



FOR ASSISTANCE IN COMPLETING THIS FORM CONTACT

Economy and Environment
Planning Service
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Rochdale
OL16 1XU

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Application for Tree Works: Works to Trees Subject to a Tree Preservation Order (TPO) and/or Notification of Proposed Works to Trees in a Conservation Area

Town and Country Planning Act 1990 (as amended)

Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

Tree Location

Please provide the address of the site where the tree(s) stands (full address if possible)

Number

3

Suffix

Property Name

Address Line 1

Bentgate Close

Address Line 2

Address Line 3

Rochdale

Town/city

Milnrow

Postcode

OL16 4NB

Easting (x)

393307

Northing (y)

411591

If the location is unclear or there is not a full postal address, describe as clearly as possible where it is

(for example, 'Land to rear of 12 to 18 High Street' or 'Woodland adjoining Elm Road')

Applicant Details

Name/Company

Title

Mr

First name

Ross

Surname

Cawson

Company Name

Address

Address line 1

3 Bentgate Close

Address line 2

Address line 3

Rochdale

Town/City

Milnrow

Country

United Kingdom

Postcode

OL16 4NB

Are you an agent acting on behalf of the applicant?

- ☐ Yes
- ☒ No

Contact Details

Primary number

***** REDACTED *****

Secondary number

Fax number

***** REDACTED *****

What Are You Applying For?

Based on the type of work proposed and the location and protected status of the trees involved, there are various details and supporting information that will need to be supplied in order for the Local Planning Authority to determine the application.

Are you seeking consent for works to tree(s) subject to a Tree Preservation Order?

- ☒ Yes
☐ No

Do you know the Tree Preservation Order reference number(s)?

- ☐ Yes
☒ No

Please indicate whether the reasons for carrying out the proposed works include any of the following.

If so, your application **MUST** be accompanied by the necessary evidence to support your proposals ([see guidance notes for further details](#)).

Condition of the tree(s) - e.g. it is diseased or you have fears that it might break or fall

- ☒ Yes
☐ No

If Yes, you are required to provide written arboricultural advice or other diagnostic information from an appropriate expert.

Alleged damage to property - e.g. subsidence or damage to drains or drives.

- ☒ Yes
☐ No

If Yes, you are required to provide for:

- **Subsidence** - A report by an engineer or surveyor, to include a description of damage, vegetation, monitoring data, soil, roots and repair proposals. Also a report from an arboriculturist to support the tree work proposals.
- **Other structural damage** (e.g. drains walls and hard surfaces) - Written technical evidence from an appropriate expert, including description of damage and possible solutions.

Are you wishing to carry out works to tree(s) in a conservation area?

- ☐ Yes
☒ No

Documents and plans (for any tree)

A sketch plan clearly showing the position of trees listed in the question 'Identification of Tree(s) and Description of Works' **MUST** be provided when applying for works to trees covered by a Tree Preservation Order.

A sketch plan is also advised when notifying the LPA of works to trees in a conservation area ([see guidance notes](#)).

It would also be helpful if you provided details of any advice given on site by an LPA officer.

Are you providing additional information in support of your application (e.g. an additional schedule of work for the question 'Identification of Tree(s) and Description of Works')?

- ☒ Yes
☐ No

If Yes, please provide the reference numbers of plans, documents, professional reports, photographs etc in support of your application

Plan of trees
Pictutres of deseased tree T2
Damage to Hardstadning surfaces / Drains and house foundations by T3

Identification of Tree(s) and Description of Works

Please identify the tree(s) and provide a full and clear specification of the works you want to carry out

Tree T2 - Horse Chestnut, it is diseased & very close to the main dwelling and lean to (150mm), roots are causing issues to house foundations and Drains. Proposal - Fell to ground level

Tree T3 - Horse Chestnut is extremely closed to main dwelling (approx 1m) roots are causing issues to drains, hardstanding surfaces and house foundations. Proposal - Fell to ground level

2 x replacement trees can be planted elsewhere on the site and would have to be of a reasonably sized species for what is essentially only a small garden. (1 x Dawyck Beech 1 x Magnolia - 10-12 Selected Standards)

There is visible and obvious damage to the property caused by T3, under section 24 (a) of The Town and Country Planning (England) Regulations 2012, should the Local Authority refuse consent you would "be entitled to compensation from the Authority" in lieu of losses incurred for damage caused by the trees and the ongoing legal nuisance.

