

Item **1.3**

Ref. No. **9/2018/1073/TP**

Applicant:
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Proposal: **THE FELLING AND PRUNING OF TREES COVERED BY SOUTH DERBYSHIRE DISTRICT COUNCIL TREE PRESERVATION ORDER NUMBER 132 AT WILSON CLOSE MICKLEOVER DERBY**

Ward: **Etwall**

Valid Date **04/10/2018**

Reason for committee determination

The item is presented to Committee as the Council is the applicant.

Site Description

The trees sit across 3 areas of public open space and whilst impressive in their own right, additionally screen the housing adjacent, softening this edge of estate position.

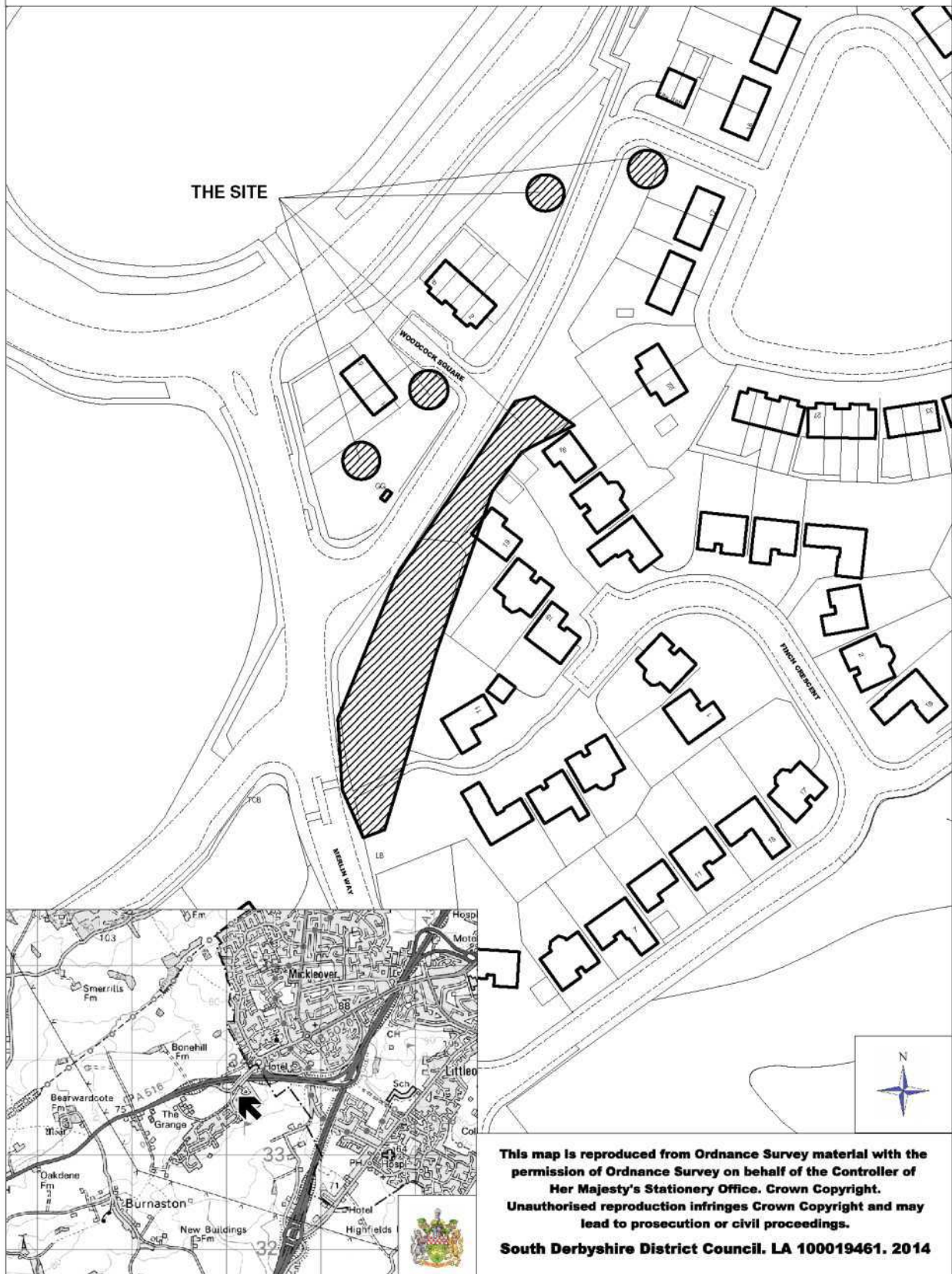
Proposal

The proposal is to thin out the poorer specimens in Group 1 (broadleaf trees and conifers), removing 9 trees, whilst works to standalone trees (ref. 13 (Ash), 16 (Oak), 17 (Ash) and 21 (Oak)) are predominantly limited to raising their respective canopies by way of a crown lift.

Applicant's supporting information

The Council's Tree Officer has advised the works to the broadleaf trees are required to remove nuisance (due to low lying branches) whilst the conifers (larch and pines) have become unsuitable for long term retention, having poor stem taper which puts them at a higher risk of snapping in high wind. The works to the Ash and Oak trees are in the interests of providing clearance to public areas and adjacent private property and buildings.

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Planning History

TPO132 was confirmed 1996.

Responses to Consultations

None.

Responses to Publicity

None

Development Plan Policies

The relevant policies are:

- 2016 Local Plan Part 1 (LP1): BNE3 (Biodiversity), BNE4 (Landscape Character and Local Distinctiveness)
- 2017 Local Plan Part 2 (LP2): BNE7 (Trees, Woodland and Hedgerows).

National Guidance

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)

Planning Considerations

The main issue central to the determination of this application is whether the proposed work is warranted given their protected status.

Planning Assessment

The removal of poorer specimens (as is proposed in Group 1) in similar circumstances has proved to be of benefit, removing the potential for them to fail in high winds whilst allowing the others a little more space to flourish. The current situation is that the group is too dense and this has caused trees to grow too quickly, their trunks now too narrow to be sustainable in the long term. The offer of the group would not be compromised by this work.

The crown raising work to the four individual trees (Oak x 2 and Ash x 2) simply removes potential nuisance, their lower branches in conflict with adjacent footpaths, private fencing and gardens. Crown raising is standard practice and would not undermine their high offer to the locality.

Given the well treed nature of the locality and the fact that those being removed are being removed because of the need for more growing space, it is not proposed to seek any replacements.

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.

Recommendation

GRANT consent subject to the following conditions:

1. The work hereby approved shall be carried out within two years of the date of this consent.

Reason: To conform with Regulation 17(4) of the Town and Country Planning (Tree Preservation) (England) Regulations 2012, in order to enable the local planning authority to consider any proposals beyond this period in the interests of safeguarding the amenity value of the tree(s).

2. The work shall be carried out in accordance with BS3998:2010 - Tree Work.

Reason: To safeguard the health of the tree(s).