
Delegated report Officer: Julie Marson

Application ref. DMOT/2022/0666

The felling of rowan tree at Hollies Farm, Ingleby Road, Stanton-By-Bridge, Derby, DE73 7HU

Valid date: 19/05/2022

Consults expired: 28/06/2022

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

DMOT/2019/0904 The felling and pruning of trees - No objection 18/9/2019

Responses to consultations and publicity

Tree Officer - recommend acceptance

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:

Stanton by Bridge 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 tree to which this application relates is located within Stanton by Bridge Conservation Area. The works are to fell the rowan tree. The tree is within the residential curtilage to the rear and can be seen from neighbouring properties.

The rowan tree is dying and a branch has already fallen. The works are considered acceptable due to the health of the tree and it is of a low amenity value and not considered worthy of a TPO. The removal of the tree would have limited impact on the overall context of the garden as it is well populated with a variety of trees that are of a higher amenity value.

Under a notification it is not possible to condition that a replacement tree is planted. However, the applicant has entered on the application form that it is intended to plant a replacement tree in the future within the property.

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:	28/06/2022
Report agreed:	29/06/2022
Authorised officer:	Sarah Beeby
