APPLICATION NUMBER: 20/01402/WTCA

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
20/01402/WTCA	Majid Mir	13 January 2021

Address: 25 Hare Hill Road Littleborough OL15 9AD

Proposal: Application to fell one silver birch tree within Littleborough Town Centre Conservation Area

RECOMMENDATION	NO OBJECTION

CHECKED AND SIGNED OFF BY: KN DATE: 14.01.2021

SITE

The application relates to One Silver Birch tree located in the rear garden of no. 25 Hare Hill Road. The Silver Birch tree is located close to the boundary with the highway.

PROPOSAL

The proposal is to fell one Silver Birch tree.

RELEVANT PLANNING POLICY

National Guidance

National Planning Practice Guidance (NPPG)

RELEVANT SITE HISTORY

None

CONSULTATION RESPONSES

Tree Officer:

This is a shame, it is a reasonable tree which is making a contribution to local landscape character. But the harm that the tree is causing to built structures is undeniable, so it would not be justifiable to specially protect the tree in the circumstances.

REPRESENTATIONS

None.

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.

Whilst the tree does have some amenity value, however, the submitted information indicated that the tree is causing damage to the boundary treatment and the highway. It has been noted that the damage that is being caused would continue until the tree has been removed. The nature of the damage, does represent a risk to safety given its location close to the boundary with the highway. Additionally, the Council's Tree Officer has stated that it would not be justifiable to specially protect the tree. It is therefore considered that the felling of the Silver Birch tree is acceptable and it is not considered suitable for protection by TPO.

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 for removal of the identified trees 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:

Report Author Majid Mir