

APPLICATION NUMBER: 23/00923/WTTPPO

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
23/00923/WTTPPO	Sam Yuen	9 October 2023

Address: 6 Thrum Fold Rochdale OL12 6DG

Proposal: Application to remove 3 hybrid black poplar trees subject to Tree Preservation Order No. 120 (St Wilfreds High School) including replacement planting of 6 trees.

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: 10/10/2023

SITE

The application relates to three hybrid black poplar trees (T2, T3 and T4) located at the rear curtilage of no. 6 Thrum Fold in Shawclough. The trees backs onto a large open green space to the rear.

PROPOSAL

The proposal seeks consent for the felling of three hybrid black poplar trees. The submitted Tree Report notes the trees are sited within close proximity to no. 6 and currently suffer from poor soil conditions. Another protected tree (T1) in the immediate vicinity has already failed and the proposed works would ensure the host property and occupiers are not at risk in case of further failings. Six new replacement trees will be planted following the proposed works.

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

N/A

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:

⑦ 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. Notwithstanding, the submitted Tree Report notes the trees are planted in clay soil and are considered to be in poor soil conditions. By virtue of its soil conditions and change in ground levels, the trees are potentially susceptible to land instability, poor growth conditions and in the event of a failure, structural damage and harm to pedestrians. On this basis, the proposed felling of the trees is justified in the interest of safety and good arboricultural practice. It is also noted the applicant has agreed to replant six replacement trees subject to approval, which would compensate for the loss of amenity value afforded by the trees and would be acceptable.

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 standard conditions, plus:

3. Within the next planting season after the felling of the trees hereby approved, a minimum of six replacement trees shall be planted within the curtilage of no. 6 Thrum Fold 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.

Notes for Applicant:

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

- Location Plan – received 22/08/2023
- Photos of protected trees subject to proposed works
- Tree Report – dated 22/08/2023

Report Author Sam Yuen