APPLICATION NUMBER: 20/01606/WTTPO

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
20/01606/WTTPO	Emily Sykes	15 February 2021

Address: 15 Biggin Gardens Heywood OL10 2WF

Proposal: Works to Sycamore tree (T71) subject to Tree Preservation Order No.220 consisting of 30% crown reduction and removal of deadwood

PUBLICITY	**Weekly list expired?**	Y	**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

CONDITIONS	**Pre-commencement conditions proposed?**	N
	Pre-commencement conditions agreed (or notification period expired)?	N/A

RECOMMENDATION	**Grant Subject To Conditions**

CHECKED AND SIGNED OFF BY: AT **DATE: 17.02.2021**

SITE

The application relates to Sycamore Tree T71 recorded under Tree Preservation Order TPO220. The tree is located in the rear garden of no. 15 Biggin Gardens, located on the shared boundary of curtilage with no.13 Biggin Gardens. The identified tree also overhangs the rear gardens of the residential properties on Middleton Road which back onto the rear garden of no.15 Biggin Gardens.

PROPOSAL

Consent is sought for the crown of the identified Sycamore tree to be reduced by 30% and the removal of deadwood.

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

This is a large species of high-forest tree in a small garden which is beginning to encroach over the property. The tree has been well pruned in the past and has a good shape and a dense crown. Sycamores are robust trees and this tree could I think withstand the level of pruning planned.

Therefore no objections are raised to the application, justified because of potential risk to property and in the interests of public amenity. Works must be carried out by a suitably qualified and insured person and to appropriate standards in line with British Standard BS3998:2010.

REPRESENTATIONS

None Applicable

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."

With regard to the above, the main considerations in respect of this application are whether the proposed works are 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.

In assessing the amenity value of the tree, the tree is visible from the rear gardens of many of the surrounding dwellings. The retention of the tree in its current form will ensure its ongoing positive contribution to the visual amenities of the area. It is considered that the proposed pruning will prevent potential risk to property and is therefore in the interests of public amenity.

It is therefore considered that the proposed works are justified and would have an acceptable amenity impact.

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 subject to conditions.

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

Notes for Applicant:

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

- Supporting Report (including location sketch and submitted photography)

2. Failure to carry out the works to these standards may result in prosecution under the Town and Country Planning (Tree Preservation) (England) Regulations 2012.

Report Author Emily Sykes