

APPLICATION NUMBER: 23/01181/WTTPPO

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
23/01181/WTTPPO	Sam Yuen	14 November 2023

Address: 5 Burwell Close Rochdale OL12 6DQ

Proposal: Application to remove one Ash tree (T3) subject to Tree Preservation Order No. 5 (Thrum Hall)

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: 07/12/2023

SITE

The application relates to one Ash tree (T3) subject to Tree Preservation Order TPO005 located in the curtilage of no. 5 Burwell Close in Healey. The tree adjoins the grounds of Thrum Hall Methodist Church.

PROPOSAL

The proposal seeks consent for the removal of the Ash tree. The submitted Tree Report notes the tree is causing excessive amounts of twigs and branches to fall onto the garden of the host property and adjoining land. The tree is also showing moderate signs of Ash dieback disease. The applicant has agreed to replant one new tree following the granting of this application.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF)
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

13/00024/WTTPPO - Application for the proposed felling of a beech tree within area A2 subject to Tree Preservation Order TPO005 - Grant subject to conditions

16/00307/WTTPPO - Application for works to two beech trees (T1 and T2 on submitted plan) within rear garden, subject to Tree Preservation Order No. 5 - Grant subject to conditions

23/01101/WTTPPO - Beech (T2) - Remove (monolith to 3-4m) due to Phytophthora (staining exudate, leaf chlorosis, slight lean towards property. Ash (T3) - proposed deadwood removal and crown reduction by 20-25% subject to Tree Preservation Order TPO005 – To be determined at the time of writing

CONSULTATION RESPONSES

Tree Officer

No comments received to date.

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 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.

No comments were received from the Tree Officer at the time of writing. Notwithstanding, the submitted Tree Report notes the Ash tree displays signs of Ash dieback disease and may inflict potential harm arising from falling branches. As such, the proposed felling of the tree is justified in the interest of safety and good arboriculture practice. However, to compensate for the loss of amenity value afforded by the tree, it is recommended that a replacement tree of a native species is planted. Given the relatively limited curtilage space of the host property, and the presence of numerous protected trees in the vicinity, it is considered the recommended replacement ratio of 2:1 would not be necessary in this context.

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

3. Within the next planting season after the felling of the tree hereby approved, a replacement tree shall be planted within the site 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 and in accordance with Policy G6 of the adopted Rochdale Core Strategy 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 26/10/2023
- Photographs of tree subject to proposed works
- Tree Report – dated 26/10/2023

Report Author Sam Yuen