

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
24/00370/WTCA	Bob Melling	29 th May 2024

Address: St Leonards C Of E Church, St Leonards Square, Middleton, M24 6DJ

Proposal: Works to T1 - Oak tree - full crown reduction by 2-3 meters

RECOMMENDATION	NO OBJECTION
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CHECKED AND SIGNED OFF BY: **TH** **DATE: 03.06.2024**

SITE

The application relates to an Oak tree located to the northwest of St Leonard's Church in Middleton. The tree is located within the Middleton Town Centre Conservation Area.

PROPOSAL

Works are proposed to crown reduce the tree by 2-3 metres.

RELEVANT PLANNING POLICY

National Guidance

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

Adopted Rochdale Core Strategy (CS):

- G7 Increasing the value of biodiversity and geodiversity
- P2 Protecting and enhancing character, landscape and heritage

RELEVANT SITE HISTORY

N/A

CONSULTATION RESPONSES

Tree Officer - No comments received to date.

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 trees in a Conservation Area that are not protected by a Tree Preservation Order, Government advice in paragraph 116 of the NPPG states:

“Trees in a conservation area that are not protected by an Order are protected by the provisions in section 211 of the Town and Country Planning Act 1990. These provisions require people to notify the local planning authority, using a ‘section 211 notice’, six weeks before carrying out certain work on such trees, unless an exception applies. The work may go ahead before the end of the six week period if the local planning authority gives consent. This notice period gives the authority an opportunity to consider whether to make a Tree Preservation Order on the tree.”

With regard to the above, the main considerations in respect of this application are whether the trees are deemed worthy of being placed under a Tree Preservation Order or whether the Local Planning Authority is satisfied the works can go ahead without further intervention.

No comments were received from the Tree Officer. Notwithstanding, the proposed works constitute good tree management by removing deadwood and reducing the density of the canopy. The works are therefore considered to be acceptable in the interests of residential amenity and good arboriculture practice.

The proposed works would not result in the loss of the trees. As felling of the trees is not proposed, it is not considered necessary to consider whether to make a Tree Preservation Order on the trees at this time as protection for the trees remain by virtue of the provisions of Section 211 of the Town and Country Planning Act 1990.

In terms of environmental protection as a result of the proposals, 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.

In light of the above assessment, the proposal is therefore considered to be compliant with the guidance contained within the NPPG and the LPA accordingly raises no objection.

RECOMMENDATION: NO OBJECTION

Notes for Applicant:

INFORMATIVE

1. For the avoidance of doubt, this Decision Notice relates to the following drawings / document(s):-
 - Tree Survey. Dated 22nd April 2024
 - Location Plan
 - Photograph of tree

Report Author Bob Melling