

**MANCHESTER CITY COUNCIL**

**PLANNING AND HIGHWAYS**

**APPENDIX TO AGENDA  
(LATE REPRESENTATIONS)**

**on planning applications to be considered by  
the Planning and Highways Committee**

**at its meeting on 18 March 2021**

**This document contains a summary of any objections or other relevant representations received by the Department since the preparation of the published agenda. Where possible, it will also contain the Director of Planning, Building Control & Licensing's own brief comment. These summaries are prepared on the day before the Committee. Very late responses therefore have to be given orally.**

**APPENDIX TO AGENDA  
(LATE REPRESENTATIONS)**

**Planning and Highways Committee** 18 March 2021

**Item No.** 5

**Application Number** 126927/FH/2020

**Ward** Rusholme Ward

**Description and Address**

Erection of two storey side and part two, part single storey rear extension to provide additional living accommodation

9 Norman Road, Manchester, M14 5LF

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**1. Public Opinion**

One further letter has been received reiterating their objections to both the original scheme as submitted and the revised scheme.

**2. Neighbourhood Services Arboriculture**

Have viewed the proposed floor plan and photos provided by the applicant and confirms that much of the rear garden (where you would potentially expect to find roots from the offsite trees) is currently covered in a concrete slab and therefore due to the limited permeability of the concrete, it is not likely that a great deal of rooting activity would be found in this location.

An arboricultural method statement which identifies the percentage of Root Protection Area estimated to be in this location and how they proposed to minimise the impact the development will have on it; should be submitted before the development commences. However, it is considered that the proposed development would not have a significant impact on the offsite tree stock.

**3. Director of Planning**

There is an error in the description of the development in that the ground floor rear extension projects 6 metres and the first floor rear extension projects 3 metres. Whilst these dimensions are larger than referred to in the report these dimensions are in accordance with the submitted drawings and the assessment of the proposed scheme has been carried out in accordance with those submitted drawings and the correct dimensions.

A condition is included within the report requiring the submission and approval of an Arboricultural Method Statement.

The recommendation of the Director of Planning remains one of APPROVE.

**APPENDIX TO AGENDA  
(LATE REPRESENTATIONS)**

**Planning and Highways** 18 March 2021  
**Committee**

**Item No.** 6

**Ward** Withington Ward

**Description and Address**

Confirmation of The Manchester City Council (Land at 7 Brunswick Road, Withington) Tree Preservation Order 2020

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**1. Representation in support of the TPO**

A Tree Risk Appraisal report provided by the homeowners arboricultural contractor RLTC stating that the Oak tree appears to be in good health with good structure, good vigour and thriving in its location. While it considers the tree does not need any pruning at present a pruning specification is provided to support increase in light levels while not affecting the health of the tree or its form.

A further representation has been received from the homeowner where the tree is located which can be summarised as follows:

The tree is probably 150 years of age and the house is called Oak Villa, which suggests the tree was there when the house was built in the late 1890s

Continuing the TPO will ensure that the tree, which is slow growing and has a life expectancy of several hundred years, will be protected not just for now but for future generations.

There is overwhelming support locally for the tree (17 out of 21 representations made to the council were in favour of confirming the TPO). The tree is much loved, not just by us at 7 Brunswick Road but many people locally and the TPO is supported by the Withington Civic Society and South East Fallowfield Residents Group. The three local councillors have also sent an email to the committee chair to confirm that that they fully accept the recommendations of the report.

All have emphasised the visual amenity benefit of the tree to residents and visitors and people on the roads and pavements locally – this is demonstrated not only by the photos in the report but also the additional photos provided below

It is appreciated that neighbours from 4 adjacent properties on Burlington Road oppose the TPO, principally it would seem on the basis of shading and the opinion is expressed that that shading is not a valid reason in planning terms to refuse a TPO.

A TPO does not prevent permitted pruning works to a protected tree. The owner states she is happy to apply for sympathetic pruning works (which would not affect the health or beauty of the tree) to be carried out, with the approval of the council –

the tree itself is healthy and does not require such works – this would be purely for the benefit of neighbours. The City arborist has now put forward a specification of works and owner would be happy to agree these.

If branches were cut back to the boundary of the neighbouring properties in Burlington Road, which could occur without the TPO, that could jeopardise the long-term health as well as the visual amenity of the tree. Concerns are compounded by recent activity at one of those properties where a mechanical digger has been used to completely clear the garden, including digging around the roots of the oak, despite its TPO status.

Mature trees are crucial to combat climate change and are ecosystems in themselves providing food and shelter for bats, birds, insects and other plants such as mosses and lichens. I regularly see woodpeckers in the tree – photographic evidence provided - and regularly see all manner of birds – nuthatches, tits of all sorts, wagtails, tree creepers and so on.

### **Examples of Submitted Photographs -**











## **2. Representations objecting to the TPO**

2 further objections have been received from occupiers of neighbouring properties. A document providing the content of these objections is provided as Appendix A.

## **3. Member Representations**

Councillor Moore had expressed concern about the tree overshadowing neighbours' gardens and asked for officers to carry out a site visit. Following the site visit and subsequent report, all the recommendations in the report are accepted and reiterates that all three Withington ward councillors have no objections to the TPO.

## **4. City Arborist**



Further to a site meeting with neighbours a schedule of recommended pruning works to the mature Oak tree have been provided and has been distributed to both parties.

The City Arborist state that this TPO if confirmed will prevent the potential for the tree from being pruned back to the boundary. This, if carried out, would create large pruning wounds that would potentially allow decay and disease into the tree.

City Arborist carried out a site visit and meeting following a complaint that a mini digger was operating within the protected rootzone area and removing topsoil adjacent to the Oak tree. Works were stopped and the City Arborist considers that there had been no demonstrable impact on the overall health of the tree from the works that were carried out.

## **5. Director of Planning**

In response to the points raised above, while it is stated the tree is not largely visible from the named surrounding streets (and where it is visible only in small glimpses) and as such does not contribute significantly to the visual amenity of the surrounding area, it is clear from all the photographic evidence provided that the Oak trees canopy is visible from numerous viewpoints in surrounding streets. While some of these views are between residential buildings others are open and interrupted from the public highway and adjacent residential properties. The City Arborist report states this Oak tree can be seen from the road and many viewpoints.

In relation to the issued raised over the canopy size of the Oak tree, it is acknowledged that this could be approximately 16m at its maximum and that it overhangs neighbouring gardens. When discussing the trees canopy size, the committee report states this an average crown diameter of approximately 10m, which considers the average overall crown cover of the tree.

There are differing opinions on the level of pruning works carried out on this tree since 2008 and also on discussions held between interested parties on appropriate required pruning. The City Arborist has provided a recommended pruning specification which they consider considers the situation and should satisfy both parties.

With regard to the location of the Oak tree it is acknowledged that this tree is approximately 3m from the nearest neighbouring common boundary, the rear garden boundary of properties on Burlington Road. The committee report was seeking to address the issue raised by a concerned neighbour in relation to position of the tree and potential structural issues to their property. Not including the property at no 7 Brunswick Rd, where no structural issues have been reported, the closest residential property is approximately 15m from the tree, which is outside the main rootzone area of the tree and any roots close to the property would be small and fibrous.

The reasons for confirmation of the TPO are clearly set out within the report and having considered the further representations, the recommendation remains to **CONFIRM** the TPO.