APPLICATION NUMBER: 20/00994/WTTPO

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
20/00994/WTTPO	Ryan Killeen	11 September 2020

Address: 8 Northolt Fold Heywood OL10 2WH

Proposal: Felling of Sycamore tree (T76) covered by Tree Preservation Order no. 220

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/A
	Neighbour comments received?	N/A

EIA	**Screening opinion completed and saved to Onbase?**	N/A

CONDITIONS	**Pre-commencement conditions proposed?**	N
	Pre-commencement conditions agreed (or notification period expired)?	N/A

RECOMMENDATION	GRANT SUBJECT TO CONDITIONS

CHECKED AND SIGNED OFF BY: AT **DATE: 11.09.2020**

SITE

This application relates to a Sycamore tree recorded as T76 under Tree Preservation Order no.220. The tree in question stands to the western most rear boundary of the rear curtilage of no.8 Northolt Fold, immediately adjacent to Middleton Road, the public highway.

PROPOSAL

The application proposes the removal of the Sycamore Tree known as T76 under TPO220 due to its poor shape and proximity to the public highway and residential properties.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF) – February 2019
National Planning Practice Guidance (NPPG)

CONSULTATION RESPONSES

Tree Officer

The tree which is the subject of the application is a multi-stemmed, poorly shaped specimen in decline. Its proximity to the nearby house, main road and bus stop do justify the removal of the tree. It is unfortunate, since this is one of the last of the trees originally included in the TPO – others seem to have succumbed to harm caused during construction of the houses on Northolt Fold.

The tree report recommends replanting with Oak or Lime – these are high forest trees and I would not recommend them as replacements so close to the highway and the houses. Instead I would recommend something smaller, such as a Cherry or a *Sorbus*.

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."*

Further to the above, 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 proposed works are 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.

In assessing the amenity value of the tree, the trees assume a very prominent siting on Middleton Road, and is mature in age and provides a great deal of amenity and would ordinarily be considered a priority to protect.

However, as highlighted by the Council's Tree Officer, the tree is poor in form and as such poses a threat to the public using Middleton Road to the west and the residential dwellings to the east.

In the interest of public safety and to avoid damage to property, it is considered appropriate that the tree is removed. In accordance with policy G6, a condition is to be recommended to replace the felled tree at ratio of 2:1. The application proposes replacement with a Lime or Oak, however these have been recommended against due to their physical characteristics and the proximity to the highway and property, as such, the species recommended by the Council's Tree Officer are *Sorbus* (Mountain Ash) or *Prunus* (Cherry). As these species are smaller than the trees to be replaced, the replacement ratio of 2:1 is further insisted upon.

Subject to the suggested condition, it is therefore considered that the proposed works are justified and would have an acceptable amenity impacts.

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 subject to conditions.

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 conditions:

5. Within the next planting season after the felling of the sycamore tree hereby approved, two replacement trees shall be planted within the curtilage of 8 Northolt Way. If either of the replacement trees are removed, die, become severely damaged or seriously diseased within five years of planting, they shall be replaced by a tree of similar size and species.

Notes for Applicant:

INFORMATIVES

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

2. Failure to carry out the works to these standards may result in prosecution under the Town and Country Planning (Tree Preservation) (England) Regulations 2012.

Report Author Ryan Killeen