

APPLICATION NUMBER: 24/00619/WTTP0

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.

24/00619/WTTP0

CASE OFFICER

Sam Yuen

DETERMINATION DATE 12.08.2024 EXT OF TIME

Address: 16 Botesworth Green, Milnrow, Rochdale, OL16 3PJ

Proposal: Application to fell one Ash Tree (T7) subject to TPO184 due to ash dieback and replant one flowering cherry tree.

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

CHECKED AND SIGNED OFF BY: RK

DATE: 08/08/2024

SITE

The application relates to one Ash tree (T7) subject to TPO 184 located in the rear curtilage of no. 16 Botesworth Green in Milnrow.

PROPOSAL

The proposal seeks consent for the felling of one Ash tree (T7) by section down. The submitted Tree Survey noted that whilst the tree has had some maintenance or management in the past, it has succumbed to Ash dieback disease and is shedding large amounts of deadwood onto the host and neighbour property. The Survey has recommended a replacement tree such as Prunus to be planted in its place.

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

14/01121/WTTPO - Application to fell one sycamore tree (T1 on the submitted application, referenced as T8 on TPO No. 184) and for works to one ash tree (T2 on the submitted application, referenced as T7 on TPO No. 184) - Grant subject to conditions

14/00694/WTTPO - Application to fell one sycamore tree (T1 on the submitted application, referenced as T7 on TPO No. 184) and for works to one ash tree (T2 on the submitted application, referenced as T8 on TPO No. 184) – Refuse

Officer's Comment:

2. The Ash tree (T8 of TPO 184) located in the rear garden of 16 Botesworth Hall Green has a positive impact on the amenity value in the area. The tree also does not result in significant harm to the amenity of residents of the host property or surrounding dwellings. The proposed crown reduction works would result in a badly shaped tree that would likely be detrimental to the trees health. As such the proposed crown reduction works to the tree are not justified and such works would be detrimental to the visual amenity of the area and could set a precedent for similar works to other trees in the area.

CONSULTATION RESPONSES

Tree Officer

No comments received at the time of writing.

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.

The Tree Officer was consulted on the proposed plans but has not submitted a response at the time of writing. Notwithstanding, the submitted Tree Report notes the tree suffers from Ash dieback and may inflict potential harm arising from falling branches to the host and neighbouring occupiers. As such, the proposed felling of the Ash tree is justified in the interest of safety and good arboricultural practice. However, to compensate for the loss of amenity value afforded by the tree, it is recommended that replacement trees of a native species 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 tree hereby approved, a minimum of two replacement trees shall be planted within the curtilage of no. 16 Botesworth Green 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 and Photo – received 01/07/2024
- Tree Survey and Report by Mr S Patrick – dated 28/06/2024

Report Author Sam Yuen