
Delegated report Officer: Julie Marson

Application ref. DMOT/2021/1758

The pruning of trees at The Crewe And Harpur Arms, Woodshop Lane, Swarkestone, Derby, DE73 7JA

Valid date: 18/11/2021

Consults expired: 23/12/2021

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

9/2006/0559 Felling of 8 Conifers - No objection 4.7.06

9/2016/0971 The felling and pruning of trees - No objection 28.10.2016

DMOT/2021/1410 The felling and pruning of trees and removal of ivy - No objection 25.10.2021

Adjacent site (Old Beams) 9/2003/1279 Felling of trees - No objection 27.11.2003

9/2008/0576 Felling & pruning of trees - No objection 1.7.2008

Responses to consultations and publicity

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:

- Swarkestone 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 group of conifers to which this application relates to are located within Swarkestone Conservation Area, are within the curtilage of a public house and near to the neighbouring house (Old Beams, Woodshop Lane). They are visible in the public realm, have amenity value and it is considered they provide privacy for the neighbouring property.

The works proposed are to reduce the height by 50% and trim the sides, including lift over the footpath to 2.6m and over the road to 5.2m. It is considered that these works are acceptable as the reduction of

the group would help control the height of the trees. In relation to the crown lift of 2.6m over the footpath and 5.2m over the road, it is considered acceptable to crown lift for safety reasons as they are overhanging the footpath and road.

It is considered that the pruning works to the trees would not damage their long term health and is necessary tree management for the safety of the general public.

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:	22/12/2021
Report agreed:	30/12/2021
Authorised officer:	Steffan Saunders
