
Delegated report Officer: Julie Marson

Application ref. DMOT/2026/0080

The pruning of a T1 Sycamore tree (Crown lift tertiary branches up to approximately 5m to lift lower canopy) covered by South Derbyshire District Council Tree Preservation Order No. 171 at Newlands House, Main Street, Netherseal, Swadlincote, DE12 8DA

Valid date: 20/01/2026

Consults expired: 24/02/2026

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

9/2015/0544 The felling of a beech and removal of deadwood from an oak tree covered by SDDC TPO 171 - Approved 7.8.2015

9/2019/0078 The felling of trees - Approved 5.6.2019

DMOT/2023/0562 Installation of a root barrier to 3no. trees in a Conservation Area and 3no. trees protected by SDDC 171 - Approved 29.6.2023

DMOT/2024/1382 The felling and pruning of trees covered by SDDC TPO 171 - Approved 17.12.2024

Responses to consultations and publicity

Tree Officer - Recommends consent is granted for the works.

Relevant policy, guidance and/or legislation

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 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 issues central to the determination of this application are:

- Whether the works are justified; and
- Whether the resultant biodiversity and amenity value remains acceptable.

Planning assessment

Whether the works are justified

The tree is within the woodland grounds of Newlands House, Main Street, Netherseal. The sycamore tree is covered by South Derbyshire District Council TPO no. 171.

The Council's Tree Officer has made the following assessment.

The works proposed are to Crown lift tertiary branches up to approximately 5m to lift lower canopy as shown on the annotated photograph supplied. This is to remove the branches from encroaching over the neighbouring outbuilding and driveway.

The mature sycamore tree is overhanging an outbuilding and driveway of 21 Church Street, Netherseal. The sycamore has an estimated stem diameter of approximately 40cm, height of around 9m and crown spread of approximately 6m.

The proposal is to raise the crown on the side facing 21 Church Street to a height of 4.5m, which will provide adequate clearance from the driveway and remove low branches overhanging the outbuildings.

Overall the works proposed are acceptable and they would not negatively affect the trees condition or result in any loss of public amenity. The pruning works to the tree are justified.

Whether the resultant biodiversity and amenity value remains acceptable

Providing the works are carried out to the appropriate standard (to be secured by condition), the long term amenity and wildlife value of the tree would not be unacceptably diminished, in accordance with policies BNE3, BNE4 & BNE7. It is considered that the biodiversity offer in the wider context of the site would not be significantly affected due to the limited works to the tree.

Recommendation

Approve with Conditions

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:	12/03/2026
Report agreed:	16/03/2026
Authorised officer:	Jenny Blair
