



Applicant:
Nicola Dent

Ref. No. DMOT/2022/1414
Made valid on: 24 October 2022

DECISION NOTICE

Description and location of proposal: The pollarding of Ash tree covered by South Derbyshire District Council Tree Preservation Order no. 54 at 2 Anderby Gardens, Church Gresley, Swadlincote, DE11 9QY

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 **Refused for the following reason(s)**:

1. The Ash tree makes a positive contribution to the visual amenity of the area and unnecessary pollarding would result in significant harm being caused to the character and appearance of the area.

Policies BNE4 of the Local Plan Part 1 and BNE7 of the Local Plan Part 2 seek to preserve trees of notable standing in the local landscape unless the reasons for work can be properly substantiated. There is considered to be a lack of substantiated evidence in this instance to justify the works and approval of such would undermine the principle of the TPO. To that end, the application is contrary to the provisions of those current policies and guidance of the National Planning Policy Framework (NPPF) which adds weight to protecting and enhancing valued landscapes and there are no material considerations to take a decision at variance to these policies.

You are advised of the following matters:

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

Sarah Beeby

Authorised Officer of the Council

Date: 19 December 2022