

Northern Area Planning Committee 4th November 2015

COMMITTEE REPORT

15/4487T

Application to fell and remove a single Cherry tree from the rear of 106 Buxton Road Macclesfield SK10 1JS

PURPOSE OF THE REPORT

To consider and determine a notification of intent to fell a single Cherry tree at 106 Buxton Road, Macclesfield SK10 1JS which is protected by its location within the Buxton Road Conservation Area. The notification has been submitted by the wife of Councillor P Findlow, and is being presented to this Committee under the Councils Constitution which states that matters relating to the preservation of trees submitted by a Councillor or immediate family member or partner, are for the Planning Committee to decide.

SUMMARY RECOMMENDATION

It is recommended that the removal of the Cherry tree is granted

WARDS AFFECTED

Macclesfield East Ward

POLICIES

Corporate Plan (Objective four)

To protect the natural, and recreational environment, for the benefit of local communities.

FINANCIAL IMPLICATIONS

None

LEGAL IMPLICATIONS

The Council is the Local Planning Authority and has delegated to the Planning Committee the responsibility for determining applications for works to protected trees where the applicant is a Councillor or immediate family member or partner.

RISK MANAGEMENT

Conservation Areas are designated because they have special architectural or historical interest, the character or appearance of which it is desirable to preserve or enhance. Other features including trees may also contribute to the special character of a Conservation Area. Anyone proposing to cut down or carryout work on a tree within a Conservation Area is required to give the Local Planning Authority (LPA) six weeks prior notice (section 211 Notice) The purpose of this requirement is to give the LPA an opportunity to consider whether a Tree Preservation Order (TPO) should be made in respect of the tree. Tree Preservation Orders are made to protect appropriate trees which are of public amenity, are normally visible from a public place and which may contribute to the street scene and local landscape.

CONSULTATIONS

All Tree Preservation Order applications and Conservation Area notifications are made available to Ward Members, Town and Parish Councils on the weekly planning list

VIEWS OF THE PARISH/TOWN COUNCIL

No comments have been received

OBJECTIONS/REPRESENTATIONS

None

APPRAISAL AND CONSIDERATION OF THE APPLICATION

The applicant has requested the felling of a single mature Cherry tree located within the rear garden of number 106 Buxton Road Macclesfield. A notification of intent does not require any reasons to be submitted to support the application, but the applicant has identified that the tree has damaged a boundary wall, and gate way which have had to be taken down and re-built, and the tree makes the neighbour's property very dark.

The Council's Senior Arboricultural Officer carried out a site visit on 14th October 2015 to consider whether the proposed works would have an adverse effect on the amenity of the immediate area and the Conservation Area as a whole and whether the tree should be protected by a TPO.

The identified Cherry is a mature specimen, approximately 70 years old located to the rear of the property immediately adjacent to the western garden boundary wall and 3 metres from the property's rear elevation.

The trees roots and stem are in contact with the wall which has been structurally compromised by annual increment growth and the wall has been recently taken down and re-built. Should the tree be retained, further damage is anticipated requiring additional works and significant expenditure.

As part of the detailed site inspection the presence of a juvenile Ganoderma fungal bracket was noted on the tree's southern lower stem. Further investigation identified the section of the stem associated with the bracket was decayed and hollow.

The Cherry tree has exhausted its location presenting a particularly poor social proximity to the boundary wall, the property's rear elevation, and impacts on the external living space associated with the adjacent dwellings. In terms of amenity value, the tree is not clearly visible from any public vantage point; removal will not have a significant impact on the amenity of the immediate area, the wider landscape, or the Conservation Area

Replacement Trees

There is no duty to instigate replacement planting within a Conservation Area.

RECOMMENDATION

It is recommended that the Committee decide not to make a Tree Preservation Order and inform the applicant that the works can go ahead