

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
25/00671/WTCA	Bob Melling	28 July 2025

Address: Old Rectory, Mellalieu Street, Middleton, M24 5DN

Proposal: Works to trees under protection order TPO177 and within a Conservation Area:-

One Conifer Tree - fell to ground level

One Ash Tree (T3) - removal of elongated branch

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/A

EIA	Screening opinion completed and saved to Onbase?	N/A
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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: TH DATE: 08.08.2025

SITE

The application relates to one Ash (T3) protected under TPO 177 and one Conifer (not covered by TPO). Both trees are located to the north of the Old Rectory, a Grade II Listed Building in the Middleton Town Centre Conservation Area.

PROPOSAL

Consent is sought to fell the Conifer and remove a large limb from the Ash which overhangs the rear garden of no. 31 Mellalieu Street.

RELEVANT PLANNING POLICY

National Guidance

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

RELEVANT SITE HISTORY

25/00245/WTTPO: Application for works to one Willow tree (T5) subject to Tree Preservation Order TPO177 - to crown reduce by 4-5 meters. **Granted STC** April 2025

CONSULTATION RESPONSES

Tree Officer – No comments received at 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:

- 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.

In considering applications for works to trees in a Conservation Area that are not protected by a Tree Preservation Order, Government advice in paragraph 116 of the NPPG states:

Trees in a conservation area that are not protected by an Order are protected by the provisions in section 211 of the Town and Country Planning Act 1990. These provisions require people to notify the local planning authority, using a 'section 211 notice', six weeks before carrying out certain work on such trees, unless an exception applies. The work may go ahead before the end of the six week period if the local planning authority gives consent. This notice period gives the authority an opportunity to consider whether to make a Tree Preservation Order on the tree.

With regard to the above, the main consideration in respect of the Conifer is whether it is deemed worthy of being placed under a Tree Preservation Order.

The tree is a non-native species and forms part of a wider group which make a modest contribution to the verdant setting of the locality and the Conservation Area. However, the subject tree is not a prominent part of the street scene and does not possess any outstanding features would make it otherwise remarkable. Moreover, the tree is resulting in structural damage to a boundary wall and potentially a nearby drain.

Therefore, it is not considered that the tree makes a substantive contribution to the setting or character of the Conservation Area and it is not considered that it is worthy of special protection.

With regard to the Ash tree, which is protected under TPO 177, the main consideration is whether the proposed limb removal is justified in light of the assessment of the amenity value of the tree and whether the reasons for the works are of sufficient standing to warrant the granting of consent.

The proposals are considered to comprise an acceptable balance between mitigating risks to property by removing an overhanging limb while retaining tree and its contribution to the amenity of the area.

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 the standard conditions.

Notes for Applicant:

INFORMATIVES

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

- Planning application form
- Location plan
- Submitted photography

Report Author Bob Melling