

DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
24/00042/WTTPO	Bob Melling	1 th March 2024

Address: Plumpton Cottage, 186 Bury And Rochdale Old Road, Heywood, OL10 4AT

Proposal: Application to fell one Horse Chestnut Tree within Group W37 of Tree Preservation Order No. 010

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: 20/05/24

SITE

The application relates to 1 Horse Chestnut within the curtilage of no. 186 Bury And Rochdale Old Road in Heywood. The tree is located to towards the northeast corner of the plot at the entrance to the site and is in close proximity to a public right of way.

PROPOSAL

The proposal seeks consent for the felling of a Horse Chestnut due to the extent of systemic disease and resulting bark loss.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF) – December 2023

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

Tree Officer

The extent of systemic disease and resulting bark loss is not recoverable. I would not object to the removal of the tree, justified on the grounds of poor tree health and consequent risk to property.

I would advise re-planting with a Common Lime.

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 Tree Officer has been consulted. The Officer raised no objections to the application on Arboriculture grounds.

Moreover, given the declining health of the tree, there is an apparent risk to property.

To compensate for the loss of the Horse Chestnut, it is recommended that a replacement tree is planted. The Council’s Tree Officer has suggested a Common Lime. Given the limited space available, it is not considered appropriate to apply the standard requirement for a 2:1 replacement ratio. Instead, it is recommended that a 1:1 replacement ratio is applied.

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

3. Within the next planting season after the felling of the tree hereby approved, one replacement tree shall be planted within the curtilage of no.186 Bury And Rochdale Old Road and shall be a native species which is of a similar size at maturity. If the replacement tree is removed, dies, become severely damaged or seriously diseased within three years of planting, it shall be replaced by a tree of similar size and species within the first planting season following removal of that tree.

Reason: To mitigate for the loss of the existing tree and to protect the visual amenity of the area.

Notes for Applicant:

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

- Tree photographs
- Location plan
- Planning application form

Report Author Bob Melling