DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
20/01396/WTTPO	Ryan Killeen	26 April 2021

Address: 71 And 75 Clay Lane Rochdale OL11 5RH

Proposal: Application for works to 5 no. trees covered by Tree Preservation Order No. 167 consisting of reduction of overhanging crown of Sycamore (T4), crown lift and reduction of Limes (T6, T7 and T8) and felling of Horse Chestnut (T9)

PUBLICITY	**Weekly list expired?**	N/A	**Site notice expired?**	N/A
	Neighbour letters expired?	Y	**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/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: DR **DATE: 27/04/2021**

SITE

This application relates to 5 trees which are protected under Tree Preservation Order TPO167. Trees T6,T7 and T8 are located to the southwest of the curtilage of no.71 Clay Lane, with T9 located within the curtilage of no.71 and T4 within the curtilage of no.75.

PROPOSAL

Consent is sought for the crown reduction of tree identified as T4, crown lift and reduction of trees T6, T7 and T8, and the felling of T9. All works are in the interest of residential amenity as the rear garden area of no.71 is excessively shaded.

RELEVANT PLANNING POLICY

National Guidance

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

RELEVANT SITE HISTORY

N/A

CONSULTATION RESPONSES

Tree Officer

I have some concerns with this application about the extent of crown lifting and crown reduction of the Limes (marked as T6, T7 and T8 in the Arbor report).

Crown lifting is an effective method of increasing light levels but really should be restricted to less than 15% of the live crown height, and leave the crown at least two thirds the total height of the tree. Crown lifting to a height of 10m and reducing the Crown by 20% of these Limes is a significant level of pruning and will leave the trees with a pronounced tall clear main stem with a small crown in other words, rather mis-shapen Limes. To my mind this would be an excessive level of pruning. I do note however that many of the branches which will need to be removed to implement the crown lift are relatively small and their removal will not lead to large wounds in the main stem.

I would not object to the removal of the Horse Chestnut in the interests of good arboricultural practice, since this tree is being suppressed by adjacent trees and has poor form.

I'd recommend a crown lift of the Limes to a maximum of 6m from ground level and a crown reduction of 15% which should leave the trees with a slightly better shape than would result from the more significant pruning applied for, but I would allow the removal of the Chestnut. The works are in the interest of residential amenity.

Works should be carried out by a suitably qualified and insured Arborist and in accord with BS 3998 (2010)

REPRESENTATIONS

A letter of notification was sent to adjacent properties, no responses were received.

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."*

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 details the excessive shading currently experienced by the occupants of no.71.

The report recommends the following works:

Tree	Species	Works
T4	Sycamore	Crown reduction of 25%, remove overhanging branches / cut back to previous pruning points
T6	Lime	Crown lift to 10m, crown reduction of 20%
T7	Lime	Crown lift to 10m, crown reduction of 20%
T8	Lime	Crown lift to 10m, crown reduction of 20%
T9	Horse Chestnut	Fell

Greater Manchester Ecology Unit have provided comments on the application, considering the pruning works to the 3 lime trees to be excessive with the works producing an awkward looking form with a clear, pronounced main stem and small crown which would be detrimental to the character and appearance of the area. Subsequently, recommendations have been provided to limt the works to a crown lift of 6m, and reduction of 15%.

In assessing the amenity value of the trees, it is noted that the trees have limited visibility from public vantage points along Clay Lane and Norford Way given the extensive foliage which exists at present, but are considered to be a valuable

contribution to the overall character of the area, with tall trees growing in between and behind buildings a strong feature within the surrounding area. Therefore the works predominantly retain four of the trees in their current form, which will ensure their ongoing positive contribution to the character and appearance of the area.

Given the application comprises the felling of a tree, in accordance with Core Strategy G6, it is recommended that a condition is attached that requires replanting of felled trees at a ratio of 2:1. As the rear curtilage is shaded at present, it would be conceded that replacement trees could be of a smaller species.

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 four standard conditions, and the following additional conditions:

5. In relation to trees identified as T6, T7 and T8, no more than 15% of the crown shall be removed.

6. In relation to the tree identified as T4, no more than 25% of the crown shall be removed.

7. No branches measuring over 100mm in diameter shall be removed and cuts shall be made at suitable pruning points.

8. In relation to trees identified as T6, T7 and T8, cuts to enable a crown lift shall not be made above 6m from the base of the main stem.

9. Within the next planting season after the felling of the Horse Chestnut hereby approved, a minimum of two replacement trees shall be planted within the curtilage of no.71 Clay Lane. If the replacement trees are removed, die, become severely damaged or seriously diseased within three years of planting, they shall be replaced by trees of similar size and species.

Report Author Ryan Killeen