



Indurent Management Ltd.

H4 Development, Heywood Distribution Park

Arboricultural Assessment

June 2024

FPCR Environment and Design Ltd

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1.0 INTRODUCTION

- 1.1 This report has been prepared by FPCR Environment and Design Limited on behalf of Indurent Management Ltd. to present the findings of an Arboricultural Assessment and survey of trees located at Plot H4, Heywood Distribution Park (hereafter referred to as the site), OS Grid Ref SD 837 096.
- 1.2 The site was originally surveyed on 11th February 2022 with a re-survey carried out on 17th January 2024.

Scope of Assessment

- 1.3 The tree survey and assessment of existing trees has been carried out in accordance with guidance contained within British Standard 5837:2012 '*Trees in Relation to Design, Demolition and Construction - Recommendations*' (hereafter referred to as BS5837). The guidelines set out a structured assessment methodology to assist in determining which trees would be deemed either as being suitable or unsuitable for retention.
- 1.4 The guidance also provides recommendations for considering the relationship between existing trees and how those trees may integrate into designs for development; demolition operations and future construction processes so that a harmonious and sustainable relationship between any retained trees and built structures can be achieved.
- 1.5 The purpose of the report is therefore to firstly, present the results of an assessment of the existing trees' arboricultural value, based on their current condition and quality and to secondly, provide an assessment of impact arising from the proposed development of the site.
- 1.6 This report has been produced to accompany an outline planning application for industrial units classes E(g)(iii) industrial processes / B2 general industrial / B8 storage and distribution, and has included an assessment of any impact to the tree cover. The survey has therefore focused on any trees present within or bordering the site that may potentially be affected by the future proposals or will pose a constraint to any proposed development.

Site description

- 1.7 The site comprised of an area of land within the Heywood Distribution Park. The site contains a single industrial unit which is due to be demolished, large areas of hardstanding currently used for lorry parking and storage and a large area of unsurfaced previously disturbed ground. Tree cover is restricted to the site peripheries and within incidental grassed areas alongside internal roads and adjacent to hardstanding.

Planning History

- 1.8 An engineering works application including demolition of depot building (plot M5), breaking up of existing hardstanding, removal of existing services including lighting columns, ground remediation, earthworks to provide levelled site and off-site drainage was approved by Rochdale Metropolitan Borough Council (ref. 22/00662/FUL) on 17th May 2022. This application was submitted with an Arboricultural Assessment produced by FPCR Environment and Design Ltd, which included an assessment of impact arising from the proposed works.

2.0 PLANNING POLICY

National Planning Policy Framework December 2023

- 2.1 National Planning Policy is defined by the National Planning Policy Framework (NPPF). This sets out the Government's most current and up to date planning policies for England and how these should be applied. The current NPPF is dated December 2023.
- 2.2 Paragraphs 10 and 11 of the NPPF state that there is a presumption in favour of sustainable development and states that for decision making, the LPA should be '*c) approving development proposals that accord with an up-to-date development plan without delay*'.
- 2.3 In relation to arboriculture, the NPPF states that:
- *186 (c) 'development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons (footnote 67) and a suitable compensation strategy exists'.*
and provides specific guidance that:
 - *186 (d) 'development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate'.*
- 2.4 With reference to paragraph 186 (c), none of the assessed trees were considered as being ancient or veteran trees in accordance with accepted methodologies and guidance and The Multi Agency Geographic Information for the Countryside (MAGIC)¹ website identified no Ancient Woodland within the assessment site. As such this policy would not be engaged.

Local Planning Policy

- 2.5 Local planning decisions regarding all future developments are assessed against a framework to ensure that the district or county in question is developed in a well-informed and coherently systematic manner, whilst protecting the local ecological resources, landscape context and intrinsic heritage value of an area.
- 2.6 The adopted Core Strategy for Rochdale contains the following policy relating directly to arboriculture.
- **G1 - Tackling and adapting to climate change**
New developments will be expected to: d. Address the impacts of climate change by incorporating comprehensive adaptation measures, including:
lv the retention of existing trees wherever possible and the taking of all appropriate opportunities to plant trees and other suitable vegetation on site

¹ <http://magic.defra.gov.uk/>

- **G6 - Enhancing green infrastructure**

We will expect development proposals and other proposals affecting green infrastructure to:

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;

h. protect ancient woodlands and hedgerows, support new woodland and tree planting in new developments, and replace removed trees from a site at a ratio of 2:1

- **G7 - Increasing the value of biodiversity and geodiversity**

We will expect development proposals and improvements to

b. Protect and enhance existing features such as peatland, ponds, wetlands, reservoirs, mill lodges, trees, hedges, wooded areas, meadows, flora and fauna;

Statutory Considerations

- 2.7 Local authorities have a Duty under the Town and Country Planning Act to create Tree Preservation Orders (TPO) to protect and preserve specific trees and woodlands that bring significant amenity benefit to a particular site or location. Under a TPO it is a criminal offence to cut down, top, lop, uproot or wilfully destroy a tree protected by that Order, or to cause or permit such actions, if carried out without the prior written consent of the acting LPA.
- 2.8 It is understood following consultation with the Local Planning Authority, Rochdale Metropolitan Borough Council, that there is a Tree Preservation Order (TPO), namely Tree Preservation Order No. 132 1995, which applies to several trees present within the assessment site. Trees afforded protection by the TPO are identified on the Tree Survey Plan (10662-T-01) and within the Tree Schedule (Appendix A) and further details are given in Chapter 4.

3.0 SURVEY METHODOLOGY

- 3.1 The survey of trees has been carried out in accordance with the criteria set out in Chapter 4 of BS5837. The survey has been undertaken by a suitably qualified and experienced arboriculturist and has recorded information relating to all those trees within the site and those adjacent to the site which may be of influence to any proposals. Trees were assessed for their arboricultural quality and benefits within the context of the proposed development in a transparent, understandable and systematic way.
- 3.2 Trees have been assessed as groups where it has been determined appropriate. The term group has been applied where trees form cohesive arboricultural features either aerodynamically, visually or culturally including biodiversity or habitat potential for example parkland or wood pasture.
- 3.3 An assessment of individual trees within groups has been made where a clear need to differentiate between them, for example, in order to highlight significant variation between attributes including physiological or structural condition or where a potential conflict may arise.

BS5837 Categories

- 3.4 Trees have been divided into one of four categories based on Table 1 of BS5837, '*Cascade chart for tree quality assessment*'. For a tree to qualify under any given category it should fall within the scope of that category's definition (see below).
- 3.5 Category U trees are those which would be lost in the short term for reasons connected with their physiology or structural condition. They are, for this reason not considered in the planning process on arboricultural grounds. Categories A, B and C are applied to trees that should be of material considerations in the development process. Each category also having one of three further sub-categories (i, ii, iii) which are intended to reflect arboricultural, landscape and cultural or conservation values accordingly.
- 3.6 **Category (U) – (Red):** Trees which are unsuitable for retention and are in such a condition that they cannot realistically be retained as living trees in the context of the current land use for longer than 10 years. Trees within this category are:
- Trees that have a serious irremediable structural defect such that their early loss is expected due to collapse and includes trees that will become unviable after removal of other category U trees.
 - Trees that are dead or are showing signs of significant, immediate, or irreversible overall decline.
 - Trees that are infected with pathogens of significance to the health and/ or safety of other nearby trees or are very low-quality trees suppressing adjacent trees of better quality.
 - Certain category U trees can have existing or potential conservation value which may make it desirable to preserve.
- 3.7 **Category (A) – (Green):** Trees that are considered for retention and are of high quality with an estimated remaining life expectancy of at least 40 years with potential to make a lasting contribution. Such trees may comprise:
- Sub category (i) trees that are particularly good examples of their species, especially if rare or unusual, or are essential components of groups such as formal or semi-formal arboricultural features for example the dominant and/or principal trees within an avenue.
 - Sub category (ii) trees, groups or woodlands of particular visual importance as arboricultural and / or landscape features.
 - Sub category (iii) trees, groups or woodlands of significant conservation, historical, commemorative or other value for example veteran or wood pasture.
- 3.8 **Category (B) – (Blue):** Trees that are considered for retention and are of moderate quality with an estimated remaining life expectancy of at least 20 years with potential to make a significant contribution. Such trees may comprise:
- Sub category (i) trees that might be included in category A but are downgraded because of impaired condition for example the presence of significant though remediable defects, including unsympathetic past management and storm damage.

- Sub category (ii) trees present in numbers, usually growing as groups or woodlands, such that they attract a higher collective rating than they might as individuals or trees occurring as collectives but situated so as to make little visual contribution to the wider locality.
- Sub category (iii) trees with material conservation or other cultural value.

3.9 **Category (C) – (Grey):** Trees that are considered for retention and are of low quality with an estimated remaining life expectancy of at least 10 years or young trees with a stem diameter below 150mm. Such trees may comprise:

- Sub category (i) unremarkable trees of very limited merit or such impaired condition that they do not qualify in higher categories.
- Sub category (ii) trees present in groups or woodlands, but without this conferring on them significantly greater collective landscape value or trees offering low or only temporary / transient screening benefits.
- Sub category (iii) trees with no material conservation or other cultural value.

