

DECISION CHECKLIST AND REPORT

APPLICATION NO.

25/00559/WTTPO

CASE OFFICER

Hamish Rigg

DATE

22/08/2025

Address: 1A Arthur Street, Rochdale, OL12 6SJ**Proposal:** Application to reduce overhanging branches of one protected Oak Tree under TPO297

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****CHECKED AND SIGNED OFF BY:** RK**DATE:** 27/08/2025**SITE**

The application relates to a large Oak Tree at the southern end of Arthur Street at the bend into Crimble Street, on the outskirts of Rochdale town centre. The Oak Tree is part of a collection of trees subject to Tree Preservation Order TPO297, which border the curtilage of no. 1A Arthur Street. 1A Arthur Street is a recently built detached house which is separate from the terraced houses to the north. The Oak Tree has several limbs which overhang the front driveway/garden.

PROPOSAL

Permission is sought to remove various overhanging branches. The application fails to specify how many branches, but correspondence from the applicant refers to “every branch that overhangs the garden” needing to be removed.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF) – July 2021

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

19/00045/FUL- Erection of one detached dwelling – approved 10/04/2019

14/01021/FUL - Erection of one detached dwelling (Resubmission of 14/00651/FUL) – approved January 2016.

CONSULTATION RESPONSES

Tree Officer – objection – 11/08/2025

The Council's Tree Officer has objected to the proposed works, stating that there is no statutory reason for the works to be undertaken. Further correspondence highlights that this tree is a significant local landmark which has stood for many years and any works could damage its appearance and health.

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;*
- 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.”

The Oak Tree, forming the subject of this application, is a mature tree which has stood for many decades. It remains healthy and is a proud spectacle along Arthur Street and Crimble Street. Its splendour and scale are invaluable to the visual amenity of the area, whilst its age and nativeness support of a large ecosystem of other plant and animal species.

The application is supported by a letter written by Treelink North West Limited (17/07/2025), which attempts to justify the proposed works. The letter states that the tree overhangs the property severely and recommends that various low down lateral branches are pruned back to the boundary fence. The statement refers to “one limb” having visible damage and needing to be removed. The application also includes several photographs of the tree, and correspondence from the applicant which claims that the tree blocks light to their house, is visually overbearing and that the leaves block their drains.

The supporting information is not compelling in its attempts to justify the need for the proposed works. Other than a brief reference to one limb having “visible damage”, there is nothing to suggest that the tree is in poor health nor poses a risk to occupants of 1A Arthur Street. Given the extent of the TPO and the quantity and size of trees covered by it in close proximity to the 1A Arthur St, it is not clear as to how the works specifically alleviate any of the issues raised by the applicant, which would have nonetheless been quite obvious upon moving into the property.

Furthermore, there is very limited information regarding the extent of the proposed works, such as the number of branches to be pruned, the specific branches to be pruned, or the

length at which they would be reduced. Without such information, it would be beyond the Council's control as to how much the tree would be pruned, which could result in significant and long-term damage to the tree.

Should the tree be irreparably damaged, there would be a detrimental impact on the visual amenity of the street scene. In addition, it would undermine policy G7 of the Council's Core Strategy, which aims to increase the value of biodiversity in Rochdale, including by protecting and enhancing trees within urban areas, as well as undermine Core Strategy policy G2, which aims to tackle climate change, including through the retention of existing trees.

The Oak Tree predates no. 1A Arthur Street by many decades and its long-term protection was a key condition of granting permission for application 19/00045/FUL. Development of no. 1A Arthur Street was undertaken with full knowledge of its proximity to the protected Oak Tree and the need to prioritise its health, ecological and amenity value.

The Council acknowledges that the Oak Tree overhangs the curtilage of 1A Arthur Street and that routine arboricultural management, such as pruning, is expected in urban areas. However, this application lacks sufficient detail about the proposed works and offers limited justification for them. Without this information, the Council cannot determine whether the works would safeguard the tree's long-term health or whether refusal would pose a serious risk to public safety. The Council's Tree Officer concurs, finding no statutory justification for the proposed works and therefore objects unreservedly.

As a result, permission is refused due to the lack of clarity regarding the scope and necessity of the works. In the absence of such detail the impact upon the amenity value of the tree cannot be determined especially where the works could raise concerns over the tree's long-term health, ecological value, and contribution to local visual amenity. Notwithstanding, the justification for any works put before the LPA is far from compelling and it is therefore recommended that the application is refused.

RECOMMENDATION

REFUSE:

The Oak Tree, taken individually and cumulatively with adjacent trees covered by TPO 297 makes a valuable contribution to the local landscape and the ecological value of the borough. Insufficient information has been provided regarding the extent of the proposed works or their justification. As such, the application provides no assurances of the tree's long-term health or its continued ecological and amenity value nor is able to demonstrate any real need for the works. In the absence of such critical information the proposed works would be 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:

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

- Tree Report: Treelink North West Limited (17/07/2025)
- Location plan: TQRQM25153134357696