2021/1738

The crown lifting of five trees and the felling of one tree at 56 Main Street, Walton-on-Trent, Swadlincote, DE12 8LZ

Valid date: 15/11/2021

Consults expired: 16/12/2021

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

No relevant history

Responses to consultations and publicity

Tree officer - No issues with the proposed work.

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:

Walton on Trent 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 trees to which this application relates are located within Walton on Trent Conservation Area. The proposed works are to fell a Monkey Puzzle tree and pruning of a Scots Pine, Cherry, Variegated Holly, Beech and Sycamore Tree. The trees are located within the back garden of the property so in part screened from the public realm by other trees.

It is obvious (from the submitted photos/details) that the Monkey Puzzle is in decline, the bark is split and the trunk has become rotten, it is considered that the loss of the tree would be off set by other trees within the garden of greater amenity value.

With the Scots Pine, Cherry, Holly, Beech and Sycamore trees they are proposing crown lifting to remove lower branches as indicated on the supplementary information. These works are considered acceptable as it will tidy the trees and will not unduly diminish its health or amenity contribution.

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 that the trees are not under threat as a result of the proposed works.

The applicant has entered on the supplementary information that it is intended to plant a replacement tree for the Monkey Puzzle Tree.

Recommendation

Approve

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:	17/12/2021
Report agreed:	22/12/2021
Authorised officer:	Sarah Beeby
