

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
23/01269/WTTPO	Bob Melling	8 th October 2024

Address: Land Between 20 Lochawe Close And 16 Durness Place, Heywood

Proposal: Application for works to two Sycamore trees (T19 and T20) of Tree Preservation Order no. 250 consisting of crown reductions and the removal of a large limb overhanging no. 20 Lochawe Close.

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/A

EIA	Screening opinion completed and saved to Onbase?	N/A
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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: 05/11/24

SITE

The application relates to two large Sycamores which are protected by TPO250 and identified as T19 and T20. The trees are growing at the south side of the front garden area of no. 14 Durness Place and overhang the boundary with no. 20 Lochawe Close.

PROPOSAL

Consent is sought for the crown reduction of the identified trees and the removal of a large limb overhanging the roof of no. 20 Lochawe Close.

RELEVANT PLANNING POLICY

National Guidance

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

RELEVANT SITE HISTORY

19/00659/WTTPO - Works to Sycamore tree T20 subject to Tree Preservation Order TPO250 consisting of partial crown reduction – **Granted STC**

CONSULTATION RESPONSES

Greater Manchester Ecology Unit (Trees) - I would certainly agree that the pruning back the overhanging limb is justified in the interests of mitigating risk to property and in the interests of responsible tree ownership. The tree could withstand the level of pruning proposed.

I'd advise conditioning the works so that they follow the guidance in BS 3998:2010.

The works should be undertaken by a suitably qualified and insured arborist – the proximity to the property represents a moderate risk to property.

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:

- ☐ 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;*

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

Consent is sought for the thinning of the crowns of the above identified trees and the removal of a large limb overhanging the roof of no. 20 Lochawe Close on the basis that there is a latent risk to property.

In assessing the amenity value of the trees, it is noted that the trees are visible from Heyes Lane as well as many of the neighbouring properties as they have grown to a height in excess of the roof heights of adjacent properties. The trees are a prominent feature within the immediate street scene and therefore the retention of the trees will ensure their ongoing positive contribution to the visual amenities of the area.

GMEU has raised no objection to the works on arboricultural grounds and accepts the risk to the property.

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.

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 Bob Melling