

DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
23/00932/WTTPO	Bob Melling	26 th October 2023

Address: 51 Marquess Way, Middleton, M24 4JR

Proposal: Proposed felling of Beech tree (T29) subject to Tree Preservation Order TPO123.

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
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CHECKED AND SIGNED OFF BY: RC

DATE: 26/10/23

SITE

The application relates to 1 Beech tree within the rear garden of no. 51 Marquess Way in Middleton.

PROPOSAL

The proposal seeks consent for the felling of a Beech tree (T29).

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF) – February 2019

National Planning Practice Guidance (NPPG)

Adopted Rochdale Core Strategy (CS):

G7- Increasing the value of biodiversity and geodiversity

RELEVANT SITE HISTORY

N/A

CONSULTATION RESPONSES

Operational Supervisor Arboriculture

There is sufficient evidence in the report to justify the immediate removal of the tree.

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:

- ② assess the amenity value of the tree or woodland and the likely impact of the proposal on the amenity of the area;*
- ② 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;*
- ② consider whether any loss or damage is likely to arise if consent is refused or granted subject to conditions;*
- ② consider whether any requirements apply in regard to protected species;*
- ② consider other material considerations, including development plan policies where relevant; and*
- ② 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 Operational Supervisor Arboriculture has been consulted. The Officer raised no objections to the application on Arboriculture grounds.

The Tree Report notes that T29 is a standing dead tree with extensive deadwood throughout the whole canopy. As a result, the tree poses a high risk to people and property.

To compensate for the loss of amenity value afforded by the tree, the proposal seeks to plant two replacement trees. This would be in accordance with the Council's 2:1 replacement ratio and is considered acceptable.

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

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.

RECOMMENDATION

GRANT Subject to Four Standard Conditions and the following additional condition:

5. Within the next planting season after the felling of the tree hereby approved, two replacement trees shall be planted within the curtilage of no. 51 Marquess Way and shall be native species which are of a similar size at maturity. If the replacement trees are removed, die, become severely damaged or seriously diseased within three years of planting, they shall be replaced by trees of a similar size and species.

Reason: To mitigate for the loss of the existing tree and to protect the visual amenity of the area and in accordance with Policies G6 and G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Notes for Applicant:

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

- Tree Report dated 19th September 2023
- Photograph of Tree

Report Author Bob Melling