Considerations and Limitations of the Tree Survey

- 3.10 The survey was completed from ground level only and from within the boundary of the site. Aerial tree inspections or an assessment of the internal condition of the stem/s or branches were not undertaken at this stage as this level of survey is beyond the scope of the initial assessment.
- 3.11 The statements made in this report regarding the assessed trees does not take into account the effects of extreme / adverse weather conditions, changes in land use prior to the site's development, unforeseen accidents or anti-social behaviours, such as vandalism, which occur since the date of the survey. As such, the assessment of tree condition given within applies to the date of survey and cannot be assumed to remain unchanged.
- 3.12 It will be necessary to review all comments and observations made within this report, in accordance with sound arboricultural practice. Further review may also be necessary where site conditions change or works to trees are carried out which have not been specified in detail within this report.

4.0 RESULTS

- 4.1 A total of thirty-two individual trees and eight groups of trees were surveyed as part of the Arboricultural Assessment. Refer to the Tree Survey Plan and Appendix A – Tree Schedule for full details of the trees included in this assessment.
- 4.2 Appendix A presents details of any individual trees and groups recorded during the assessment including heights, diameters at breast height, crown spread (given as a radial measurement from the stem), age class, comments as to the overall condition at the time of inspection, BS5837 category of quality and suitability for retention and the root protection area. Tree number have been retained from the original survey to avoid confusion.
- 4.3 General observations, particularly of structural and physiological condition for example the presence of any decay and physical defect and preliminary management recommendations have also been recorded where appropriate.

- 4.4 The individual positions of trees and groups have been shown on the Tree Survey Plan. The positions of trees are based on a topographical / land survey, as far as possible, supplied by the client. Where topographical information has not identified the position of trees these have been plotted using a global positioning system and aerial photography to provide approximate locations. The crown spread, root protection area and shade pattern (where appropriate) are also indicated on this plan.

Results Summary

- 4.5 Tree cover on the site comprised a mixture of planted specimens and self-seeded trees which had established within a disused area of land. Sycamore *Acer pseudoplatanus* was the principal species recorded across the site along with Common Lime *Tilia x europaea* and Norway maple *Acer platanoides*. Self-seeded trees largely comprised of goat willow *Salix caprea* with ash *Fraxinus excelsior* and aspen *Populus tremula* also being recorded.
- 4.6 The table below summarises the trees assessed and several of the trees have been discussed in more detail following the table, owing to their physical condition or arboricultural significance.

Table 1: Summary of Trees by Retention Category

	Individual Trees	Total	Groups of Trees	Total
Category U - Unsuitable	T98*	1		0
Category A (High Quality / Value)		0		0
Category B (Moderate Quality / Value)	T43*, T44*, T46*, T47*, T48*, T49*, T50, T51*, T52*, T57, T58, T59*, T60*, T61*, T62*, T63*, T66*, T68, T70*, T71, T73	21	G14	1
Category C (Low Quality / Value)	T45*, T54, T64*, T65*, T67*, T69*, T72*, T74*, T96, T97*	10	G9, G10, G11, G12, G13, G15, G16	7

- 4.7 Most of the individual trees recorded on the site had been planted within grassed areas between areas of hard standing. This tree cover forms part of the landscaping across the Distribution Park and had been planted at a similar time all being of similar age and proportions. For the most part this tree cover was recorded as being of moderate quality (Category B) comprising of trees with arboricultural value but lacking the quality required to merit higher classification.
- 4.8 Of the thirty-two individual trees recorded on site twenty-four* are included in the Rochdale Metropolitan Borough Council Tree Preservation Order No. 132 1995. The trees identified within the TPO are protected by law from felling or uprooting, pruning including 'topping/lopping' and willful damage or destruction. The following table details which trees are afforded protection.

Table 2: Tree Preservation Order Details

Tree No. taken from FPCR	TPO reference no.
T43	G8
T44	G8
T45	G8
T46	G8
T47	G8
T48	G8
T49	T6
T51	G7
T52	G7
T59	G1
T60	G1
T61	G1
T62	G1
T63	G1
T64	G1
T65	G1
T66	G1
T67	G1
T69	G1
T70	G1
T72	G1
T74	G1
T97	G1
T98	G1

- 4.9 Of the eight tree groups recorded on the site, seven were considered of low quality (Category C) from an arboricultural perspective. Several of these groups had naturally colonised on disused areas of the site or had been planted but subject to no aftercare or management. This absence of targeted management along with limited species diversity attributed to many of these tree groups being considered of low arboricultural quality.
- 4.10 A single tree group G14, situated within a grass verge on the site's northern boundary was considered of moderate quality, being a cohesive arboricultural feature along this boundary and providing some landscape value to the site, but being situated as to make little visual contribution to the wider locality.

5.0 ARBORICULTURAL IMPACT ASSESSMENT

- 5.1 The following paragraphs present a summary of the tree survey and discussion of particular trees and groups recorded in the context of any proposed development in the form of an Arboricultural Impact Assessment (AIA) in accordance with section 5.4 of BS5837. Any final tree retentions will need to be reconciled with the advice contained within this report.

Engineering Works

- 5.2 An Arboricultural Assessment produced by FPCR Environment and Design dated May 2022 for the approved Engineering Works Application (22/00662/FUL) identified two individual trees (T54 & T57), and five tree groups (G9, G11, G12, G13 & G15), as being removed to allow for the engineering works. The table below summarises this impact and the trees and groups have been identified on the Tree Retention Plan (10662-T-05) in orange.

Table 3: Summary of Impact on Tree Stock for Engineering Works

	Trees/groups to be Removed for Engineering Works	Total
Category U - Unsuitable		0
Category A (High Quality / Value)		0
Category B (Moderate Quality / Value)	T57	1
Category C (Low Quality / Value)	T54 G9, G11, G12, G13, G15	1 5

- 5.3 The granting of the full planning permission (22/00662/FUL) would allow for the trees shown as removed within the approved plans to be removed and there is no need to ask for consent to remove these trees.

Outline Application

- 5.4 The below AIA is based upon the Parameters Plan and seeks to outline the relationship between the proposals and the trees shown to be retained as part of the Enabling Works.
- 5.5 An overlay of the Parameters Plan has been incorporated in the Tree Retention Plan (10662-T-05) to assist in identifying the relationship and any potential conflicts between the proposals and the existing trees and identifies those trees identified to be removed for the Outline Application in red. The table below summarises this impact, which has been discussed in more detail following the table.

Table 4: Summary of Impact on Tree Stock for Outline Application

	Trees/groups to be Removed for Outline Application	Total
Category U - Unsuitable		0
Category A (High Quality / Value)		0
Category B (Moderate Quality / Value)	T46*, T47*, T48*, T50 G14	4 1
Category C (Low Quality / Value)	T96 G16	1 1

- 5.6 The outline proposals as shown would require the removal of an additional five individual trees, four of moderate quality and one of low quality, along with one moderate quality tree group and one low quality tree group. This tree removal is necessary to create two development zones and a potential southern access route into the site from Mulberry Way to the south.
- 5.7 Three trees T46, T47 and T48, which are afforded protection by the TPO, are shown to be removed to facilitate the creation of Development Zone 1. Currently these three trees stand within a grassed island within an expanse of hardstanding. The proposals would see this grassed area removed requiring the removal of these three trees. It will be necessary that replacement trees are provided to ensure the development meets Local Planning Policy G6, it will be necessary that the loss of this tree cover is mitigated through the planting of trees on site providing replacement trees at a ratio of 2:1. This new tree planting has been detailed below in Chapter 6.
- 5.8 The granting of outline planning permission would not allow for the removal of trees afforded protection by a Tree Preservation Order and there would be a requirement to ask for separate consent to remove these trees prior to a Reserved Matters Application being approved which identifies these trees as removed.
- 5.9 Two further individual trees are identified to be removed T50 a moderate-quality lime in the south of the site which is shown to be removed to allow for a potential southern access route to the site from Mulberry Way. Along with T96 a low-quality lime in the north of the site which is shown to be removed to allow for the creation of Development Zone 2. Similarly, it will be necessary that the loss of this tree cover is mitigated for through new tree planting which should provide replacement trees at a ratio of 2:1 to ensure the development meets Local Planning Policy G6.
- 5.10 Two tree group G14, a moderate-quality mixed species planted group and G16, a low-quality predominantly laurel *Prunus laurocerasus* group, both situated in the north of the site, have been identified to be removed to allow for the creation of Development Zone 2. Landscape planting provided as part of a future Reserved Matters Application, should the outline application be approved, would mitigate for the removal of this tree cover. This tree cover could be provided along the northern boundary to provide similar levels of screening to the site as is currently provided by these two groups.

- 5.11 All vegetation and, particularly, woody vegetation proposed for clearance should be removed outside of the bird-breeding season (March - September inclusive) as all birds are protected under the Wildlife and Countryside Act, 1981 (as amended) whilst on the nest. Where this is not possible, vegetation should be checked for the presence of nesting birds prior to removal by an experienced ecologist.

