**APPLICATION NUMBER: 20/01157/WTTPO**

# DELEGATED DECISION CHECKLIST AND REPORT

| APPLICATION NO. | CASE OFFICER | DATE |
|---|---|---|
| 20/01157/WTTPO | Majid Mir | 09 December 2020 |

**Address:** Foxholes House, Foxholes Road, Rochdale, OL12 0ED

**Proposal:** Works to trees covered by Tree Preservation Order no.292 including felling of one silver birch (T15) and sycamores (G7); and crown lift, pruning and removal of dead limbs to various trees and tree groups

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| **PUBLICITY** | **Weekly list expired?** | N/A | **Site notice expired?** | N/A |
| | **Neighbour letters expired?** | N/A | **Press Notice expired?** | N/A |

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| **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 |

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| **COMMENTS** | **Planning Panel comments received?** | N |
| | **Neighbour comments received?** | N |

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| **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 |

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|---|---|
| **RECOMMENDATION** | **GRANT** |

**CHECKED AND SIGNED OFF BY: KN DATE: 11 December 2020**

**SITE**

The application relates to a number of trees covered by Tree Preservation Order no.292 within the grounds of Foxholes House on Foxholes Road in Rochdale. Within the group of trees, there are some trees that are not protected by a Tree Preservation Order.

**PROPOSAL**

Consent is sought for work to a number of trees covered by Tree Preservation Order no.292. The applicant proposes the following work:

- G1 – Silver Birch, Rhododendron & Sycamore trees. Crown lift to provide a minimum statutory clearance over the footpath of 2.4m and crown lift Sycamore to provide 1.5m clearance over the wall top to prevent overhanging branches striking the wall and damaging the branches and the fabric of the structure.

- T4 – Beech tree. Crown lift to provide 2m clearance over the lawn by removal of tertiary branch work so as to facilitate grounds maintenance.

- G7 – Sycamore trees. Three trees to be felled. Several weak and heavily suppressed stems growing in close proximity to wall and if retained would cause displacement due to incremental growth as per T8.

- G9 – Sycamore and Silver Birch trees. Crown lift to ensure clearance over footpath of 2.4m and highway of 5.4m by reducing foliage back to suitable nodes.

- T10 – Sycamore tree. Crown lift as per G9. Displacing concrete fencing panel but retention requested at present.

- G11 – Sycamore tree. Predominantly sycamore growing over neighbouring garage roofs. Crown lift to provide a clearance of 2m to avoid foliage striking structures and causing damage to branches or structures. Prune by reducing foliage back to suitable directional nodes to encourage any future growth to spread sideways rather than extending radial spread.

- T14 - Silver Birch tree. Remove broken branch / stem laying across security fence.

- T15 – Silver Birch tree. Fell tree. Collapsed and hung up in adjacent specimen. Check where it was hung up in adjacent item to ensure no damage.

- T16 – Silver Birch tree. Cut up fallen stem and clear remaining foliage from adjacent tree.

- G18 – Mixed deciduous tree. Lightly crown lift canopies to provide 2.4m clearance over the managed grass areas to permit reasonable access for grounds maintenance. Remove any branch stubs left from previous works back to branch bark collar.

**RELEVANT PLANNING POLICY**

National Guidance

National Planning Policy Framework (NPPF) – February 2019

National Planning Practice Guidance (NPPG)

**RELEVANT SITE HISTORY**

Not applicable.

**CONSULTATION RESPONSES**

Tree Officer
I would raise no objections to these proposed works. The report of Iain Tavendale is reasoned and the works are fully justified in the interests of good arboricultural management, and to mitigate potential damage to buildings and structures, particularly the adjacent garages.

The only issue which I would raise is the re-planting requirement as compensation for the 5 trees which will be lost. At a 3-1 ratio this would require 15 new trees to be planted, but since some of the trees to be removed are long dead perhaps a 2-1 ration could be accepted. There is greenspace around the buildings which could accommodate new tree planting of suitable species (suggest Prunus sp., Betula sp or Amelanchiar at standard sizes).

All agreed works must be carried out in accord with BS 3998:2010 and by a suitable qualified and insured arborist.

**REPRESENTATIONS**

None

**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:*

- *assess the amenity value of the tree or woodland and the likely impact of the proposal on the amenity of the area;*
- *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;*
- *consider whether any loss or damage is likely to arise if consent is refused or granted subject to conditions;*
- *consider whether any requirements apply in regard to protected species;*
- *consider other material considerations, including development plan policies where relevant; and*
- *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 proposed works are justified in light of the assessment of the amenity value of the trees and whether the reasons for works are of sufficient standing to warrant the granting of consent.

The Council's tree officer has been consulted and raised no objections to the work proposed. However, replacement tree planting is recommended by condition to compensate for the loss of trees.

To compensate for the loss of amenity value afforded by the trees, it is considered appropriate to apply to standard requirement for a 2:1 replacement ratio due the size of the grounds of Foxhole House. The arboricultural consultant confirmed that three Sycamore trees within the G7 group of trees will be felled. Though other trees will be felled, the trees are not protected under a Tree Preservation Order and the application submitted is only for work on trees protected under the Tree Preservation Order. Therefore a condition requiring the other trees to be replaced cannot be made.

Additionally, the tree officer has suggested a Prunus sp., Betula sp or Amelanchiar at standard sizes should replace the trees that will be felled.

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, and the following additional condition:**

5. Within the next planting season after the felling of the silver birch tree (T15) and the three sycamore trees (G7) hereby approved, eight appropriate replacement trees shall be planted within curtilage of Foxholes House. 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 at maturity size and species.

**Notes for Applicant:**

INFORMATIVES

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

    - Application form
    - Section 7 proposed works report (including location plan and photographs)

2. The tree officer recommends that the types of trees to be used for replacement of the trees to be removed are Prunus sp., Betula sp or Amelanchiar at standard sizes.

Report Author Majid Mir