APPLICATION NUMBER: 18/01449/WTCA

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
18/01449/WTCA	Osian Perks	24 January 2019

Address: 27 - 29 Albion Street Rochdale OL11 2UT

Proposal: Application for works to one Ash, four Prunus and one Apple tree within Castleton (South) Conservation Area

PUBLICITY	**Call up expired?**	n	**Site notice expired?**	n
	Neighbour letters expired?	n	**Press Notice expired?**	n

INTERESTS	**Officer dealing with planning matters / Councillor app?**	n	**Ten or more objections and recommendation to grant?**	n
	Decision maker management interest in site?	n	**Called up?**	n

COMMUTED SUMS / S106	**Commuted Sum paid / S106 completed?**	n/a
	Confirm if commuted sum / S106 for POS – copy of calculation spreadsheet on file?	n/a

HUMAN RIGHTS ACT	**Account has been taken of the Act's provisions.**
ENFORCEMENT?	

EIA	**Has a screening opinion been completed and saved to Onbase?**	n/a

RECOMMENDATION	**No Objections**

CHECKED AND SIGNED OFF BY: AT **DATE: 31.01.2019**

SITE

This application relates to five fruit trees and one ash tree in the rear amenity spaces of 27-29 Albion Street, Rochdale within the Castleton Conservation Area. The rear

amenity spaces borders Newchurch Street to the North East and an alleyway connecting Newchurch Street to Caxton Street to the rear.

PROPOSAL

The application seeks permission for the removal of branches from the six trees within the rear amenity space. The branches are generally small scale and low hanging.

RELEVANT PLANNING POLICY

National Guidance

National Planning Practice Guidance (NPPG)

The government published its NPPG on 6 March 2014. This is intended to complement the NPPF and to provide a single resource for planning guidance, whilst rationalising and streamlining the material. Almost all previous planning Circulars and advice notes have been cancelled. Specific reference will be made to the NPPG or other national advice in the Analysis section of the report, where appropriate.

PUBLICITY

Earliest Decision Date: 12 April 2018
Revised Expiry Date: No extension agreed

Site Notice: N/A
Press Advert: N/A

CONSULTATION RESPONSES

Landscaping/Tree Officer
No comments received to date

REPRESENTATIONS

None received

ANALYSIS

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.

In addition, paragraph 119 clarifies that although the authority's main consideration should be the amenity value of the tree, authorities must pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. However, even if the tree's amenity value may merit an Order, the authority can still decide that it would not be expedient to make one. Paragraph 10 provides additional guidance on expediency and states:

Although some trees or woodlands may merit protection on amenity grounds it may not be expedient to make them the subject of an Order. For example, it is unlikely to be necessary to make an Order in respect of trees which are under good arboricultural or silvicultural management.

With regard to the above, the main considerations in respect of this application are: the amenity value of the trees, paying special attention to the desirability of preserving or enhancing the character or appearance of the conservation area; whether the trees are deemed worthy of being placed under a Tree Preservation Order or whether the Local Planning Authority is satisfied the works can go ahead without further intervention on arboricultural grounds.

Due to their small size and positioning, the trees subject to this application contribute little to the visual amenity of the surrounding area. Further to this, the proposed works are small scale removing only relatively small and low hanging branches. As such, the proposed works are unlikely to significantly impact upon the limited visual amenity value of the trees.

In terms of environmental protection, GMEU standing advice on tree works and protected species will be attached to the decision notice to advice the applicant of their responsibilities should protected species be encountered during the works.

In light of the above assessment, the proposal for works to the identified trees is therefore considered to be compliant with the guidance contained within the NPPG and the LPA accordingly raises no objection. The consent will be valid for two years and the works must be carried out in accordance with the submitted details.

RECOMMENDATION

NO OBJECTION

Report Author Osian Perks