

DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
23/00857/WTTPO	Bob Melling	20 th September 2023

Address: 1 St Annes Mews, Ryecroft Avenue, Heywood, OL10 1HQ

Proposal: Application for works to two trees subject to Tree Preservation Order no. 212 consisting of T1 (Ash) – Remove and replant 3 new trees; T2 (Lime) - Crown reduce from property by 1-2 metres and crown thin by 15%.

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

EIA	Screening opinion completed and saved to Onbase?	N
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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: RC

DATE: 25/09/2023

SITE

The application site relates to the side garden of a residential property and is part of a larger residential development. The land forms part of the St. Annes Mews, Ryecroft Avenue. The trees for which works have been applied is one Ash tree and one Lime tree near the boundary fronting Ryecroft Avenue, and subject to Tree Preservation Order (TPO) no. 212.

PROPOSAL

The application proposes the following:

- ☐ Ash – remove due to Ash die-back disease and replant 3 new trees
- ☐ Lime – side reduction on the crown by 1-2 metres to give clearance from the house and crown thin by 15%

RELEVANT PLANNING POLICY

National Guidance

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

Adopted Rochdale Core Strategy (CS):

G7- Increasing the value of biodiversity and geodiversity

RELEVANT SITE HISTORY

20/00665/WTTP0 Works to two trees covered by Tree Preservation Order no. 212 consisting of T1 (Ash) - Crown reduction away from roof by maximum of 3 metres and removal of epicormic growth; T2 (Lime) - Crown reduction by maximum of 3 metres to give clearance from the house -**Grant subject to conditions**

Tree Officer

I would raise no objection to the proposed tree works.

The Ash is showing signs of Ash die-back disease, which is endemic in the area. While it may survive for some years, it is very likely to become increasingly unstable and brittle, shedding dead wood and becoming more dangerous to climb and therefore dismantle safely. It may become a danger to nearby property. I would therefore agree that its removal at this time is justified in the interests of good arboricultural practice and public safety.

Works to prune the Lime tree are justified in the interests of good arboricultural practice, and I would consider that the tree can withstand the level of pruning work as described in the application.

I would advise that any approved works are undertaken by a suitably qualified and insured arborist, and to standards set out in BS 3998: 2010.

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 proposal for works to the trees 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.

Comments have been provided by the Council’s Tree Officer, who notes that the Ash tree is showing signs of Ash die-back disease and may become increasingly unstable and brittle, shedding dead wood and becoming more dangerous to climb and therefore dismantle safely. In addition, it may become an unacceptable risk due to its close proximity to property and the public highway. As such, the proposed felling of the Ash tree is justified in the interest of public safety and good arboriculture practice.

In respect of the Lime tree, the Tree Report notes that the tree is currently very dense and in close proximity to the property thereby reducing the amount of natural

light received by the garden of the applicant property. The Tree Officer raises no objection to the proposed works to the Lime tree and considers that the tree can withstand the level of pruning work proposed. On this basis, the proposed works to the Lime tree are considered a suitable compromise in promoting sufficient occupier amenity whilst retaining the majority of the canopy and foliage, thus preserving the positive contribution made by the tree to the character of the landscape.

To compensate for the loss of the Ash tree, the applicant has agreed to plant three replacement trees. This would be in exceedance of the standard requirement for a 2:1 replacement ratio and is considered acceptable.

Subject to the suggested conditions, 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.

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

5. Within the next planting season after the felling of the tree hereby approved, three replacement trees shall be planted within the curtilage of no.1 St Annes Mews and shall be native species which are of a similar size at maturity. 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 a similar size and species.

Reason: To mitigate for the loss of the existing tree and to protect the visual amenity of the area and in accordance with Policies G6 and G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Notes for Applicant:

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

- Mini Tree Report dated 5th August 2023
- Location Plan
- Tree Photographs