Discussion

- 5.12 In conclusion for arboriculture, the proposals are considered to meet the aims and objectives of local and national policy through the retention of a high proportion of the existing tree cover. The retention of this tree cover, and enhancement of the site through new tree planting provided as part of a Reserved Matters Application, should the outline application be approved, will also meet many of the individual aspirations set out in these various policies.

6.0 NEW TREE PLANTING

- 6.1 As part of the subsequent reserved matters application, should the outline application be approved, an adequate quantity of structured tree planting should be provided to mitigate for any tree removal necessary to implement the development providing replacement trees at a ratio of 2:1 in accordance with Local Planning Policy G6.
- 6.2 New tree planting has been detailed within a Landscape Strategy produced by FPCR Environment and Design which should be read in conjunction with this report.
- 6.3 The landscaping scheme should consider the use of both native tree species (for their low maintenance requirements and nature conservation value) and ornamental species (for their contribution to urban design and amenity value). Species choices should be selected based on their suitability for the final site use.
- 6.4 When deciding upon suitable tree species, careful consideration would need to be given to the following: ultimate height and canopy spread, form, habit, density of crown, potential shading effect, colour, water demand, soil type and maintenance requirements in relation to both the built form of the new development and existing properties.

Rooting Environment and Soil Volumes

- 6.5 The success of any landscaping scheme relies on an adequate provision of a high-quality rooting environment within which trees can thrive and reach their full potential. Planting trees with due care and consideration can, in the long term, provide a greater return on a scheme's green investment and ensure trees remain healthy and grow to mature proportions.
- 6.6 The planting of trees within confined urban environments should consider the use of appropriately designed planting pits specifically engineered to promote tree health and longevity. Crucially the aim will be to provide an adequate volume of quality soil for roots to suitably develop by calculating the amount of available soil volumes needed and selecting species whose mature size is compatible with the site. This is an integral component of the planning stage (Lindsey & Bassuk, 1991).

General Planting Recommendations

- 6.7 Wherever possible, following discussions with the developer and utility companies, common service trenches should be specified to minimise land take associated with underground service provision and facilitation access for future maintenance.
- 6.8 Tree planting should be avoided where they may obstruct overhead power lines or cables. Any underground apparatus should be ducted or otherwise protected at the time of construction to enable trees to be planted without resulting in future conflicts.

7.0 TREE PROTECTION MEASURES

- 7.1 Retained trees should be adequately protected during works through the erection of the requisite tree protection barriers. Measures to protect trees should follow the guidance in BS5837 and will be applied where necessary for the purpose of protecting trees within the site whilst allowing sufficient access for the implementation of the proposed layout. These have been broadly summarised below.

General Information and Recommendations

- 7.2 All trees retained on site will be protected by suitable barriers around the calculated RPA, crown spread of the tree or other defined constraints of this assessment as detailed by section 6 and 7 of BS5837.
- 7.3 Barriers will be erected prior to commencement of any construction work and before demolition including erection of any temporary structures. Once installed, the area protected by fencing or other barriers will be regarded as a construction exclusion zone. Fencing and barriers will not be removed or altered without prior consultation with the Project Arboriculturist.
- 7.4 Any trees that are not to be retained as part of the proposals should be felled prior to the erection of protective barriers. Particular attention needs to be given by site contractors to minimise damage or disturbance to retained specimens.
- 7.5 Confirmation that tree protective fencing or other barriers have been set out correctly should be gained prior to the commencement of site activity.

Tree Protection Barriers

- 7.6 Tree protection fencing should be fit for the purpose of excluding any type of construction activity and suitable for the degree and proximity of works to retained trees. Barriers must be maintained to ensure that they remain rigid and complete for the duration of construction activities on site.
- 7.7 In most situations, fencing should comprise typical construction fencing panels attached to scaffold poles driven vertically into the ground. For particular areas where construction activity is anticipated to be of a more intense nature, supporting struts, acting as a brace should be added and fixed into position through the application of metal pins driven into the ground to offer additional resistance against impacts as illustrated in Appendix B.

- 7.8 Details of the specific protection barriers for the site can be provided should the application be approved, as part of a site-specific Arboricultural Method Statement in accordance with the guidance contained within BS5837.

Protection outside the exclusion zone

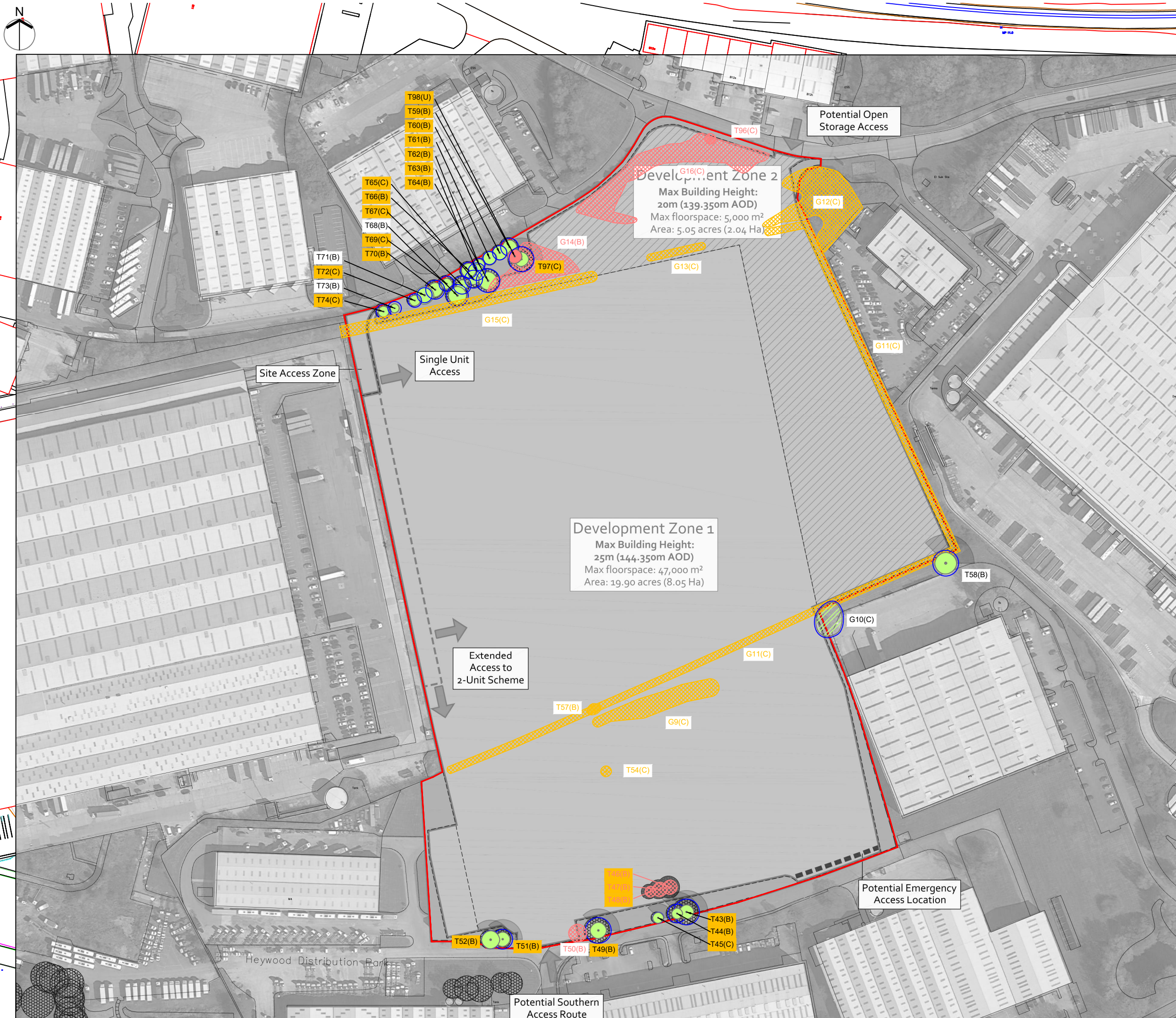
- 7.9 Once the areas around trees have been protected by the barriers, any works on the remaining site area may be commenced providing activities do not impinge on protected areas.
- 7.10 All weather notices should be attached to the protective fencing to indicate that construction activities are not permitted within the fenced area. The area within the protective barriers will then remain a construction exclusion zone throughout the duration of the construction phase of the proposed development.
- 7.11 Wide or tall loads etc should not come into contact with retained trees. Banksman should supervise transit of vehicles where they are in proximity to retained trees.
- 7.12 Oil, bitumen, cement or other material that is potentially injurious to trees should not be stacked or discharged within 10m of a tree stem. No concrete should be mixed within 10m of a tree. Allowance should be made for the slope of ground to prevent materials running towards the tree.
- 7.13 No fires will be lit where flames are anticipated to extend to within 5m of tree foliage, branches or trunk, taking into consideration wind direction and size of fire.
- 7.14 Notice boards, telephone cables or other services should not be attached to any part of a retained tree.
- 7.15 Any trees which need to be felled adjacent to or are present within a continuous canopy of retained trees, must be removed with due care (it may be necessary to remove such trees in sections).

