

DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
23/00974/WTTPPO	Hamish Rigg	28/11/2023

Address: Ashes Farm, Ashes Lane, Milnrow, OL16 3TN

Proposal: Application to fell one Ash tree (suffering from Ash die back) subject to Tree Preservation Order No. 68 (Ashes Lane)

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: RK

DATE: 30/11/2023

SITE

The application relates to Ashes Farm, Ashes Lane in Milnrow. The site is a farm complex consisting of a private dwelling and several operating barns. To the south, west, and north-west of the site is associated farmland. To the north and east, the site is surrounded by a residential state comprising medium density, semi-detached houses. The subject tree lies south west of the site, adjacent to Ashes Lane, one of a number of trees which form the boundary of the curtilage along the public highway.

PROPOSAL

Permission is sought to fell one Ash Tree, suffering from Ash Die Back, subject to Tree Preservation Order No. 68.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF) – July 2021

National Planning Practice Guidance (NPPG)

Adopted Rochdale Core Strategy (CS):

G6- Enhancing green infrastructure

G7- Increasing the value of biodiversity and geodiversity

RELEVANT SITE HISTORY

None

CONSULTATION RESPONSES

Tree Officer

The Council's Tree officer confirmed the presence of Ash Die Back on 21/09/2023

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.”

To assess the acceptability of the proposal against the above considerations, the Council’s Tree Officer has been consulted. The Officer confirmed the presence of Ash Die Back and raised no objections to the application on Arboriculture grounds. The works are justified in the interests of public safety and good arboricultural practice.

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, plus:

3. Within the next planting season after the felling of the tree hereby approved, a minimum of two replacement tree shall be planted within the curtilage of Ashes Farm and shall be a native species which is of a similar size at maturity. If the replacement tree is removed, dies, become severely damaged or seriously diseased within three years of planting, it shall be replaced by trees of similar 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):-

- Location Plan
- Submitted photography

Report Author Hamish Rigg