

DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
23/01131/WTTPO	Bob Melling	10 th January 2024

Address: Land At Stately Drive, Middleton

Proposal: Application to fell two Mountain Ash trees and for works to two Lime trees subject to Tree Preservation Order No 123

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: 16.01.24

SITE

The application relates to 2x Mountain Ash which are located towards the junction between Marquess Way and Heywood Old Road and 2x Lime which front Manchester Old Road and face the junction with Bonny Brow Street.

PROPOSAL

The proposal seeks consent for the following:-

- ❑ Mountain Ash and 2x Ash Saplings (T0006) - fell to ground level to remove poor and dangerous trees.
- ❑ Mountain Ash (T0449) - fell to ground level and grind out stump to remove poor and dangerous tree.
- ❑ Lime (T0479) - remove epicormic growth around the main forks and remove deadwood to clear the forks to allow for inspection.
- ❑ Lime (T0483) - remove epicormic growth and deadwood to clear the forks to allow for inspection.

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

19/00103/WTTPO Application for works to 2 Limes, 3 Sycamore and 1 Hornbeam subject to Tree Preservation Order No 123

Grant subject to conditions

CONSULTATION RESPONSES

Tree Officer

I'd raise no objections to this application. The Mountain Ash trees are in a very poor condition, adjacent to the highway, so their removal is justified in the interests of good arboricultural management and highway safety. They're part of an established tree group, so I don't think that replacement tree planting is justified at this location because saplings would not thrive under the shade of the existing canopy.

The removal of epicormic growth from the Limes is justified to allow for tree inspections. Although epicormic growth from the base is typical for Limes, these trees do show excessive growth which can be a sign of underlying distress. Given the proximity of the trees to property and the highway, closer inspection is required for safety reasons.

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;*

- 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 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 Officer raised no objections to the proposed works, which are justified in the interests of good arboricultural management and highway safety.

The Mountain Ash trees are in very poor condition and the removal of epicormic growth from the Limes will allow for closer inspection, which is necessary for safety reasons given the proximity of the trees to the highway.

Typically, the Council would request replacement planting to compensate for the loss of amenity value afforded by felled trees. However, the Mountain Ash are part of an established tree group, so it is not considered that replacement planting is justified at this location because saplings would not thrive under the shade of the existing canopy.

The proposal to carry out works to the tree is therefore considered to be compliant with the guidance contained within the NPPG and the application is recommended for approval.

RECOMMENDATION

GRANT Subject to Standard Conditions

Notes for Applicant:

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

- Location Plan
- Planning Application Form dated 16/10/2023

Report Author Bob Melling