8.0 TREE MANAGEMENT

- 8.1 The layout of the development is currently reserved for subsequent approval. During a reserved matters application pursuant to layout, a review of the relationship between the layout and the retained trees should be undertaken by a qualified arboriculturist to assess the existing tree cover and prepare a schedule of tree works.
- 8.2 All retained trees should be subjected to sound arboricultural management as recommended within section 8.8.3 of BS5837 *Post Development Management of Existing Trees*, where there is a potential for public access to satisfy the landowner's duty of care.
- 8.3 Landowners responsible for trees, especially those within the public domain, have a legal 'duty of care' to ensure that visitors and neighbours of their land are reasonably safe and that nobody comes to harm or injury, by his or her negligence, through taking measures to reduce risks as far as is 'reasonably practical' (The Health and Safety at Work Act 1974).
- 8.4 To ensure that risks are reduced as far as is 'reasonably practicable' it will be necessary that, a review of the relationship between retained trees and the new development should be undertaken by a qualified arboriculturist to assess the retained tree cover and prepare a schedule of tree works.

- 8.5 The Occupiers Liability Act (1957 and 1984) also places a 'duty of care' to ensure that no reasonably foreseeable harm takes place due to tree defects. That duty of care should be reasonable, proportionate, and reasonably practicable when managing the risk².
- 8.6 It is currently expected that a suitably qualified Arboriculturist or tree surveyor should inspect trees with an appropriate level of regularity. The purpose of the inspections is to determine whether a tree could foreseeably cause harm by virtue of its size and physical condition.

² The Health and Safety at Work Act 1974



KEY

Tree/Group to be Retained

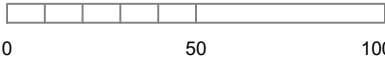
Tree/Group to be removed to facilitate approved Engineering Works Application (22/00662/FUL)

T1 (A)
G1 (A)

T1 (A)
G1 (A)

T1 (A)
G1 (A)

Scale 1:2000 @ A3



NOTES

All dimensions to be verified on site. Do not scale this drawing, use figured dimensions only. All discrepancies to be clarified with project Arboriculturalist. Drawing to be read in conjunction with Arboricultural Assessment and Appendix A - Tree Schedule.

Drawing has been produced in colour and is based on digital information in .dwg format, aerial images and/or GPS location where appropriate. A monochrome copy should not be relied upon. The exact position of individual trees or species included as part of a tree group, woodland or hedgerow should be checked and verified on site prior to any decisions for foundation design, tree operations or construction activity being undertaken. Further survey work would be required for calculating foundation depths.

Trees are living organisms that change over time, the condition of all trees illustrated herein, are to be checked by the project Arboriculturalist should works commence 12 months after the date of this survey.

SOME TREES MAY BE SUBJECT TO STATUTORY CONSTRAINTS. IT IS THEREFORE ADVISED THAT NO WORKS SHOULD BE UNDERTAKEN TO ANY TREES ILLUSTRATED HEREIN WITHOUT FIRST OBTAINING THE RELEVANT AUTHORISATION TO DO SO UNLESS AGREED AS PER THE APPROVED PLANS THROUGH PLANNING CONSENT.

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masterplanning

environmental assessment

landscape design

urban design

ecology

architecture

arboriculture

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client
Indurent Management Ltd.

project
H4 Development
Heywood Distribution Park

drawing title
TREE RETENTION PLAN
H4

scale
1:2000 @ A3

drawn/checked
EC

date
July 2024

drawing number
10662-T-05

rev
A

CAD file: L:\10600\10662\ARB\Plans\Tree Retention Plan - H4.dwg

Appendix A - Tree Schedule - H4

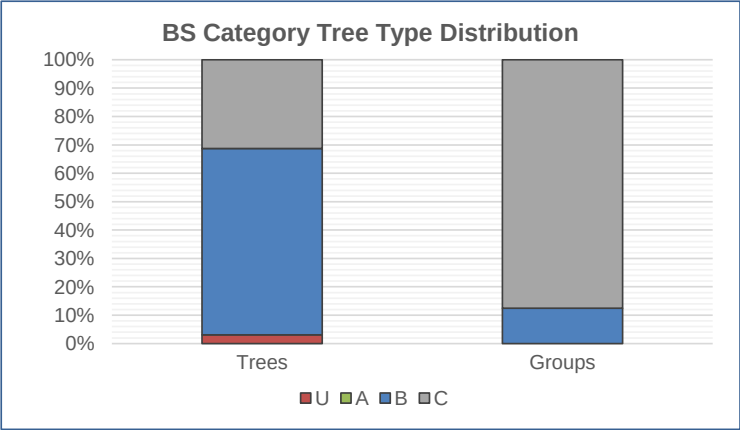
Measurements	Age Classes	Quality Assessment of BS Category	ULE (relates to BS Category)
Height - Measured using a digital laser clinometer (m)	YNG: Establishing, typically with good vigour and fast growth rates and strong apical dominance; c. less than 1/3 life expectancy	Category U - Trees in such a condition that they cannot realistically be retained as living trees in the context of the current land use for longer than 10 years.	<10 years
Stem Dia. - Diameter measured (mm) in accordance with Annex C of the BS5837	SM: Semi-mature trees less than 1/3 life expectancy	Category A - Trees of high quality with an estimated remaining life expectancy of at least 40 years.	40+ years
Crown Radius - Measured using a digital laser clinometer radially from the main stem (m)	EM: Established, typically vigorous and increasing in apical height and lateral spread; 1/3 - 2/3 life expectancy. Offers landscape significance	Category B - Trees of moderate quality with an estimated remaining life expectancy of at least 20 years.	20-40 years
Abbreviations est - Estimated stem diameter avg - Average stem diameter for multiple stems upto - Maximum stem diameter of a group	M: Fully established over 2/3 life expectancy, generally good vigour and achieving full height potential with crown still spreading	Category C - Trees of low quality with an estimated remaining life expectancy of at least 10 years, or young trees with a stem diameter below 150mm.	10-20 years
	OM: Fully mature, at the extremes of expected life expectancy, vigour decreasing, declining or moribund	Sub-categories: (i) - Mainly arboricultural value (ii) - Mainly landscape value (iii) - Mainly cultural or conservation value	
	V: biological, cultural or aesthetic value comprising niche saproxylic habitat. Individuals of large proportions (stem girth) in comparison to trees of the same species/surviving beyond the typical age range for their species.	The BS category particular consideration has been given to the following: • The presence of any structural defects in each tree/group and its future life expectancy • The size and form of each tree/group and its suitability within the context of a proposed development • The location of each tree relative to existing site features e.g. its screening value or landscape features • Age class and life expectancy	

Structural Condition	Physiological Condition	Root Protection Area (RPA)
Good - No significant structural defects	Good - No significant health problems	• The RPA Radius column provides the extent of an equivalent circle from the centre of the stem (m). • The RPA is calculated using the formulae described in paragraph 4.6.1 of British Standard 5837: 2012 and is indicative of the rooting area required for a tree to be successfully retained. Tree roots extend beyond the calculated RPA in many cases and where possible a greater distance should be protected. • Where veteran trees have been identified the RPA has been calculated in accordance with Natural England guidance i.e. 15x the stem diameter, uncapped.
Fair - Structural defects that can be remediated	Fair - Symptoms of ill-health that can be remediated	
Poor - Significant defects beyond remediation, present a risk of failure in the foreseeable future	Poor - Significant ill-health. Unlikely the tree will recover in the long term	
Dead - Dead tree with structural integrity of tree severely compromised	Advanced Decline / Dead - Advanced state of decline and unlikely to recover or Dead	

Appendix Summary

	Individual Trees	Totals	Tree Groups and Hedgerows	Totals
Category U	T98*	1		0
Category A		0		0
Category B	T43*, T44*, T46*, T47*, T48*, T49*, T50, T51*, T52*, T57, T58, T59*, T60*, T61*, T62*, T63*, T66*, T68, T70*, T71, T73	21	G14	1
Category C	T45*, T54, T64*, T65*, T67*, T69*, T72*, T74*, T96, T97*	10	G9, G10, G11, G12, G13, G15, G16	7
	Total	32	Total	8

BS Category Tree Type Distribution displays the proportion of trees assessed in each type to enable a better understanding of the category distribution.



