

APPLICATION NUMBER: 23/01348/WTTPO

DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
23/01348/WTTPO	Bob Melling	14 th February 2024

Address: 1 Crimble Lane, Heywood, OL10 4DJ

Proposal: Proposed felling of T1 (Grand Fir) subject to Tree Preservation Order TPO219.

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	REFUSE
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CHECKED AND SIGNED OFF BY: RK

DATE: 15/02/2024

SITE

The application relates to a Grand Fir located to the north of no. 1 Crimble Lane. The tree is located towards the rear boundary of the curtilage and is adjacent to an unadopted road.

PROPOSAL

The proposal seeks consent to fell T1 (Grand Fir) subject to Tree Preservation Order TPO219. The reason for the works is that recent wind and weather damage has contributed to a lean in the tree, which is now a high risk to people and property.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF) – February 2019

National Planning Practice Guidance (NPPG)

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

I have inspected this tree, and while I understand the concerns of no 1 Crimble Lane given the run of high winds which we have experienced lately, and the size of the tree, I could not find significant evidence of recent root plate movement, poor tree health or significant tree damage. The tree does have a lean to the south, but this appears to be long-established and not particularly recent. Cracks within the surrounding surfacing of the car parking area also seem to be well established and not recent.

This unusual tree makes a significant contribution to the local landscape and is highly visible.

I would advise that the application is refused, pending further investigation of the applicants concerns.

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:

- ⑦ *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.”

Policy G6 of the Adopted Rochdale Core Strategy requires new development proposals to “avoid the loss of existing urban greenspace or features e.g. trees unless suitable alternative provision is made, it has limited value, and its development or change of use will help to meet other sustainability or local regeneration objectives;” and “protect ancient woodlands and hedgerows, support new woodland and tree planting in new developments, and replace removed trees from a site at a ratio of 2:1”.

Policy G7 of the Adopted Rochdale Core Strategy sets out the importance of increasing the value of biodiversity: “Urban Areas - our priority is to protect and enhance existing urban biodiversity and to support opportunities for new urban biodiversity corridors, sites and features including sustainable urban drainage schemes, new public realm provision, street trees and urban woodlands, ponds and lodges, green roofs and natural play areas”.

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.

To assess the acceptability of the proposals against the above considerations, the Council’s Tree Officer has been consulted. The Officer has inspected the tree and did not find significant evidence of recent root plate movement, poor tree health or significant tree damage. Whilst the tree has a lean to the south, this appears to be long-established and not particularly recent. Moreover, cracks within the surrounding surfacing of the car parking area also seem to be well established and not recent.

Lastly, it is considered that the tree makes a significant contribution to the local landscape and is highly visible from public vantage points. As such, the proposal would unduly impact the visual amenity of the area.

RECOMMENDATION

REFUSE due to the following reason:

1. Grand Fir tree T1 makes a significant contribution to the local landscape and no significant evidence has been found of recent root plate movement, poor tree health or significant tree damage. Insufficient information has been provided to demonstrate that the removal is justified and necessary. As such, there is no valid reason for the removal of the Grand Fir tree. The proposal is therefore contrary to policies G6 and G7 of the adopted Rochdale Core Strategy, and to national guidance contained within the National Planning Practice Guidance.

Notes for Applicant:

INFORMATIVE

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

Report Author Bob Melling