

DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
24/00979/WTTPO	Bob Melling	23 rd January 2025

Address: 3 Banks Croft, Heywood, OL10 2NG

Proposal: Application to fell and remove one Ash tree (diseased) subject to Tree Preservation Order No. 129

PUBLICITY	Weekly list expired?	N/A	Site notice expired?	N/A
	Neighbour letters expired?	N/A	Press Notice expired?	N/A

DELEGATION	Significant departure from local plan?	N	Contrary to national policy?	N
	Applicant a Council Member or officer?	N	Contrary to previous decision?	N
	Major with 10 or more objections and recommending approval?	N	Called in or Planning Panel objection?	N

COMMENTS	Planning Panel comments received?	N
	Neighbour comments received?	N

EIA	Screening opinion completed and saved to Onbase?	N
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CONDITIONS	Pre-commencement conditions proposed?	N
	Pre-commencement conditions agreed (or notification period expired)?	N/A

RECOMMENDATION	GRANT SUBJECT TO CONDITIONS
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CHECKED AND SIGNED OFF BY: RC

DATE: 28/01/25

SITE

The application relates to a mature Ash located to the side (southwest) of no. 3 Banks Croft in Heywood. The tree is located in-between two trees of the same species.

PROPOSAL

The proposal seeks consent for the felling of one Ash due to signs of disease.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF) – December 2024

National Planning Practice Guidance (NPPG)

Adopted Rochdale Core Strategy (CS):

G7- Increasing the value of biodiversity and geodiversity

RELEVANT SITE HISTORY

14/00402/WTTPO Works to four Ash trees within Tree Preservation Order TPO129, which includes raising the canopies of T15 by 25%, T19 by 10%, T20 by 15% and T21 by 25% - **Refuse** (October 2014)

CONSULTATION RESPONSES

Tree Officer

I recall viewing this tree (and adjacent and nearby trees) a year or so ago and noting signs of ash die-back at this time. I also recall that a nearby Ash needed to be removed because of Ash die-back, endemic in the area. The photos show the tree also exhibiting root decay, a sign that disease is advanced. Given the proximity of the tree to residential dwellings I would therefore accept that the application could be approved, in the interests of safety.

Remaining Ash trees nearby should be monitored through the next growing season for any further signs of disease and/or decay.

I would agree that (one) replacement tree should be sought, of a smaller tree species suitable for smaller gardens.

REPRESENTATIONS

In accordance with Council policy on neighbour notification for this type of application, no letters of notification were sent to neighbouring properties.

ANALYSIS

In considering applications for works to protected trees, Government advice in paragraph 90 of the NPPG states:

“When considering an application the authority is advised to:

- ② *assess the amenity value of the tree or woodland and the likely impact of the proposal on the amenity of the area;*
- ② *consider, in the light of this assessment, whether or not the proposal is justified, having regard to the reasons and additional information put forward in support of it;*
- ② *consider whether any loss or damage is likely to arise if consent is refused or granted subject to conditions;*
- ② *consider whether any requirements apply in regard to protected species;*
- ② *consider other material considerations, including development plan policies where relevant; and*
- ② *ensure that appropriate expertise informs its decision.”*

In considering whether there has to be an arboricultural need for proposed works to a TPO, paragraph 91 of the NPPG states:

“In general terms, it follows that the higher the amenity value of the tree or woodland and the greater any negative impact of proposed works on amenity, the stronger the reasons needed before consent is granted. However, if the amenity value is lower and the impact is likely to be negligible, it may be appropriate to grant consent even if the authority believes there is no particular arboricultural need for the work.”

With regard to the above, the main considerations in respect of this application are whether the proposal for works to the tree are justified in light of the assessment of the amenity value of the tree and whether the reasons for works are of sufficient standing to warrant the granting of consent.

To assess the acceptability of the proposal against the above considerations, the Council’s Tree Officer has been consulted. The Tree Officer has considered the works to be justified in the interests of public safety given that the disease is advanced.

The tree is clearly visible from the entrance to Banks Croft from Newhouse Road and forms an important part of the wider group. Therefore, to compensate for the loss of the tree it is recommended that one replacement tree is planted. While the local authority would usually require a 2:1 replacement ratio, it is noted that the garden is relatively small and congested. On this basis, it is considered that one replacement tree of a smaller species should be planted.

Subject to the suggested conditions, the application proposal is therefore considered to be compliant with the guidance contained within the NPPG noted above, and the application is recommended for approval.

GMEU standing advice on tree works and protected species will be attached to the decision notice and therefore the obligations in respect of protected species will have been met.

RECOMMENDATION

GRANT Subject to Four Standard Conditions and the following additional condition:

5. Within the next planting season after the felling of the tree hereby approved, one replacement tree shall be planted within the residential curtilage of 3 Banks Croft. If the replacement tree is removed, dies, becomes severely damaged or seriously diseased within five years of planting, it shall be replaced by a tree of similar maturity size and species.

Reason: To mitigate for the loss of the existing tree and to protect the visual amenity of the area.

Notes for Applicant:

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

- Tree Location Plan and Photographs
- Tree Report dated 03/10/2024

Report Author Bob Melling