

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.

24/00944/WTTP0

CASE OFFICER

Sam Yuen

DETERMINATION DATE 07.11.2024 EXT OF TIME

Address: Dell Road, Shawclough, Rochdale, OL12 6BG

Proposal: Work to trees within group W1 of Tree Preservation Order 256 as follows:-

Ash Tree - remove/fell to ground level

Elm Tree (3 of 7) - remove 3 of the 7 weaker stems to allow others to grow

Elm Tree (2 of 10) - remove 2 of the 10 stems to allow others to grow

Elm Tree (2 of 5) - remove 2 of 5 stems to allow others to grow

Elm Tree (1 of 3) - remove 1 of 3 stems to allow others to grow

Ash Tree - remove/fell to ground level

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

CHECKED AND SIGNED OFF BY: RK

DATE: 06/11/2024

SITE

The application relates to two Ash trees and four Elm trees with Group W1 subject to Tree Preservation Order 256 located along Dell Road within Healey Dell Nature Reserve. The trees are sited on an elevated embankment brick wall adjacent to a fishing lake to the north-east. A number of trees overhang onto the highway and a dwelling known as 'Labrican' sited 7m to the south-west.

PROPOSAL

The proposal seeks consent for the removal of two dead Ash trees due to Ash dieback disease and the removal of stems to four Elm trees. The submitted details note one of the dead Ash is at risk of damaging the adjacent property and that some Elm trees are entangled in existing overhead telephone cables. Replacement species include Sessile Oak, Silver Birch, Hazel, Ash, Hawthorne and Rowan.

RELEVANT PLANNING POLICY**National Guidance**

National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)

Places for Everyone Joint Development Plan (PfE)

The Places for Everyone Joint Development Plan was adopted and became part of the statutory development plan for each of the 9 authorities covered by the plan on 21st March 2024. The following policies are relevant:

Policy JP-G6: Urban Green Space
Policy JP-G7: Trees and Woodland
Policy JP-G8: A Net Enhancement of Biodiversity and Geodiversity

Adopted Rochdale Core Strategy (CS):

G6 Enhancing green infrastructure
G7 Increasing the value of biodiversity and geodiversity

RELEVANT SITE HISTORY

N/A

CONSULTATION RESPONSES

Tree Officer

The Tree Officer has no objections to the above application, the works to the Elms are justified in the interests of good woodland management. The Ash is dead and therefore no longer subject to the TPO.

The species mix proposed for re-planting looks reasonable, except for the Ash. Since Ash die-back is endemic in this area it is advised that Ash is not replanted.

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:

- ① 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;*
- ③ consider whether any loss or damage is likely to arise if consent is refused or granted subject to conditions;*
- ④ consider whether any requirements apply in regard to protected species;*
- ⑤ consider other material considerations, including development plan policies where relevant; and*
- ⑥ 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 is 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 and raised no objections to the proposed works. The dead Ash trees no longer carries amenity value and their removal would prevent damages to neighbouring properties in the event of tree failure. The removal of Elm tree stems would continue to support the growth of the trees. The proposed works are therefore justified in the interests of good arboricultural management and residential amenity. To compensate for the loss of amenity value afforded by the trees, it is recommended that replacement trees of a native species (except Ash) are planted. It is considered appropriate to apply the standard requirement for a 2:1 replacement ratio.

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 two standard conditions

3. Within the next planting season after the felling of the trees hereby approved, a minimum of four replacement trees shall be planted within the site and shall be a native species which is of a similar size at maturity. If any of the replacement trees is removed, dies, become severely damaged or seriously diseased within three years of planting, it shall be replaced by a tree of similar size and species within the first planting season following removal of that tree.

Reason: To mitigate for the loss of the existing trees and to protect the visual amenity of the area and in accordance with Policy G6 of the adopted Rochdale Core Strategy, Policy JP-G7 of the adopted Places for Everyone Joint Development Plan, and the National Planning Policy Framework.

Notes for Applicant:

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

- Location Plan – received 26/09/2024
- Photos of trees subject to works and annotations – received 26/09/2024