Number 3 Bentgate Close is a detached property situated within and surrounded by trees protected under TPO - Bent House/Bentgate Close 1976.

Many of the trees from the original order are not present.

The trees appear to be 60-100 years of age and given that the property is of 1970's construction it can be assumed the trees were present and some mature at the time of construction.

There are a number of approved extensions which bring the main structure of this property as close as 1m from protected trees

The main dwelling is situated within 1m of T3 which is a large and significant horse chestnut tree – it is beyond all doubt that significant damage must have been caused to the rooting zone of T3 during construction of the property in the 1970's and also inconceivable that such a building was consented believing that the long-term retention of T3 was feasible.

There is evidence of direct damage to hard standing near to the tree and also near to the drains and main structure. (T3)

There is evidence of recent crack repairs to an invert corner nearest T3 and a step crack above and around the circular window.

The lean to/portico is within 150mm of Tree 2 and the tree is 2.5m from the main dwelling (another significant horse chestnut tree)

It is again inconceivable that permission was given for the 1970's detached dwelling within 2.5m of an existing mature tree and expect that the tree could be retained in the long term.

You might find it useful to contact an arborist (tree surgeon) for help with defining appropriate work.

Where trees are protected by a Tree Preservation Order, please number them as shown in the First Schedule to the Tree Preservation Order where this is available. You should use the same numbering on your sketch plan (see below for sketch plan requirements).

Please provide the following information:

- Tree species
- The number used on the sketch plan; and
- A description of the proposed works.

Where trees are protected by a Tree Preservation Order you must also provide:

- Reasons for the work; and where trees are being felled
- Proposals for planting replacement trees (including quantity, species, position and size) or reasons for not wanting to replant.

e.g. Oak (T3) - fell because of excessive shading and low amenity value. Replant with one standard ash in same position.

Sketch plan requirements

Your plan needs to show the precise location of the tree(s) in relation to nearby property/roads/boundaries. It should, therefore:

- indicate the main features of the site where the tree(s) stand and its surroundings; in particular, you should:
 - mark and name surrounding roads
 - sketch in buildings, including adjoining properties
 - add house numbers or names
- mark the position of the tree(s) to which you want to carry out work and identify them by the number shown in the Tree Preservation Order where possible; if you use a different number, please make sure that this can be matched with your description of the tree(s)
- if there are many trees on the site, make clear which tree(s) are included in this application by:
 - marking all trees on the plan, but only numbering those to which you want to carry out work
 - showing the approximate distance between the application tree(s) and buildings
 - adding other relevant features on the site (e.g. greenhouse, paths)

If it is impossible to identify the tree(s) accurately on the plan (e.g. because they are part of a woodland or group of trees), please identify their approximate location on the plan and provide details of how the tree(s) are marked on site (e.g. high visibility tape, tree tags, paint, etc); trees must not be marked by scarring or cutting into the bark.

Tree Ownership

Is the applicant the owner of the tree(s)?

- ☒ Yes
☐ No

Authority Employee/Member

With respect to the Authority, is the applicant and/or agent one of the following:

- (a) a member of staff
(b) an elected member
(c) related to a member of staff
(d) related to an elected member

It is an important principle of decision-making that the process is open and transparent.

For the purposes of this question, "related to" means related, by birth or otherwise, closely enough that a fair-minded and informed observer, having considered the facts, would conclude that there was bias on the part of the decision-maker in the Local Planning Authority.

Do any of the above statements apply?

- ☐ Yes
☒ No

Declaration

I / We hereby apply for Tree works: Trees in conservation areas/subject to TPOs as described in this form and accompanying plans/drawings and additional information. I / We confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine options of the persons giving them. I / We also accept that: Once submitted, this information will be transmitted to the Local Planning Authority and, once validated by them, be made available as part of a public register and on the authority's website; our system will automatically generate and send you emails in regard to the submission of this application.

- ☒ I / We agree to the outlined declaration

Signed

Ross Cawson

Date

30/09/2022