APPLICATION NUMBER: 19/01212/WTTPO

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
19/01212/WTTPO	James Hughes	20 March 2020

Address: 12 Lowerfold Crescent, Rochdale, OL12 7HZ

Proposal: Works to T3 (Sycamore tree) to crown lift to 15ft and T2 (Willow tree) crown thin by 20% and crown lift to 15ft – subject to Tree Preservation Order TPO159

PUBLICITY	**Weekly list expired?**	Y	**Site notice expired?**	N/A
	Neighbour letters expired?	NA	**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/A
	Pre-commencement conditions agreed (or notification period expired)?	N/A

RECOMMENDATION	**GRANT**

CHECKED AND SIGNED OFF BY: AT **DATE: 20.03.2020**

SITE

The application relates to a Sycamore tree identified as 'T3' and a Willow tree identified as 'T2' in the submitted supporting information. The trees are growing to the rear boundary of 12 Lowerfold Crescent, a detached dwellinghouse. Beyond the boundary of the application property are the rear gardens to properties on Hillstone Avenue. The canopies of the trees overhang the garden of the application property and gardens on Hillstone Avenue.

PROPOSAL

Consent is sought for:

- Sycamore tree (T3) to be given crown lift to 15ft
- Willow tree (T2) to be given crown thin by 20% and crown lift to 15ft

RELEVANT PLANNING POLICY

National Guidance

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

RELEVANT SITE HISTORY

N/A

CONSULTATION RESPONSES

Greater Manchester Ecology Unit (Trees) – I would accept that these trees are becoming overly dominant (oppressive) for nearby properties and therefore I would offer no objections to the application for pruning works.

REPRESENTATIONS

Neighbour consultation is not a requirement under the Council's Code of Practice for this level of application.

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 trees and whether the reasons for works are of sufficient standing to warrant the granting of consent.

The works are proposed to reduce the limbs and canopies of the trees overhanging the rear garden boundary of No. 12 Lowerfold Crescent. In assessing the proposals, consultation was carried out with the Greater Manchester Ecology Unit (GMEU) which has raised no objections to the proposals, noting that they are reasonable and justified.

Whilst there is no clear arboricultural need for the works, it is considered that the proposed works would not unduly affect the amenity value of the trees given the limited reduction of the canopies and reasonable crown lift.

In respect of the potential for loss or damage if consent is granted or refused, it is noted that safety has not been noted as a concern within the application. These matters are not considered to be particularly relevant to this application.

Conditions are recommended to limit the scope of the works applied for to protect the health of the trees and to ensure their amenity value is not diminished.

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

Notes for Applicant:

INFORMATIVES

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

    - Location Plan
    - Details of proposed works within the application form
    - Submitted Photography

Report Author James Hughes