

DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
23/00144/WTTPO	Hamish Rigg	29/03/2023

Address: 126-128 Hopwood Manor

Proposal: Application for works to one Lime tree (T9) - crown lift removing secondary branches over the road and to fell two Ash trees (T10 and T11) subject to Tree Preservation Order No 178 (128-132 Manchester Road, Heywood).

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: 30/03/2023

SITE

The application relates to one Lime tree and two Ash trees along the north-east boundary of Hopwood Manor, Manchester Road. The trees overhang properties on Heather Lee Close and Manchester Road.

PROPOSAL

The proposal seeks consent to remove secondary branches to one Lime tree, which overhang the road, and to fell two Ash trees.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF) – July 2021

National Planning Practice Guidance (NPPG)

Adopted Rochdale Core Strategy (CS):

G6- Enhancing green infrastructure

G7- Increasing the value of biodiversity and geodiversity

RELEVANT SITE HISTORY

19/00036/WTTP0

20/00102/WTTP0

20/00104/WTTP0

All applications relate to the crown-lifting or felling of trees within the grounds of Hopwood Manor. Predominantly these were due to Ash die back.

CONSULTATION RESPONSES

Tree Officer

I have no objections to this application, justified in the interests of safety and good arboriculture practice. Ash die-back is unfortunately endemic in the area, and the Ash trees will continue to decline. Minor pruning works to the Lime are justified in the interests of residential amenity.

I would ask that replacement planting is sought for the tree losses, with more appropriate (smaller) tree species. For example Betula or Prunus.

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;*

- 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 consideration in respect of this application relates to whether damage or loss is likely to arise if consent is refused. In this instance, the area in question is highly populated with buildings, traffic and people, and therefore unhealthy trees pose a significant risk. The ash trees are suffering with ash die back which carries a 95% mortality rate, thus the potential for damage if left alone is high. As for the Lime tree, the removal of two branches should have no impact on amenity, nor will it damage the trees health.

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 in the interests of public safety given the overhanging branches to the highway, and the rapidly deteriorating state of the Ash trees, and good arboricultural practice.

However, to compensate for the loss of amenity value afforded by the trees, it is recommended that replacement trees are planted. It is considered appropriate to apply the standard requirement for a 2:1 replacement ratio.

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

5. Within the next planting season after the felling of the trees hereby approved, a minimum of four replacement trees shall be planted within the site in accordance with details that have first been submitted to and approved in writing by the local planning authority. If the replacement trees are removed, die, become severely damaged or seriously diseased within five 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 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):-

- Photos of Tree Works T10 & T11 (Ash) and T9 (Lime)
- TREE REPORT-23/00144/WTTP0

Report Author Hamish Rigg