Tree No	Species	Height	Stem Dia.	Crown Radius	Age Class	Overall Condition	Structural Condition	RPA	RPA Radius	BS5837 Cat
INDIVIDUAL TREES										
T43*	Common Lime <i>Tilia x europaea</i>	12	600	4	M	G	Situated within grass verge multi stemmed from 1.5m past pruning with branch stubs underground services within 2m of base TPO G8	163	7.2	B (i)
T44*	Sycamore <i>Acer pseudoplatanus</i>	12	440	3	M	G	Situated within grass verge girdling root at base light column within 3m of base past pruning to provide clearance to light TPO G8	88	5.3	B (i)
T45*	Sycamore <i>Acer pseudoplatanus</i>	8	260	3	EM	G	Situated within grass verge past pruning to raise crown past strimmer damage to main stem TPO G8	31	3.1	C (i)
T46*	Sycamore <i>Acer pseudoplatanus</i>	12	520	4	M	G	Situated within grass verge between areas of hardstanding past pruning to raise crown with branch stubs small diameter dead branches TPO G8	122	6.2	B (i)
T47*	Horse Chestnut <i>Aesculus hippocastanum</i>	12	450	4	M	F	Situated within grass verge between areas of hardstanding past pruning to raise crown exposed roots at base with mower damage possible bleeding canker noted on main stem TPO G8	92	5.4	B (i)
T48*	Sycamore <i>Acer pseudoplatanus</i>	12	350	3	EM	G	Situated within grass verge between areas of hardstanding past pruning to raise crown with branch stubs bark wounds at base likely strimmer damage TPO G8	55	4.2	B (i)
T49*	Sycamore <i>Acer pseudoplatanus</i>	12	600	4.5	M	G	Situated within grass verge light column within 3m of base past pruning to provide clearance to light TPO T6	163	7.2	B (i)
T50	Common Lime <i>Tilia x europaea</i>	12	450	5	M	G	Situated within grass verge past pruning to raise crown with branch stubs hardstanding within 3m of base bark wound on main stem at base likely mower damage	92	5.4	B (i)
T51*	Sycamore <i>Acer pseudoplatanus</i>	11	460	4	M	G	Situated within grass verge exposed roots at base with mower damage small diameter dead branches noted in crown TPO G7	96	5.5	B (i)

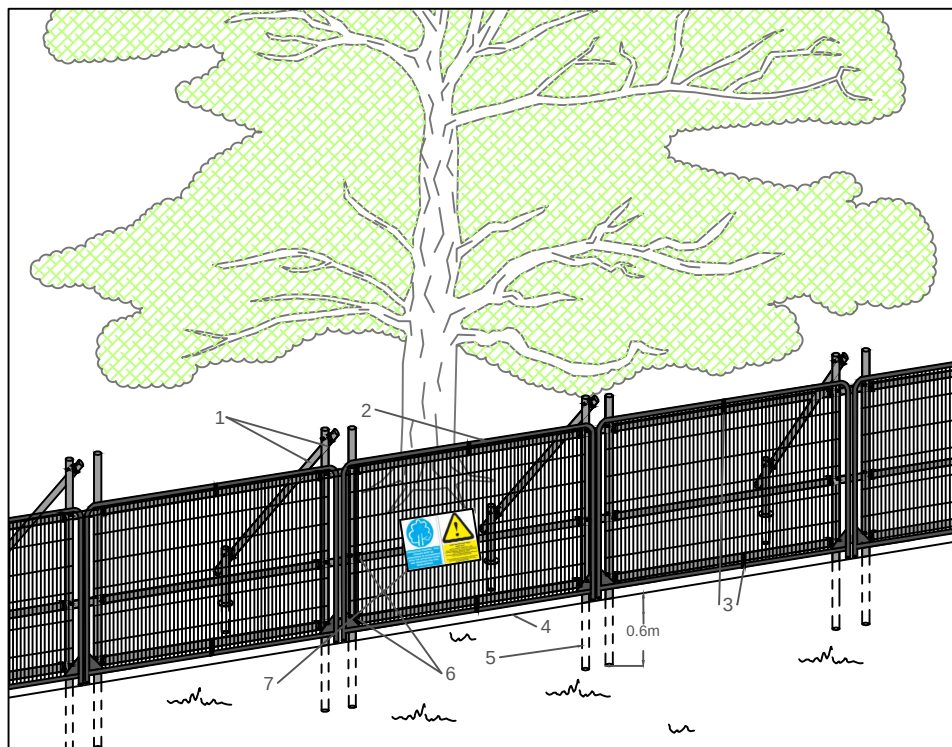
Tree No	Species	Height	Stem Dia.	Crown Radius	Age Class	Overall Condition	Structural Condition	RPA	RPA Radius	BS5837 Cat
T52*	Sycamore Acer pseudoplatanus	11	420	5	M	G	Situated within grass verge exposed roots at base with mower damage small diameter dead branches noted in crown past pruning to raise crown with branch stubs noted TPO G7	80	5.0	B (i)
T54	Sycamore Acer pseudoplatanus	9	290	3	SM	F	Likely self seeded within grass strip between areas of hardstanding past pruning with branch socket cavity noted at 3m debris piled at base	38	3.5	C (i)
T57	Sycamore Acer pseudoplatanus	8	500	N - 4 S - 2 E - 4 W - 4	M	F	Situated on top of small embankment close to fence past pruning to South to reduce crown spread	113	6.0	B (i)
T58	Common Lime Tilia x europaea	16	est 600	6	M	G	Situated beyond fence unable to access large hung up dead branch noted within crown past storm damage with broken branches and tear wounds small diameter dead branches noted	163	7.2	B (i)
T59*	Norway Maple Acer platanoides	15	420	4	EM	F	Situated within grass verge No major defects were noted TPO G1	80	5.0	B (i)
T60*	Norway Maple Acer platanoides	15	330	4	EM	F	Situated within grass verge No major defects were noted TPO G1	49	4.0	B (i)
T61*	Norway Maple Acer platanoides	13	300	4	EM	F	Situated within grass verge No major defects were noted TPO G1	41	3.6	B (i)
T62*	Norway Maple Acer platanoides	12	280	3	EM	F	Situated within grass verge No major defects were noted TPO G1	35	3.4	B (i)
T63*	Whitebeam Sorbus aria	10	est 410	4	M	F / G	Situated within grass verge Crossing and rubbing branches Pruning wounds noted TPO G1	76	4.9	B (i)
T64*	Hybrid Black Poplar Populus x canadensis	18	550	5	M	P	Situated within grass verge Sparse / thinning crown with small deadwood throughout TPO G1	137	6.6	C (i)

Tree No	Species	Height	Stem Dia.	Crown Radius	Age Class	Overall Condition	Structural Condition	RPA	RPA Radius	BS5837 Cat
T65*	Hybrid Black Poplar Populus x canadensis	15	420	3	M	P	Situated within grass verge Sparse / thinning crown with small deadwood throughout TPO G1	80	5.0	C (i)
T66*	Norway Maple Acer platanoides	12	380	4	EM	F	Situated within grass verge No major defects were noted TPO G1	65	4.6	B (i)
T67*	Hybrid Black Poplar Populus x canadensis	15	420	3	M	P	Situated within grass verge Sparse / thinning crown with small deadwood throughout TPO G1	80	5.0	C (i)
T68	Elm Ulmus sp.	12	510	5	M	F	Situated within grass verge Pruning wounds noted with branch stubs TPO G1	118	6.1	B (i)
T69*	Ash Fraxinus excelsior	13	360	3	EM	F	Situated within grass verge Basal cavity observed Included bark union TPO G1	59	4.3	C (i)
T70*	Norway Maple Acer platanoides	12	440	4	EM	F	Situated within grass verge No major defects were noted TPO G1	88	5.3	B (i)
T71	Elm Ulmus sp.	12	350	5	EM	F	Situated within grass verge Pruning wounds noted with branch stubs TPO G1	55	4.2	B (i)
T72*	Ash Fraxinus excelsior	13	320	3	EM	F	Situated within grass verge Crossing and rubbing branches Included bark union TPO G1	46	3.8	C (i)
T73	Ash Fraxinus excelsior	11	est 240 210	2.5	SM	F	Situated within grass verge Crossing and rubbing branches Bark wound noted	46	3.8	B (i)
T74*	Ash Fraxinus excelsior	13	340	3	EM	F	Situated within grass verge Included bark union TPO G1	52	4.1	C (i)

Tree No	Species	Height	Stem Dia.	Crown Radius	Age Class	Overall Condition	Structural Condition	RPA	RPA Radius	BS5837 Cat
T96	Common Lime <i>Tilia x europaea</i>	10	180 170 160	3	EM	F	Situated within landscape group multi stemmed from base with touching stems past pruning to raise crown with branch stubs	39	3.5	C (i)
T97*	Hybrid Black Poplar <i>Populus x canadensis</i>	12	585	4	M	P	Situated within tree group die back of crown with large diameter dead branches limited future potential within falling distance of footpath TPO G1	155	7.0	C (i)
T98*	Hybrid Black Poplar <i>Populus x canadensis</i>	12	575	4	M	P	Situated within tree group extensive die back of crown with large diameter dead branches limited future potential within falling distance of footpath TPO G1	N/A	N/A	U

