

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.

24/00667/WTTP0

CASE OFFICER

Majid Mir

DETERMINATION DATE 21.08.2024

Address: 18 Beadle Avenue Rochdale OL12 9RN

Proposal: Works to one Sycamore Tree identified as T32 within Tree Preservation Order 0259:- Crown lift of 15% and thinning of canopy by 15%

PUBLICITY	Weekly list expired?	N/A	Site notice expired?	N/A
	Neighbour letters expired?	N/A	Press Notice expired?	N/A

DELEGATION	Significant departure from local plan?	N	Contrary to national policy?	N
	Applicant a Council Member or officer?	N	Contrary to previous decision?	N
	Major with 10 or more objections and recommending approval?	N	Called in or Planning Panel objection?	N

COMMENTS	Planning Panel comments received?	N
	Neighbour comments received?	N

EIA	Screening opinion completed and saved to Onbase?	N
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CONDITIONS	Pre-commencement conditions proposed?	N
	Pre-commencement conditions agreed (or notification period expired)?	N/A

RECOMMENDATION

GRANT SUBJECT TO CONDITIONS

CHECKED AND SIGNED OFF BY: RG

DATE: 22 November 2024

SITE

The application relates to a Sycamore tree located in the rear garden of 18 Beadle Avenue. The tree is protected under Tree Preservation Order 259. The tree is a part of a group of trees that was sited within the grounds of the former Birch Hill hospital.

PROPOSAL

The application seeks to consent to undertake works to the tree consisting of a crown lift of 15% and thinning of the canopy by 15%.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Adopted Places for Everyone Joint Development Plan Document (PfE)

JP-Strat13: Strategic Green Infrastructure

JP-G7: Trees and Woodland

Adopted Rochdale Core Strategy (CS):

G7- Increasing the value of biodiversity and geodiversity

RELEVANT SITE HISTORY

Not applicable.

CONSULTATION RESPONSES

Tree Officer

No objection.

It is justified in the interests of responsible tree ownership, good arboricultural management and mitigation of risks to property.

Works must be undertaken by a suitably qualified Arborist and to standards laid out in BS 3998.

REPRESENTATIONS

In accordance with Council policy on neighbour notification for this type of application, no letters of notification were sent to neighbouring properties.

ANALYSIS

In considering applications for works to protected trees, Government advice in paragraph 90 of the NPPG (Reference ID: 36-090-20140306) states:

“When considering an application the authority is advised to:

- ☐ *assess the amenity value of the tree or woodland and the likely impact of the proposal on the amenity of the area;*

- ☐ consider, in the light of this assessment, whether or not the proposal is justified, having regard to the reasons and additional information put forward in support of it;
- ☐ consider whether any loss or damage is likely to arise if consent is refused or granted subject to conditions;
- ☐ consider whether any requirements apply in regard to protected species;
- ☐ consider other material considerations, including development plan policies where relevant; and
- ☐ ensure that appropriate expertise informs its decision.”

In considering whether there has to be an arboricultural need for proposed works to a TPO, paragraph 91 of the NPPG (Reference ID: 36-091-20140306) states:

“In general terms, it follows that the higher the amenity value of the tree or woodland and the greater any negative impact of proposed works on amenity, the stronger the reasons needed before consent is granted. However, if the amenity value is lower and the impact is likely to be negligible, it may be appropriate to grant consent even if the authority believes there is no particular arboricultural need for the work.”

With regard to the above, the main considerations in respect of this application are whether the proposed works are justified in light of the assessment of the amenity value of the trees and whether the reasons for works are of sufficient standing to warrant the granting of consent.

Consent is sought for crown lift and thinning of the canopy by 15% due to a number of reasons. The applicant has stated that the tree is overhanging the applicants residential property as well as the neighbouring residential properties. Additionally, the applicant has stated that the tree is causing damage to neighbour gardens and furniture and restricting light which according to the applicant has caused drainage issues with rainwater not being drained at the bottom of several gardens because of the landscape of the area. In assessing the application, Greater Manchester Ecology Unit (GMEU) raised no objections to the proposed works, noting that the works are justified in the interests of responsible tree ownership, good arboricultural management and mitigation of risks to property. Noting the above, it is considered that the proposed work is justified and would have an acceptable amenity impact.

GMEU have added that the works must be undertaken by a suitably qualified Arborist and to standards laid out in BS 39984. It is noted that the standard conditions require the work to be undertaken to relevant standards. Additionally, GMEU standing advice on tree works and protected species will be attached to the decision notice and therefore the obligations in respect of protected species will have been met.

The application proposal is considered to be compliant with the guidance contained within the NPPG noted above, and the application is recommended for approval subject to conditions.

RECOMMENDATION

GRANT subject to standard conditions

Notes for Applicant:

INFORMATIVES

1. For the avoidance of doubt, this Decision Notice relates to the following drawings / document(s):-
 - Location Plan
 - Application form
 - Submitted Photography