

APPLICATION NUMBER: 22/01609/WTTPPO

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
22/01609/WTTPPO	Ryan Killeen	9 January 2023

Address: Land At Royle Road Rochdale

Proposal: Application to fell 5no. trees (1no. tree from group G49, 2no. trees from group G51 and 2no. trees from group G58) subject to Tree Preservation Order TPO No.271

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/A	Contrary to national policy?	N/A
	Applicant a Council Member or officer?	N/A	Contrary to previous decision?	N/A
	Major with 10 or more objections and recommending approval?	N/A	Called in or Planning Panel objection?	N/A

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

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

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

DATE: 24.01.2023

SITE

The application relates to 5no. trees covered by the Tree Preservation Order TPO271 off Royle Road in Rochdale. The TPO sits to the west of the wider site, which has been cleared of its former employment uses, and is currently being developed pursuant to planning permission 20/01401/AM (original consent 18/01399/FUL) for up to 201 dwellings and 24 apartments.

The trees subject to this application include 1 tree within G49(Sycamore), 2 trees within G51(Birch) and two trees within G58 (Holly, Rowan)

PROPOSAL

Consent is sought for the removal of all 5 trees. A revised landscaping plan has been submitted demonstrating replacement planting of 12 additional trees within the vicinity of those to be felled. The tree removals are required to facilitate revised levels and engineering work associated with the residential development.

A number of other removals relating to G59, T66 and T67 are shown on the plan however the removal of these trees has already been consented under previous planning permissions.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF) – July 2021

National Planning Practice Guidance (NPPG)

Adopted Rochdale Core Strategy (CS):

SO3 Improving design, image and quality of place

P1 Improving image

P2 Protecting and enhancing character, landscape and heritage

P3 Improving the design of new development

SO4 Promoting a greener environment

G6 Enhancing green infrastructure

G7 Increasing the value of biodiversity and geodiversity

RELEVANT SITE HISTORY

22/01359/DOC Submission of details to comply with condition 20 (tree protection) and 23 (landscaping) on planning permission 20/01401/AM – Request Completed

20/01401/AM Application for minor material amendments to planning permission 20/01383/ANM to vary Conditions 2 (approved

plans), 3 (materials), 4 (boundary treatments) and 18 (affordable housing) and to remove condition 17 (scheme of tenancy) – Granted STC December 2020

20/01383/ANM Application for non-material amendment to planning permission 18/01399/FUL to amend the description of development to allow flexibility in the number of units to be constructed, up to 201 dwellings and a block of 24 apartments – Granted STC November 2020

18/01399/FUL Erection of 201 dwellings and a block of 24 apartments including the demolition of existing structures together with associated ground works to the north of the site, public open space, landscaping and vehicular access from Royle Road – Granted STC and Legal Agreement December 2019

CONSULTATION RESPONSES

Tree Officer

While the additional tree removals are disappointing, there is reasoned justification for the losses. I would not therefore raise an in principle objection to the revised plans, and the revised Tree Retention and Protection Plans are acceptable.

REPRESENTATIONS

In accordance with Council policy on neighbour notification for this type of application, no publicity was issued for this application.

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.”*

Further to the above, 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 proposed works 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.

The original application was supported by a Tree Survey of all trees covered by TPO271, which assessed all trees to be removed as category C, or of low quality and value, in adequate condition to remain until new planting can be established.

Taking into account the need for tree removal in order to deliver the approved housing development, and the limited value of the trees, which is further subdued by the extent of the wider TPO designation, on balance, the tree removal is justified.

The development covers an extensive area, however the landscaped route through the site and associated play area is within proximity of the trees to be removed, and plenty of space is retained for the planting of replacement trees. 12no. additional trees have been proposed in the area surrounding the trees to be felled, which include native species compatible with local ecology. This would exceed the 2:1 replacement ratio required by Policy G6 of the adopted Core Strategy.

As such, the works are considered to be justified within the application, and appropriate replanting is included and enforceable via condition. The application is therefore considered to be compliant with the guidance contained within the NPPG noted above, and in accordance with the relevant policies of the adopted Core Strategy and the National Planning Policy Framework and the application is recommended for approval subject to conditions.

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 **PLUS:**

Replacement planting

5. Within the next planting season after the felling of the trees hereby approved, replacement trees shall be planted in accordance with the drawing "Landscape Detail Sheet 5 of 5 revision C" dated 16/12/2022. If any of the replacement trees are removed, die, become severely damaged or seriously diseased within five years of planting, they shall be replaced by a tree of similar size and species.

Reason: In the interest of visual amenity and biodiversity and in accordance with Policies P3, G6, G7 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Report Author Ryan Killeen