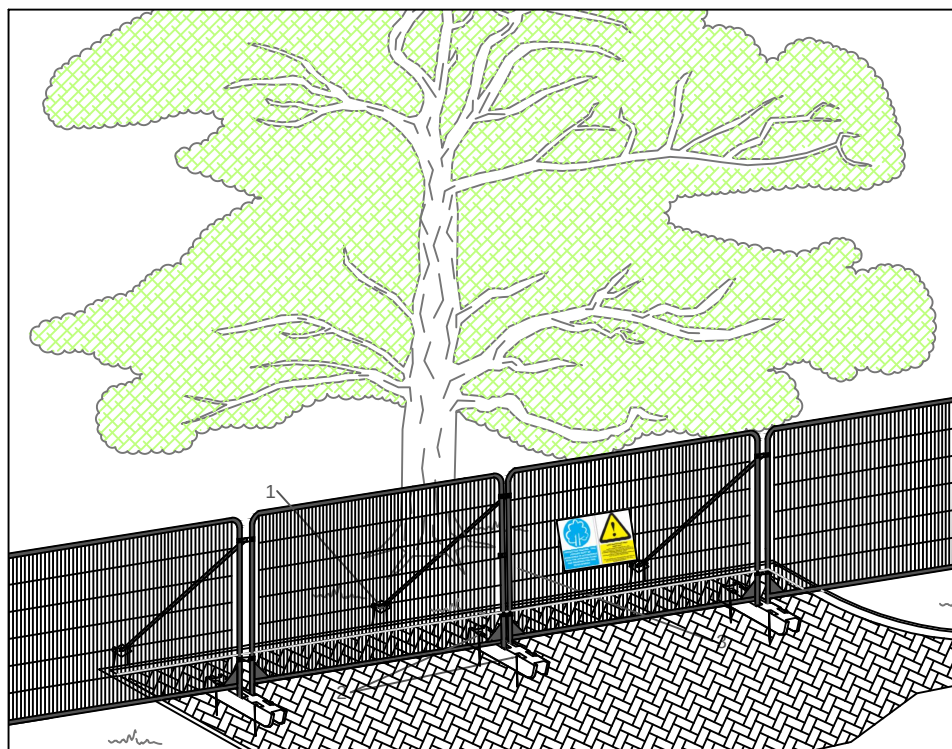
Group No	Species	Height	Stem Dia.	Crown Radius	Age Class	Overall Condition	Structural Condition	RPA	RPA Radius	BS5837 Cat
GROUPS OF TREES										
G9	Goat Willow Salix caprea Sycamore Acer pseudoplatanus	11	upto 8x 250	5	M	F	Linear group of trees along a small embankment hardstanding within 2m of base mature goat willow all multi stemmed from base self seeded sycamore has established within group reduced safe life expectancy multi tight and included bark unions	226	8.5	C (ii)
G10	Aspen Populus tremula	15	avg 400	4	M	F	Small tree group in corner of industrial site close spacing between trees has resulted in uneven crowns and leaning stems underground services and light column within group past pruning with large branch stubs	72	4.8	C (ii)
G11	Ash Fraxinus excelsior Goat Willow Salix caprea Sycamore Acer pseudoplatanus	8	upto 350	4	M	F	Likely self seeded group of trees adjacent to hardstanding Situating beyond boundary fence multi stemmed forms limited arboricultural value	55	4.2	C (ii)
G12	Crack Willow Salix fragilis Goat Willow Salix caprea Hawthorn Crataegus monogyna Silver Birch Betula pendula Sycamore Acer pseudoplatanus Wild Cherry Prunus avium	7	avg 150	2	SM / EM	P / F	Sporadic trees along disused strip of land likely self seeded limited screening value occasional coppiced stools	10	1.8	C (ii)
G13	Goat Willow Salix caprea	9	avg 6x 150	3	EM	F	Linear group of trees along small embankment multi stemmed from base likely coppiced screening value close spacing with interlocking crowns	61	4.4	C (ii)

Group No	Species	Height	Stem Dia.	Crown Radius	Age Class	Overall Condition	Structural Condition	RPA	RPA Radius	BS5837 Cat
G14	Ash Fraxinus excelsior Aspen Populus tremula Goat Willow Salix caprea Sycamore Acer pseudoplatanus	15	avg 300	3	EM	G	Likely planted group of trees within grassed verge Moderate screening value	41	3.6	B (ii)
G15	Goat Willow Salix caprea Sycamore Acer pseudoplatanus	5	avg 6x 150	3	EM	P	Self seeded trees along fence line within disused strip of land occluded fence within stems limited arboricultural value	61	4.4	C (ii)
G16	Hawthorn Crataegus monogyna Laural Prunus Laurocerasus	7	upto 100 100	2	EM	F	Outgrown landscape group lower crowns maintained dead trees noted	9	1.7	C (ii)



Standard specification for protective barrier

1. Standard scaffold poles
2. Heavy gauge 2m tall galvanized tube and welded mesh infill panels
3. Panels secured to scaffold frame with wire ties
4. Ground level
5. Uprights driven into the ground until secure (min depth of 0.6m)
6. Standard scaffold clamps
7. Construction Exclusion Zone signs



Above ground stabilising systems

1. Stabiliser strut with base plate secured with ground pins
2. Feet blocks secured with ground pins
3. Construction Exclusion Zone signs

NOTES

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APPENDIX B PROTECTIVE FENCING SPECIFICATIONS

CAD file: S:\Arb resources\Basic Templates\Tree Protection\Appendix B - Protective Fencing A4.dwg



**Borough of Rochdale (Pilsworth Road)
Tree Preservation Order No. 132 (1995)**



[Signature]
AUTHORISED SIGNATORY

DATED 11th July 1995

TOWN AND COUNTRY PLANNING ACT 1990

THE ROCHDALE BOROUGH COUNCIL

(PILSWORTH ROAD, HEWOOD)

TREE PRESERVATION ORDER NO.132 1995

W J LAWLEY
Borough Solicitor
Town Hall
ROCHDALE

tpo.132
hcb/je m

THE ROCHDALE BOROUGH COUNCIL
(PILSWORTH ROAD, HEYWOOD)
TREE PRESERVATION ORDER NO.132 1995

The Metropolitan Borough of Rochdale in this Order called 'the authority', in pursuance of the powers conferred in that behalf by Section 198 and Section 201 of the Town and Country Planning Act 1990, and subject to the provisions of Forestry Act 1967 and the provisions of the Housing and Planning Act 1986, hereby make the following Order:-

1. In this Order-

"the Act" means the Town and Country Planning Act 1990;

"the owner" means the owner in fee simple, either in possession or who has granted a lease or tenancy of which the unexpired portion is less than three years; lessee (including a sub-lessee) or tenant in possession, the unexpired portion of whose lease or tenancy is three years or more; and a mortgagee in possession; and

"the Secretary of State" means the Secretary of State for the Environment.

2. Subject to the provisions of this Order and to the exemptions specified in the Second Schedule hereto, no person shall, except with the consent of the authority and in accordance with the conditions, if any, imposed on such consent, cut down, top, lop, uproot, wilfully damage or wilfully destroy or cause or permit the cutting down, topping, lopping, uprooting, wilful damage or wilful destruction of any tree specified in the First Schedule hereto or comprised in a group of trees or in a woodland therein specified, the position of which trees, groups of trees and woodlands is defined in the manner indicated in the said First Schedule on the map annexed hereto which map shall, for the purpose of such definition as aforesaid, prevail where any ambiguity arises between it and the specification in the said First Schedule.

3. An application for consent made to the authority under Article 2 of this Order shall be in writing stating the reasons for making the application, and shall by reference if necessary to a plan specify the trees to which the application relates, and the operations for the carrying out of which consent is required.

4. (1) Where an application for consent is made to the authority under this Order, the authority may grant such consent either unconditionally, or subject to such conditions (including conditions requiring the replacement of any tree by one or more trees on the site or in the immediate vicinity thereof), as the authority may think fit, or may refuse consent:

Provided that where the application relates to any woodland specified in the First Schedule to this Order the authority shall grant consent so far as accords with the principles of good forestry, except where, in the opinion of the authority, it is necessary in the interests of amenity to maintain the special character of the woodland or the woodland character of the area, and shall not impose conditions on such consent requiring replacement or replanting.

(2) The authority shall keep a register of all applications for consent under this Order containing information as to the nature of the application, the decision of the authority thereon, any compensation awarded in consequence of such decision and any directions as to replanting of woodlands; and every such register shall be available for inspection by the public at all reasonable hours.

NOTE: If it is desired to fell any of the trees included in this Order, whether included as trees, groups of trees or woodlands, and the trees are trees for the felling of which a licence is required under The Forestry Act 1967, application should be made NOT to the authority for consent under this Order but to the Conservator of Forests for a licence under that Act (Section 15(5)).

5. Where the authority refuse consent under this Order or grant such consent subject to conditions they may when refusing or granting consent certify in respect of any trees

for which they are so refusing or granting consent that they are satisfied-

- (a) that the refusal or condition is in the interest of good forestry; or
- (b) in the case of trees other than trees comprised in a group of trees or in a woodland, that the trees have an outstanding or special amenity value; or
- (c) in the case of trees which are comprised in a group of trees or in a woodland, that the group of trees or the woodland, as the case may be, has an outstanding or special amenity value but a certificate shall not be given in the case of trees falling within (c) above if the application in respect of them has been referred by the Forestry Commissioners under Section 15(1)(b) or 15(2)(a) of the Forestry Act 1967.

