

DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
23/00577/WTTPO	Bob Melling	24 th August 2023

Address: 2 Newhouse Road, Heywood, OL10 2NR

Proposal: Application for works to one Copper Beech (T1 on submitted plan) - crown lift to obtain a branch height clearance above ground level of approx. 4 metres; 10% crown thin and prune back the north east side of the crown to obtain a branch clearance from house of approx. 2 metres and to one Horse Chestnut - (T4 on submitted plan) - crown lift to obtain a branch height clearance above ground level of approx. 5 metres and to fell one Ash Tree - (T3 on submitted plan) due to signs of Ash Die-Back - subject to Tree Preservation Order No. 129.

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: 14/09/2023

SITE

The application relates to 1x Copper Beech tree (T1), 1x Horse Chestnut tree (T4) and 1x Ash tree (T3), located along the front and side boundaries of no. 2 Newhouse Road in Heywood.

PROPOSAL

The proposal seeks consent for the crown lifting and thinning (10%) of 1x Copper Beech tree (T1) to obtain a branch height clearance above ground level of approx. 4 metres and a branch clearance from the application property of approx. 2 metres, the crown lifting of 1x Horse Chestnut tree (T4) to obtain a branch height clearance above ground level of approx. 5 metres and the felling of 1x Ash tree (T3) due to signs of Ash dieback.

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

None Applicable.

CONSULTATION RESPONSES

Tree Officer

I would agree that the proposed works are justified in the interests of good arboriculture management.

And yes, the Ash is suffering from Ash die-back and should be felled. Replacement planting should be sought (suggest Birch).

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:

- ② 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 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.

The submitted Tree Report notes that the Ash tree displays signs of Ash dieback and may become an unacceptable risk due to its close proximity to property. As such, the proposed felling of the Ash tree is justified in the interest of safety and good arboriculture practice.

In respect of the Copper Beech and Horse Chestnut trees, the Tree Report notes that both trees are having a detrimental impact on the amount of natural light received by the windows of the applicant dwelling. Further to this, the lower branches of the Horse Chestnut tree are reducing the functionality of the small garden space.

The front and side garden areas of the applicant dwelling are relatively congested with access to direct sunlight being restricted, with the crown lift (T1 and T4) and thin (T1) of the trees being a suitable compromise in promoting sufficient occupier amenity whilst retaining the majority of their canopies and foliage, thus preserving their positive contribution to the character of the landscape.

To compensate for the loss of the Ash tree, it is recommended that a replacement tree is planted. In terms of species, the Tree Officer has suggested Birch. Given the limited space available, it is not considered appropriate to apply the standard requirement for a 2:1 replacement ratio. Instead, it is recommended that a 1:1 replacement ratio is applied.

Subject to the suggested conditions, 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.

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.

RECOMMENDATION

GRANT subject to four standard conditions

5. Within the next planting season after the felling of the tree hereby approved, one replacement tree shall be planted within the curtilage of no.2 Newhouse Road and shall be a native species which is of a similar size at maturity. If the replacement tree is removed, dies, become severely damaged or seriously diseased within three years of planting, it shall be replaced by a tree of similar size and species within the first planting season following removal of that tree.

Reason: To mitigate for the loss of the existing tree and to protect the visual amenity of the area.

Notes for Applicant:

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

- Photographs of T1, T2 and T3
- Location Plan
- Tree Work Specifications

Report Author Bob Melling