

Planning and Development
Number One Riverside
Smith Street
Rochdale
OL16 1XU

Dear Sir/Madam

Town and Country Planning Act 1990

**Planning Application for 'the removal of tree from the rear garden and the removal of the rear chimney stack'
170 Ramsden Road, Wardle, OL12 9NU**

This supporting letter considers the impacts of the proposal in the context of the primary legislation (the Town and Country Planning Act 1990) and other material considerations.

Please find enclosed the following drawings and supporting documentation against which the application should be determined:

- Site Location Plan
- Existing Rear Elevation Plan
- Proposed Rear Elevation Plan
- Tree report for 170 Ramsden Road (prepared by Special Branch Tree Surgery)

The Site and its Surrounding Context

The application site forms of a stone built, mid-terraced, two storey dwelling located on an upper landing facing onto Ramsden Road before the entrance into Wardle Village Square. The application site is located within the Wardle Conservation Area (CA), which was designated in 1974. Surrounding uses are generally residential in nature, however, 'The Globe' Public House, Wardle Scout Hut and Wardle Village Church are in Wardle Village Square a short distance away. St James Church is located opposite the appeal site, but has been left in a disused state for a prolonged period of time. The CA boundary ends at the end of the application site boundary.

The site does not appear to have any associated planning history.

Planning Policy Context

Rochdale Core Strategy 2016

The Rochdale Core Strategy (CS) was formally adopted in October 2016. This Core Strategy sets out the long-term spatial strategy for future development of the borough, addressing key priorities and to provide guidance for development.

The policies of the CS considered to be of relevance to this application are as follows:

- **G6(c):** *avoid the loss of existing urban greenspace or features e.g. trees unless suitable alternative provision is made, it has limited value, and its development or change of use will help to meet other sustainability or local regeneration objectives.*
- **G7(b):** *The Council will expect development proposals and improvements to protect and enhance existing features such as peatland, ponds, wetlands, reservoirs, mill lodges, trees, hedges, wooded areas, meadows, flora and fauna.*

- **P2(ii):** The Council will require proposals to conserve, enhance and promote key heritage assets, including consideration of their wider settings, such as *listed buildings, conservation areas, registered parks and scheduled ancient monuments*.

Rochdale Borough Unitary Development Plan 2006 Saved Policies

The Unitary Development Plan (UDP) was adopted in 2006 and replaced by the CS in 2016. Several policies remain as saved policies despite the adoption of the CS. The main role of the UDP was to guide the future use and development of land and buildings.

The saved policies of the UDP considered relevant are:

- **BE/17(b, d):** *Development proposals will be permitted that preserve or enhance the character or appearance of a Conservation Area. The design, including elevations, roof form, materials and finishes and the retention of landscaped areas, trees and natural features.*
- **N3/8:** *Development proposals will be permitted that do not adversely affect trees, woodland or hedgerows.*

Planning Assessment

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the determination of this application to be made in accordance with the development plan unless material considerations indicate otherwise. The assessment of each component of this application shall be discussed in turn.

The removal of the tree from the rear garden

The tree in question is located to the rear of the application site and behind the terraced row of 160 to 176 Ramsden Road. The tree stands alone in its plot and does not form part of a group or collective of trees, although, a larger group of trees are located to the north of the site adjacent to Wardle's allotment plots. When stood in the CA, the tree is barely visible owing to its location to the rear of the site and the overall height of the terraces on Ramsden Road. Furthermore, due to the layout of the buildings and features of the CA, visibility of this particular tree is restricted due to the limited number of public vantage points available. As such, the tree subject to this application provides a limited contribution to the character and appearance of the CA and therefore the removal of it would have a negligible impact.

In the absence of this harm to the CA, the removal of the tree would also provide benefits to its immediate neighbours. In its current form, the tree is of a significant height which towers above the rear facing windows of the application property, and the neighbouring properties of 168 and 172 Ramsden Road. The removal of the tree would improve the amount of lighting received into each rear facing room of both the host application property and its adjacent neighbours.

In addition and more decisively, the safety of nearby residents and their property must be of significant weight. The tree is located very close to the terraced row of 160 to 176 Ramsden Road. In the event of severe weather, owing to its height and overall size, the collapse or fall of a branch or the tree itself would have serious and dangerous consequences for both residents and property. The collapse of the tree, which is not easily visible from the CA or public vantage points, onto the terraced row which arguably provide a greater contribution to the CA, would have a more harmful effect upon the CA than the loss of the tree itself.

It is noted on face value that the removal of the tree would work against Policies G6(c) and G7(b) of the CS, and Policies BE/17(b, d) and N3/8 of the UDP. However, in assessing this conflict with policy an assessment must be made to the harm to the CA. The tree itself is of limited value due to its absence of a visual presence when stood within the public vantage points of the CA. Additionally, although these could not be considered as general public benefits, the removal of the tree would provide benefits to neighbouring properties, not just the occupants of 170 Ramsden Road. Therefore, considering these matters collectively, it is found that the removal of the tree would conserve the CA as a key heritage asset in line with Policy P2 of the CS. The proposal would also preserve the character or appearance of the CA, as required by Policy BE/17 of the UDP owing to the limited value of the tree to the CA.

The removal of the rear chimney stack

Several chimney stacks have been removed from the front elevations of properties in the terraced rows in the immediate vicinity. This appears to have been undertaken through the passage of time due to the absence of relevant planning history available for the properties who have undertaken this change. Nevertheless, the absence of these chimneys does not appear unusual or alien when viewed from the CA.

However, the chimney stack in question is sited to the rear and to the centre of the roof plane, with a similar height to the roof ridge. The reason for its requested removal is to prevent leaks to the rear chimney during the future aging of the property.

When viewed from the CA, the rear chimney stack is not easily visible due to its location to the rear and pitch of the roof. This aids in its concealment when viewed from Ramsden Road and the core of the CA. For these reasons, the removal of the rear chimney stack would conserve the general appearance of the CA. Therefore, the proposal would meet the requirements of Policy P2 of the CS and Policy BE/17 of the UDP which requires proposals to conserve and preserve key heritage assets, such as CA's, amongst other things.

Conclusion

In consideration of the matters raised above, the combination of the removal of the tree from the rear garden, and the chimney stack from the rear of the application property, would have a very limited, if at all negligible effect on the CA. The proposal would preserve the general make up of the CA. Therefore, planning permission should be granted for this proposal.