6. (1) Where consent is granted under this Order to fell any part of a woodland other than consent for silvicultural thinning then unless-

- (a) such consent is granted for the purpose of enabling development to be carried out in accordance with a permission to develop land under Part III of the Act or
- (b) the authority with the approval of the Secretary of State dispense with replanting the authority shall give to the owner of the land on which that part of the woodland is situated a direction in writing specifying the manner in which and the time within which he shall replant such land and where such a direction is given and the part is felled the owner shall, subject to the provision of this Order and Section 204 of the Act, replant the said land in accordance with the direction.

(2) Any direction given under paragraph (1) of this Article may include requirements as to -

- (a) species;
- (b) number of trees per acre (hectare);
- (c) the erection and maintenance of fencing necessary for the protection of the replanting;
- (d) the preparation of ground, draining, removal of brushwood, lop and top; and
- (e) protective measures against fire.

7. On imposing any conditions requiring the replacement of any tree under Article 4 of the Order, or on giving a direction under Article 6 of this Order with respect to the replanting of woodlands, the authority shall if such a condition or direction relates to land in respect of which byelaws made by a water authority since 31 March 1974, by any other authority (whose functions are now exercised by a water authority) who at any time prior to 1 April 1974 exercised the functions in respect of which the byelaw was made by a drainage board restrict or regulate the planting of trees, notify the applicant or the owner of the land, as the case may be, of the existence of such byelaws and that any such condition or direction has effect subject to the requirements of the water authority or the drainage board under those byelaws and the condition or direction shall have effect accordingly.

8. The provisions set out in the Third Schedule to this Order, being provisions of Part III of the Act adapted and modified for the purposes of this Order, shall apply in relation thereto.

9. Subject to the provisions of this Order, any person who has suffered loss or damage in consequence of any refusal (including revocation or modification) of consent under this Order or of any grant of any such consent subject to conditions, shall, if he makes a claim on the authority within the time and in the manner prescribed by this Order, be entitled to recover from the authority compensation in respect of such loss or damage;

Provided that no compensation shall be payable in respect of loss or damage suffered by reason of such refusal or grant of consent in the case of any trees the subject of a certificate in accordance with Article 5 of this Order.

10. In assessing compensation payable under the last preceding Article account shall be taken of:

- (a) any compensation or contribution which has been paid whether to the claimant or any other person, in respect of the same trees under the terms of this or any other Tree Preservation Order under Section 198 of the Act or under the terms of any Interim Preservation Order made under Section 8 of the Town and Country Planning (Interim Development) Act 1943, or any compensation which has been paid or which could have been claimed under any provision relating to the preservation of trees or protection of woodlands contained in an operative scheme under the Town and Country Planning Act 1932, and
- (b) any injurious affection to any land of the owner which would result from the felling of the trees the subject of the claim.

11. (1) A claim for compensation under this Order shall be in writing and shall be made by serving it on the authority, such service to be effected by delivering the claim at the offices of the authority addressed to the Borough Solicitor thereof or by sending it by prepaid post so addressed.

(2) The time within which any such claim shall be made as aforesaid shall be a period of twelve months from the date of the decision of the authority, or of the Secretary of State, as the case may be, or where an appeal has been made to the Secretary of State against the decision of the authority, from the date of the decision of the Secretary of State on the appeal.

12. Any question of disputed compensation shall be determined in accordance with the provisions of Section 205 of the Act.

13. The provisions of Section 201 of the Act shall apply to this Order and the Order shall take effect on the eleventh day of July 1995.

NOTE: Any person contravening the provisions of this Order by cutting down, uprooting or wilfully destroying a tree, or by wilfully damaging, topping or lopping a tree in such a manner as to be likely to destroy it is guilty of an offence and liable on summary conviction to a fine not exceeding the prescribed sum or twice the sum which appears to the court to be the value of the tree, whichever is the greater, or on indictment to a fine. In determining the amount of any fine to be imposed on a person convicted on indictment, the Court shall in particular have regard to any financial benefit which has accrued or appears likely to accrue to him in consequence of the offence. The penalty for any other contravention of this Order is a fine not exceeding level 4 on the standard scale on summary conviction and, in the case of a continuing offence when the contravention is continued after conviction, a person is liable on summary conviction to an additional fine not exceeding £5 for every day on which the contravention is so continued.

If a tree other than one to which an Order applies as part of a woodland is removed, uprooted or destroyed in contravention of an Order or is removed, uprooted or destroyed or dies at a time when its cutting down or uprooting is authorised only by Section 198(6)(a) of the Town and Country Planning Act 1990 relating to trees which are dying or dead or have become dangerous, it is the duty of the owner of the land, unless on his application the local planning authority dispense with the requirement, to plant another tree of appropriate size and species at the same place as soon as he reasonably can. Except in emergency, not less than 5 days previous notice of the removal, etc., should be given to the authority to enable the latter to decide whether or not to dispense with the requirement.

FIRST SCHEDULE

Trees specified individually
(encircled in black on map)

<u>Number on Map</u>	<u>Description</u>	<u>Situation</u>
T1	Horse Chestnut	East Side of Unit B3, Heywood Distribution Park

T2	Sycamore	In South-west corner of Distribution Park
T3	Sycamore	In South-west corner of Distribution Park
T4	Sycamore	In South-west corner of Distribution Park
T5	Sycamore	East side of Unit M3
T6	Sycamore	South-east corner of Distribution Park
T7	Sycamore	East of Unit M1
T8	Beech	North of Unit P8
T9	Sycamore	South-east corner of Distribution Park
T10	Sorbus	Adjacent to westerly side of Pilsworth Road (60m east of Hareshill Road)
T11	Sorbus	Adjacent to westerly side of Pilsworth Road (60m east of Hareshill Road)
T12	Lombardy Poplar	South-east of Unit P9
T13	Lombardy Poplar	South-east of Unit P9
T14	Horse Chestnut	Adjacent to easterly side of Moss Hall Road
T15	Horse Chestnut	Adjacent to easterly side of Moss Hall Road
T16	Maple	Adjacent to easterly side of Moss Hall Road

Trees specified by reference to an area

(within a dotted black line on the map)

None

Group of trees

(within a broken line on the map)

<u>Number on Map</u>	<u>Description</u>	<u>Situation</u>
G1	6 Sycamore 5 Poplar 3 Ash 1 Sorbus	South of Unit B1
G2	4 Cherry	West of Unit B7
G3	14 Willow, 6 Sycamore, 5 Poplar 3 Birch, 1 Maple, 3 Alder	West of Unit B9

G4	4 Alder, 6 Willow 1 Sycamore, 1 Hawthorn	North of Unit B9
G5	10 Alder, 7 Willow, 3 Sycamore, 2 Oak, 1 Ash	East of Unit B9
G6	5 Sycamore, 1 Poplar, 1 Lime	South-east of Unit M2
G7	6 Sycamore, 3 Lime	South of Unit M5
G8	4 Sycamore 1 Horse Chestnut 1 Lime	South-west of Unit M6
G9	3 Lime, 2 Sycamore	North-east of Unit M2
G10	9 Sycamore, 2 Lime	South-east of Unit M2
G11	5 Sorbus 4 Ash	South of Unit M2 (adj to Pilsworth Road)
G12	11 Sycamore	South-west of Unit M1
G13	7 Sycamore, 1 Lime, 1 Horse Chestnut	South of Unit M1
G14	1 Ash 1 Sycamore	South-east of Unit M1
G15	4 Sycamore 3 Maple	South-east of Unit M1
G16	5 Sorbus 5 Ash 4 Sycamore 4 Cherry 2 Poplar 1 Horse Chestnut	Between Unit P1 and Pilsworth Road
G17	3 Sycamore, 3 Sorbus	50 metres South-east of Unit P3
G18	5 Maple 3 Cherry	South-west of Unit P3
G19	3 Hornbeam 1 Sycamore	West of Unit P8
G20	4 Hornbeam	North-west of Unit P8
G21	3 Horse Chestnut 3 Sycamore 1 Poplar	North-east corner of Distribution Park



G22	4 Ash 2 Alder 2 Hornbeam 2 Maple 1 Ash 1 Poplar 1 Hawthorn 1 Horse Chestnut	Between Unit P13 and Pilsworth Road
G23	19 Sycamore 1 Horse Chestnut 1 Alder	South-west corner of Zeneca Site
G24	9 Sycamore, 2 Horsechestnut	South-west corner of Zeneca Site
G25	11 Sycamore 4 Ash 3 Lombardy Poplar 1 Sorbus	South-west corner of Zeneca Site
G26	3 Sycamore	South-west corner of Zeneca Site

Woodlands

(within a continuous black line on the map)

