

DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
23/00711/WTTPO	Bob Melling	17 th August 2023

Address: 23 Frank Fold, Heywood, OL10 4FF

Proposal: Application for works to one Lime tree (T1) - crown lift to 6m to allow light into the garden and thin out by 20% to obtain a healthier less dense canopy and to fell one Copper Beech (T2) due to the close proximity of the building and poor form, subject to Tree Preservation Order No. 150.

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	PART GRANT SUBJECT TO CONDITIONS / PART REFUSE
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CHECKED AND SIGNED OFF BY: RC

DATE: 18/10/23

SITE

The application relates to one Lime tree (T4) and one Copper Beech tree (T5) protected by Tree Preservation Order 150 that are growing within the rear garden area of no. 23 Frank Fold in Heywood close to the rear boundaries of nos. 3 and 5 Frank Fold.

PROPOSAL

The proposal seeks consent for the following works:

- ☐ Crown lift by 6 metres and thin by 20% of Lime tree T4 (marked as T1 on submitted location plan)
- ☐ Felling of Copper Beech tree T5 (marked as T2 on submitted location plan)

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

- | | |
|----------------|---|
| 18/00144/WTTPO | Works to trees within Tree Preservation Order 150 T5 Beech Crown thin by 15% T4 Lime Crown thin by 10%. Granted STC February 2019 |
| 17/00661/HOUS | Erection of detached garage with storage area. Granted STC August 2017 |
| 17/00621/WTTPO | Application to fell T8 within tree preservation order 150. Granted STC July 2017. |

CONSULTATION RESPONSES

Tree Officer

I can't see a reasoned justification for the removal of the Beech. The tree has clearly been crown lifted in the past to mitigate possible impacts on the property, is in apparently good health and does not appear at the moment to be causing damage to property. There is a case for some further light pruning to take back branches closest to the house, although heavy pruning of Beech is not recommended.

I would advise that permission is granted for pruning of the Lime, but refused for removal of the Beech.

Pruning of the Beech to take back overhanging branches to a distance of 1.5-2 m could be allowed. No branches with a diameter over 75mm should be pruned.

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 trees 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.

To assess the acceptability of the proposals against the above considerations, the Council’s Tree Officer has been consulted. The Officer raised no concerns in respect of the proposed crown lift and crown thin of the Lime tree, which is considered a suitable compromise in promoting sufficient occupier amenity whilst retaining the majority of the canopy and foliage, thus preserving the positive contribution of the tree to the character of the landscape.

However, the Officer has advised that insufficient justification has been provided for the proposed felling of the Copper Beech tree. The tree has clearly been crown lifted in the past to mitigate possible impacts on the property, is in apparently good health and does not appear at the moment to be causing damage to property.

RECOMMENDATION

PART GRANT SUBJECT TO CONDITIONS / PART REFUSE

Grant works to T1 subject to standard conditions.

Refuse felling of T2 for the following reason:

1. Insufficient evidence has been provided to justify the felling of the Copper Beech tree (labelled T2 on submitted location plan), which is in good health, does not appear at the moment to be causing damage to property and is an important part of the Tree Preservation Order.

Notes for Applicant:

INFORMATIVE

1. For the avoidance of doubt, this Decision Notice relates to the following drawings / document(s):-
 - Location Plan
 - Submitted photography
 - Description of works in application form

Report Author Bob Melling