

APPLICATION NUMBER: 24/00480/WTTPO

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
24/00480/WTTPO	Bob Melling	2 nd July 2024

Address: 4 Byron Grove, Bury Road, Rochdale, OL11 4BS

Proposal: Application for works to Sycamore tree T3 within tree preservation order 254 for crown thin of 25%

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
	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: RC

DATE: 02/07/2024

SITE

The application relates to a large Sycamore which is protected by Tree Preservation Order TPO254 and identified as T3. The tree is growing at the south western corner

of the rear garden area of no. 4 Byron Grove and overhangs the rear garden areas of nos. 41 Ford Gardens and 589 Bury Road.

PROPOSAL

Consent is sought for the crown of the identified tree to be thinned by 25% due to excessive shading of the rear garden area.

RELEVANT PLANNING POLICY

National Guidance

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

RELEVANT SITE HISTORY

19/00659/WTTPO - Application for works to Sycamore tree T3 within tree preservation order 254 for crown thin of 25% - **Grant subject to conditions**

CONSULTATION RESPONSES

Greater Manchester Ecology Unit (Trees) - No comments received to date.

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 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.

The application is supported by an Arboricultural Impact Assessment by Special Branch Tree Surgeons Ltd; a contractor from an approved list held by the LPA. This report describes the overall condition of the tree as semi-mature with a single stem and good form. On this basis, it is considered that there is no arboricultural need for the proposed works.

The report notes the reasons for the application as being excessive shading of no. 4 Byron Grove and the immediate neighbouring gardens, with a further concern of the potential of the tree being blown onto a neighbouring property. The report recommends a crown thin of the tree of 25% with no branches over 100mm to be removed. This would allow an increased amount of light to pass through and reduce the sail area, leaving the tree less prone to being blown over.

In assessing the amenity value of the tree, it is noted that the tree is visible from Bury Road insofar as it is growing at a height in excess of the roof height of no. 4 Bryon Grove. The tree is also visible from the length of Ford Gardens and is more prominent on that street scene due to its position. Tall trees growing between and behind buildings are a characteristic feature of the area and therefore the retention of the tree in its current form will ensure its ongoing positive contribution to the visual amenities of the area.

Subject to the suggested conditions to limit the scope of the proposed works, 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 two standard conditions, and the following additional conditions:

3. No more than 25% of the crown shall be removed.
4. No branches measuring over 100mm in diameter shall be removed and cuts shall be made at suitable pruning points.

Notes for Applicant:

INFORMATIVES

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

- Location Plan
 - Submitted Photography
 - Arboricultural Impact Assessment by Special Branch Tree Surgeons Ltd dated 20th May 2024
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 Bob Melling