None

SECOND SCHEDULE

This Order shall not apply so as to require the consent of the authority to:-

- (1) the cutting down of any tree on land which is subject to a forestry dedication covenant where
 - (a) any positive covenants on the part of the owner of the land contained in the same deed as the forestry dedication covenant and at the same time of the cutting down binding on the then owner of the land are fulfilled;
 - (b) the cutting down is in accordance with a plan of operations approved by the Forestry Commission under such deed.
- (2) the cutting down of any tree which is in accordance with a plan of operations approved by the Forestry Commission under the approved woodlands scheme or other grant scheme under Section 4 of The Forestry Act 1967 except a scheme which applies to a forestry dedication covenant.
- (3) the cutting down, uprooting, topping or lopping of a tree
 - (a) in pursuance of the power conferred on the Post Office by virtue of Section 5 of the Telegraph (Construction) Act 1908 and Section 21 of the Post Office Act 1969,
 - (b) by or at the request of
 - (i) a statutory undertaker where the land on which the tree is situated is operational land as defined by the Act and either works on such land cannot otherwise be carried out or the cutting down, topping or lopping is for the purpose of securing safety in the operation of the undertaking;
 - (ii) an electricity board within the meaning of the Electricity Act 1947, where such tree obstructs the construction by the board of any main transmission line or other electric line within the meaning respectively of The Electricity (Supply) Act 1919 and The Electric Lighting Act 1882 or interferes or would interfere with the maintenance or working of any such line;

- (iii) a water authority established under the Water Act 1973 or a drainage board constituted or treated as having been constituted under the Land Drainage Act 1930, where the tree interferes or would interfere with the exercise of any of the functions of such water authority or drainage board, in relation to the maintenance, improvement or construction of watercourses or of drainage works; or
- (iv) the Secretary of State for Defence, the Secretary of State for Trade, the Civil Aviation Authority or the British Airports Authority where in the opinion of such Secretary of State or Authority the tree obstructs the approach of aircraft to, or their departure from, any aerodrome or hinders the safe and efficient use of aviation or defence technical installations;
- (c) where immediately required for the purpose of carrying out development authorised by the planning permission granted on an application made under Part III of the Act, or deemed to have been so granted for any of the purposes of that Part;
- (d) which is a fruit tree cultivated for fruit production growing or standing on land comprised in an orchard or garden.

THIRD SCHEDULE

Provisions of Part III of the Act as adapted and modified to apply to this Order.

Part III of the Town and Country Planning Act 1990

75-(1) Without prejudice to the following provisions as to the revocation or modification of consents, any consent under the Order including any direction as to replanting given by the authority on the granting of such consent, shall (except insofar as the consent otherwise provides), ensure for the benefit of the land and of all persons for the time being interested in it.

77-(1) The Secretary of State may give directions requiring applications for consent under the Order to be referred to him instead of being dealt with by the authority.

77-(2) A direction under this section may relate either to a particular application or to applications of a class specified in the direction.

77-(3) Any application in respect of which a direction under this section has effect shall be referred to the Secretary of State accordingly.

77-(4) Where an application for consent under the Order is referred to the Secretary of State under this section, the provisions of Articles 4 and 5 of the Order shall apply as they apply to an application which falls to be determined by the authority.

77-(5) Before determining an application referred to him under this section the Secretary of State shall, if either the applicant or the authority so desire, afford to each of them an opportunity of appearing before and being heard by, a person appointed by the Secretary of State for the purpose.

77-(7) The decision of the Secretary of State on any application referred to him under this section shall be final.

78-(1) Where an application is made to the authority for consent under the Order and that consent is refused by that authority or is granted by them subject to conditions, or where any certificate or direction is given by the authority, the applicant, if he is aggrieved by their decision on the application, or by any such certificate or the person

directed if he is aggrieved by the direction, may by notice under this section appeal to the Secretary of State.

78-(2) A person who has made an application for consent under the Order may also appeal to the Secretary of State if the authority have neither:-

- (a) given notice to the applicant of their decision on the application; or

(b) given notice to him that the application has been referred to the Secretary of State in accordance with directions given under Section 77 above, within two months from the date of receipt of the application, or within such extended period as may at any time be agreed upon in writing between the applicant and the authority.

78-(3) Any appeal under this section shall be made by notice.

78-(4) A notice under this section shall be served in writing within twenty-eight days from the receipt of notification of the decision, certificate or direction, as the case may be, or such longer period as the Secretary of State may allow.

78-(5) For the purposes of the application of section 79(1) below in relation to an appeal under subsection (2) above, it shall be assumed that the authority decided to refuse the application in question.

79-(1) Where an appeal is brought under section 78 above from a decision, certificate or direction of the authority, the Secretary of State, subject to the following provisions of this section, may allow or dismiss the appeal, or may reverse or vary any part of the decision of the authority, whether the appeal relates to that part thereof or not, or may cancel any certificate or cancel or vary any direction and may deal with the application as if it had been made to him in the first instance.

79-(2) Before determining an appeal under section 78 above, the Secretary of State shall, if either the appellant or the authority so desire, afford to each of them an opportunity of appearing before, and being heard by, a person appointed by the Secretary of State for the purpose.

79-(5) The decision of the Secretary of State on any appeal under section 78 above shall be final.

97-(1) If it appears to the authority that it is expedient to revoke or modify any consent under the Order granted on an application made under Article 3 of the Order, the authority may by Order revoke or modify the consent to such extent as they consider expedient.

97-(3) The power conferred by this section may be exercised at any time before the operations for which consent has been given have been completed.

97-(4) The revocation or modification of any consent under the Order shall not affect so much of those operations as has been previously carried out.

98-(1) Except as provided in section 99 below, an Order under section 97 above shall not take effect unless it is confirmed by the Secretary of State;

Provided that where a notice has been served in accordance with the provisions of subsection (2) of this section, no operations or further operations as the case may be, in pursuance of the consent granted, shall be carried out pending the decision of the Secretary of State under subsection (6) of this section.

98-(2) Where an authority submit an Order to the Secretary of State for his confirmation under this section, the authority shall furnish the Secretary of State with a statement of their reason for making the Order and shall serve notice together with a copy of the aforesaid statement on the owner and on the occupier of the land affected, and on any other person who in their opinion will be affected by the Order.

98-(3) The notice shall specify the period within which any person on whom it is served may require the Secretary of State to give him an opportunity of appearing before, and being heard by, a person appointed by the Secretary of State for the purpose.

98-(4) If within the period of twenty-eight days from the service of the notice such a person so requires, before the Secretary of State confirms the Order he shall give such an opportunity both to him and to the authority.

98-(6) The Secretary of State may confirm an Order submitted to him under this section either without modification or subject to such modifications as he considers expedient.

99-(1) This section applies where:-

- (a) the authority have made an Order under section 97 above; and
- (b) the owner and the occupier of the land and all persons who in the authority's opinion will be affected by the Order have notified the authority in writing that they do not object to it.

99-(2) Where this section applies, instead of submitting the Order to the Secretary of State for confirmation the authority shall advertise in the prescribed manner the fact that the Order has been made, and the advertisement must specify:-

- (a) the period within which persons affected by the Order may give notice to the Secretary of State that they wish for an opportunity of appearing before, and being heard by, a person appointed by the Secretary of State for the purposes; and
- (b) the period at the expiration of which, if no such notice is given to the Secretary of State, the Order may take effect by virtue of this section without being confirmed by the Secretary of State.

99-(3) The authority shall also serve notice to the same effect on the persons mentioned in subsection (1)(b).

99-(4) The period referred to in subsection (2)(a) must not be less than twenty-eight days from the date the advertisement first appears.

99-(5) The period referred to in subsection (2)(b) must not be less than fourteen days from the expiration of the period referred to in subsection (2)(a).

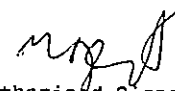
99-(6) The authority shall send a copy of any advertisement published under subsection (2) to the Secretary of State not more than three days after the publication.

99-(7) If:-

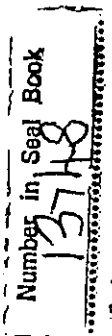
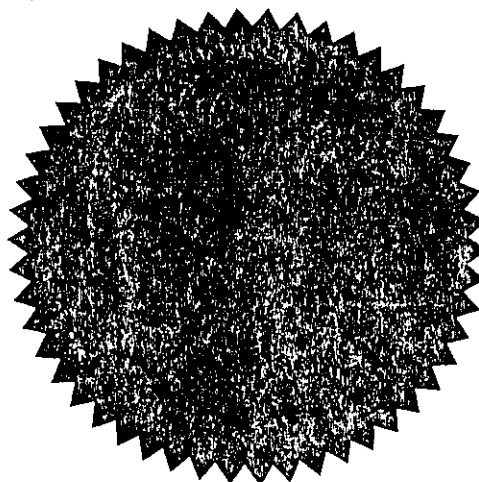
- (a) no person claiming to be affected by the Order has given notice to the Secretary of State under subsection (2)(a) within the period referred to in that subsection, and
- (b) the Secretary of State has not directed within that period that the Order be submitted to him for confirmation, the Order shall take effect at the expiry of the period referred to in subsection (2)(b), without being confirmed by the Secretary of State as required by section 98(1).

99-(8) This section does not apply to an Order revoking or modifying a consent granted or deemed to have been granted by the Secretary of State under Part III or Part VII, of the Act.

GIVEN under the Common Seal of the)
Authority this eleventh)
day of July 1995)


Authorised Signatory

B



The above Order was confirmed by the Rochdale Borough Council on
4th January 1996 with the modifications shown marked in red
IN WITNESS WHEREOF the Common Seal of the Council was hereunto
affixed this 16th day of January 1996 in the presence of:

myer
Authorised Signatory

