

APPLICATION NUMBER: 22/01599/WTTPPO

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
22/01599/WTTPPO	Chelsea Petrillo	03.04.2023

Address: 70 Bolton Road, Rochdale, OL11 4NX

Proposal: Application to remove one Sycamore (T) subject to Tree Preservation Order No. 36 including replacement planting in accordance with arborist report

PUBLICITY	Weekly list expired?	Y	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 Standard Conditions
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CHECKED AND SIGNED OFF BY: TH DATE: 19/09/2023

SITE

The application relates to a single mature Sycamore Tree (T) which is located in the rear garden of no.70 Bolton Road.

PROPOSAL

The proposal seeks consent for the felling of the Sycamore Tree followed by the replantation of up to four trees elsewhere on the property.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Adopted Rochdale Core Strategy (CS):

G7 – Increasing the value of biodiversity and geodiversity

RELEVANT SITE HISTORY

None applicable.

CONSULTATION RESPONSES

Tree Officer

Received 02.02.2023

Note that I am still considering this application. It is a mature, healthy tree which contributes significantly to the local sylvan landscape. I don't doubt that the large tree in a small garden may be causing some structural damage, but there may be solutions available other than removing the tree.

Received 02.04.2023

I have thought about this application and have reluctantly come to the conclusion that there is no alternative to removing the Sycamore. Although the tree is healthy, prominent and has a good shape, it is undoubtedly causing damage to the property, and is very likely impeding drainage, which will cause further damage. The tree still has growth potential, so if remedial action is not taken further damage to property is very likely.

I had considered that it might be possible to prune the roots of the tree and install a root barrier between the tree and the house, but this option would not solve the issue of the damage being caused to the garden curtilage, it would risk the tree becoming unstable and the extent of pruning which would be required could harm to overall health of the tree over time. It would also be prohibitively expensive.

The removal of the tree is therefore justified in the interests of avoiding significant harm to property. I would recommend that new tree planting is required nearby as compensation for the loss, of species more suited to small gardens.

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 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 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 proposal for works to the tree is justified in light of the assessment of the amenity value of the tree and whether the reasons for works are of sufficient standing to warrant the granting of consent.

To assess the acceptability of the proposal against the above considerations, the Council’s Tree Officer has been consulted. The Officer raised no objections to the application on Arboriculture grounds. The works are justified on the grounds of residential amenity and public safety (damage to property and impending drainage) and the replanting of smaller trees in the rear garden within the site curtilage is for native species, which is considered to be acceptable to compensate for the removed tree.

RECOMMENDATION

GRANT Subject to Standard Conditions

5. Within the next planting season after the felling of the tree hereby approved, the replacement tree planting details indicated on the drawing titled ‘70 Bolton Road – tree planting plan’ received 14/09/2023 shall be implemented in full. If the replacement trees are removed, dies, become severely damaged or seriously diseased within three years of planting, they shall be replaced by trees of similar size and species.

Reason: To mitigate for the loss of the existing tree and to protect the visual amenity of the area.

Notes for Applicant:

For the avoidance of doubt, this Decision Notice relates to the following drawings / document(s):-

- S485-01 LOCATION PLAN (T Sycamore)
- TREE CONDITION SURVEY
- DRAINAGE REPORT (Dated 09.01.2023)

