

APPLICATION NUMBER: 24/00601/WTTP0

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.

24/00601/WTTP0

CASE OFFICER

Sam Yuen

DETERMINATION DATE 06.08.2024 **EXT OF TIME**

Address: Land Rear Of 26 High Street (within Garden Of East House/Stubley New Hall/Holme Lea), Littleborough, OL15 8PQ

Proposal: Application for works to trees within group G7 of TPO No. 003 consisting of:-

T1 (Common Beech) - crown lift 5 metres and cut back north side of the tree's crown by 2 metres up to the same height.
(no photos showing pruning locations - target prune in accordance with BS3998: 2010).

T2 (Common Beech) - remove the branch extending horizontally across Stubley Lane and over number 26 High Street with a view to helping to reduce leaf fall into the garden of number 26 High Street.

T3 (Whitebeam) - remove the low primary limb extending from the main stem to the northeast over Stubley Lane to help rebalance tree and with a view to helping to reduce leaf fall into the garden of number 26 High Street.

T4 (Whitebeam) - remove the lowest limb extending from the main stem over Stubley Lane to help rebalance the tree and reduce leaf fall into garden.

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: RK

DATE: 06/08/2024

SITE

The application relates to 2no. Common Beech trees (T1 & T2) and 2no. Whitebeam trees (T3 & T4) within group G7 of Tree Preservation Order 003 sited to the east of East House, Stubley New Hall and Holme Lea off Stubley Lane in Littleborough. The trees are located closest to no. 26 High Street to the north.

PROPOSAL

The proposal seeks consent for the following works:

- ☐ T1 – crown lift by 5m and reduction by 2m;
- ☐ T2 – horizontal branch removal;
- ☐ T3 – low primary limb removal from the main stem; and
- ☐ T4 – lowest primary limb removal from the main stem.

The submitted Tree Survey notes the trees are in fair conditions and the works seek to rebalance the tree crowns, reduce overhang onto Stubley Lane and reduce leaves falling into the garden of no. 26

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)

Places for Everyone Joint Development Plan (PfE)

The Places for Everyone Joint Development Plan was adopted and became part of the statutory development plan for each of the 9 authorities covered by the plan on 21st March 2024. The following policies are relevant:

Policy JP-G6: Urban Green Space

Policy JP-G7: Trees and Woodland

Policy JP-G8: A Net Enhancement of Biodiversity and Geodiversity

Adopted Rochdale Core Strategy (CS):

G6 Enhancing green infrastructure

G7 Increasing the value of biodiversity and geodiversity

RELEVANT SITE HISTORY

22/00505/WTTPO - Application to remove one Beech Tree (T1) subject to Tree Preservation Order No. 003 – Refuse

Officer's Comment

1. The beech tree has visual amenity value and insufficient information has been provided to demonstrate that its removal is justified and necessary. The proposal is therefore contrary to policies G6 and G7 of the adopted Rochdale Core Strategy, and to national guidance contained within the National Planning Practice Guidance.

22/00502/WTTPO - Application to remove two White Beams (T1 and T2) subject to Tree Preservation Order No.003 – Refuse

Officer's Comment

1. The 2no. White Beams have visual amenity value and insufficient information has been provided to demonstrate that their removal is justified and necessary. The proposal is therefore contrary to policies G6 and G7 of the adopted Rochdale Core Strategy, and to national guidance contained within the National Planning Practice Guidance.

20/01177/WTTPO - Works to one Beech tree covered by Tree Preservation Order No.003 consisting of removal of branch - Grant subject to conditions

CONSULTATION RESPONSES

Tree Officer

No comments received at the time of writing.

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:

- ① 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;*
- ③ consider whether any loss or damage is likely to arise if consent is refused or granted subject to conditions;*
- ④ consider whether any requirements apply in regard to protected species;*
- ⑤ consider other material considerations, including development plan policies where relevant; and*
- ⑥ 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.

The Tree Officer was consulted on the proposed tree works but has not submitted a response. Notwithstanding, the submitted Tree Survey notes three of the trees currently overhang over Stubley Lane and onto the curtilage of no. 26 High Street, resulting in leafs falling into the rear garden of no. 26. The proposed pruning works are therefore justified in the interests of good arboricultural management and residential amenity.

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 two standard conditions

Notes for Applicant:

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

- Site Plan – Drawing No. 21591/DK received 25/06/2024
- Arboricultural Safety Survey by JCA Limited – dated 20/12/2023
- Photos of trees subject to proposed works – received 25/06/2024

Report Author Sam Yuen