

APPLICATION NUMBER: 24/00786/WTTP0

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.

24/00786/WTTP0

CASE OFFICER

Sam Yuen

DETERMINATION DATE 23.09.2024 EXT OF TIME

Address: 112 Oakhurst Close, Wardle, Rochdale, OL12 9EJ

Proposal: Application for works to on Lime Tree (T1) - crown reduce upper crown by 25% (subject to Tree Preservation Order No.259)

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

CHECKED AND SIGNED OFF BY: RK

DATE: 23/09/2024

SITE

The application relates to one Lime tree (T1) subject to Tree Preservation Order No. 259 sited in the front curtilage of no. 112 Oakhurst Close in Wardle. The tree is located within Dearnley Workhouse Conservation Area.

PROPOSAL

The proposal seeks consent for the upper crown reduction of the Lime tree by 25%. The submitted Tree Report states the tree is causing excessive shading towards no. 112 and the upper crown appears visible unbalanced.

RELEVANT PLANNING POLICY

National Guidance

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

Places for Everyone Joint Development Plan (PfE)

The Places for Everyone Joint Development Plan was adopted and became part of the statutory development plan for each of the 9 authorities covered by the plan on 21st March 2024. The following policies are relevant:

Policy JP-G6: Urban Green Space
Policy JP-G7: Trees and Woodland
Policy JP-G8: A Net Enhancement of Biodiversity and Geodiversity

Adopted Rochdale Core Strategy (CS):

G6 Enhancing green infrastructure
G7 Increasing the value of biodiversity and geodiversity

RELEVANT SITE HISTORY

N/A

CONSULTATION RESPONSES

Tree Officer

The proposal relates to a large, mature Lime tree close to residential properties. The tree is somewhat misshapen and its proximity to dwellings could be a future cause for concern. The tree appears in reasonable health.

The proposed works are substantive and would be better described as heavy topping rather than crown reduction, which could infer lighter, more balanced pruning. It would not constitute pollarding according to BS3998.

The tree is likely to withstand the level of pruning proposed and the pruning would reduce risks to property, and would over time improve the overall balance and appearance of the crown, providing that they are undertaken by a suitably qualified and experienced arborist. The works are therefore justified in the interests of mitigating risks and in the interests of good arboriculture management.

The works would initially appear fairly drastic, but Limes tend to regenerate dense foliage relatively quickly.

The Tree Officer therefore raises no objections to the application.

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:

- ① 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;*
- ③ consider whether any loss or damage is likely to arise if consent is refused or granted subject to conditions;*
- ④ consider whether any requirements apply in regard to protected species;*
- ⑤ consider other material considerations, including development plan policies where relevant; and*
- ⑥ 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 tree is 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.

To assess the acceptability of the proposal against the above considerations, the Council's Tree Officer has been consulted. The Tree Officer has raised no objections to the proposed works, noting that the tree would be able to withstand the pruning and would improve the overall balance and appearance of the tree. It would also serve to reduce the current overshadowing impacts to the curtilage of no. 112. The proposed works are therefore justified in the interests of good arboricultural management and residential amenity.

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 two standard conditions

Notes for Applicant:

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

- Location Plan – received 13/08/2024
- Tree Report by Special Branch Tree Surgery – dated 12/08/2024

Report Author Sam Yuen