APPLICATION NUMBER: 21/00301/WTTPO

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
21/00301/WTTPO	Majid Mir	6 May 2021

Address: 8 Bentgate Close Milnrow OL16 4NB

Proposal: Works to one Horse Chestnut (T32) subject to Tree Preservation Order No. 020 involving crown thinning by 25%

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/A

CONDITIONS	**Pre-commencement conditions proposed?**	N/A
	Pre-commencement conditions agreed (or notification period expired)?	N/A

RECOMMENDATION	APPROVE

CHECKED AND SIGNED OFF BY: AT **DATE: 07.05.2021**

SITE

Works to one Horse Chestnut (T32) subject to Tree Preservation Order No. 020. The tree is located in the rear garden of 8 Bentgate Close.

PROPOSAL

The proposal seeks to have work consisting of crown thinning by 25% to one Horse Chestnut (T32) subject to Tree Preservation Order No. 020.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF) – February 2019

National Planning Practice Guidance (NPPG)

Adopted Rochdale Core Strategy (CS):

Unitary Development Plan (UDP):

RELEVANT SITE HISTORY

14/01461/WTTPO	Works to one Horse Chestnut (T32) of Tree Preservation Order No. 020 involving crown thinning and crown lifting by 25%. Decision: Grant subject to conditions.

CONSULTATION RESPONSES

Tree Officer
I have no objections to the planned works, justified in the interests of residential amenity.

I would recommend -

1 Not more than 25% of the crown shall be removed, and the crown lift shall not be more than 4 metres in height.
2 Works must be carried out to BS3998:2010 –Tree Work Recommendations standards – and by a suitably qualified and insured person.

REPRESENTATIONS

In accordance with Council policy on neighbour notification for this type of application, no letters of notification were sent to neighbouring properties.

No letters of representation have been 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 proposal for works to the trees 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 objection to the work being proposed. The tree officer believes the work is justified in the interests of residential amenity. The tree officer has recommended that the work is limited to no more than 25% of the crown to be removed, and the crown lift should not be more than 4 metres in height. The tree officer has also recommended that the works should be undertaken by a qualified and insured person and in accordance with BS 3998:2010.

The application is supported by a Tree report by Special Branch Tree Surgeons Ltd. This report states that tree has grown considerably and has not been maintained. The growth and lack of maintenance has led to very little light entering the garden of the applicant's property and the neighbouring property.

The report states that a crown thinning of 25% would allow for the tree to tidied up whilst also improving the amenity value to the wider community without affecting the health of the trees.

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.

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RECOMMENDATION

GRANT subject to four standard conditions,

Notes for Applicant:

Informative:

1. For the avoidance of doubt, this Decision Notice relates to the following details:-

    - Location plan
    - Photograph
    - Mini tree report dated 1/3/21
    - Application form

Report Author Majid Mir