

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
23/00281/WTTPO	Chelsea Petrillo	11 April 2024

Address: St John The Baptist Church RC Church, Dowling Street, Rochdale OL11 1EX

Proposal: Application for the works to one Silver Birch (T1) – prune back smaller branches to reduce nuisance to church and proposed felling of 6 trees within the grounds of St John The Baptist Church (T2-T8) and within a Conservation Area

PUBLICITY	Weekly list expired?	N/A	Site notice expired?	Yes
	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 Standard Conditions
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CHECKED AND SIGNED OFF BY: TH DATE: 12.04.2024

SITE

The application relates to eight trees within the grounds of St John The Baptist Church. The Church is a Grade II listed building and lies within the Maclure Road Conservation Area

PROPOSAL

The proposal seeks consent for the pruning of the small branches of the T1 Silver Birch tree to abate nuisance to the church roof and prevent further damage as well as the removal of several trees (T2-T7) to allow larger trees to grow.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Places for Everyone Joint Development Plan (PfE) 2024:

JP-G7 – Trees and Woodland

Adopted Rochdale Core Strategy (CS):

G7 – Increasing the value of biodiversity and geodiversity

RELEVANT SITE HISTORY

None applicable.

CONSULTATION RESPONSES

Tree Officer

Prior to any consultation comments received, a site visit was undertaken with the case officer, GMEU tree officer and the application to assess the situation onsite.

Following this, the following response was received:

Following my site visit last week I have the following comments.

An area of mixed woodland at the rear of St John the Baptist Church in central Rochdale. The Church is a landmark building in central Rochdale and is a Listed building. The trees are in a Conservation Area. The woodland areas are predominantly adjacent to the main entrances to the Church and the Church car park, at the southern and western aspects of the site.

Tree species present include common limes, sycamores, silver birches, goat willow, oak, hawthorn and ash. The trees are a mix of planted and self-set. The trees have clearly not been actively managed for some time, and there is no doubt that some works to trees are justified in the interests of good arboricultural management, for safety reasons and to improve the Landscape surrounding the very prominent Church building. Some of the trees are dead, are showing signs of disease and / or have significant structural defects, or in a poor condition.

Two different tree surveys have been provided to inform the application –

- ☐ A 2020 tree survey undertaken by Alkington Home and Garden. This survey identified 12 trees to fell.
- ☐ A Tree Risk Appraisal undertaken by Rowbottom's Tree Services Ltd in October 2023. This report recommends the removal of 8 trees.

As regards the 2020 survey, I would not agree to the removal of the number of trees as proposed in this report; there is limited justification for some of the removals which are recommended, some of which are recommended to be removed because of 'poor form' or 'unbalanced canopy'. The removal of this number and size of trees would have a significant (detrimental) effect on the landscape character of the area. I would advise that the recommendations made in this 2020 report are therefore discounted.

In spite of the title of the 2023 survey report, this survey report strays beyond recommending that trees are removed simply on the grounds of risk to property or people, and also recommends the removal of several trees to 'abate nuisance' and 'improve light'. I would be minded to agree with many of the recommendations made in the 2023 report, with the notable exception of the recommendation to remove a mature silver birch tree located relatively close to the Church buildings. This tree is recommended for removal because it may be causing some damage to the building, but very limited evidence has been put forward to conclusively demonstrate that the tree is in fact causing substantive damage. The removal of this prominent tree would have a significant effect on the local landscape, and on the Conservation area. I would advise that it would be possible to prune some higher branches from this tree rather than sanction its complete removal. If the applicant wishes to continue to make the case for the removal of this tree, further evidence of harm to the building caused by the tree should be provided.

My own recommendations for tree removals are attached in the document attached and shown on Map 1 I would advise the removal of **7 trees**, and the pruning of the mature silver birch marked as T1. I would also advise that a semi-mature Ash tree close to the site entrance (marked as T9 on Map 1) is closely monitored for signs of Ash die-back disease. If die-back is confirmed this tree should also be removed.

Following any agreed tree removals a programme of new tree planting should be required. I would advise -

- That high-forest broadleaved trees are not planted in this location, because of the proximity to buildings, car parks, entrances and other infrastructure.
- That the site could not accommodate planting on a 2-for-1 replacement strategy because of a lack of sufficient space within the site to accommodate this number of new trees

I would therefore advise that 6 new trees could be planted, selected from species including strawberry tree, rowan, bird cherry, whitebeam, amelanchier and yew.

Following consultation, the application was amended accordingly and replacement planting details put forward by the applicant. The following consultation response was received:

I would advise pruning back smaller branches overhanging close to the building; prune back to main stem union (see attached picture).

I am happy with the proposed tree mix for re-planting

Conservation and Design

Prior to the application being amended, a meeting was carried out between the Council's Conservation Officer and case officer to which no concern was raised as to the setting of the listed building.

REPRESENTATIONS

In accordance with council policy on neighbour notification for this type of application, no letters of notification were sent to neighbouring properties however, a site notice was posted.

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 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.

To assess the acceptability of the proposal against the above considerations, the Council’s Tree Officer has been consulted and a site visit was undertaken. Following this, the Tree Officer concluded not all of the initially proposed works were justified, including the removal of an Ash Tree (T9). It was recommended further inspection should be carried out to which if signs of ash die-back were present, the tree would be justified for full removal. No further information was provided regarding the state of the Ash Tree therefore it was removed from the application. The Tree Officer also concluded the T1 Silver Birch was not reasonable for full removal without further justification therefore the application was amended to retain the tree however, pruning of the smaller branches was recommended.

In assessing the grounds for replanting to compensate for the loss of the 7 trees, replanting details were put forward by the application including proposed native species. These were sent to the Tree Officer for review to which no concern was raised therefore the works are justified in the interest of safety and good arboriculture practice. The works are justified on the grounds of avoidance of harm to the Grade II Listed St John The Baptist Church and in the interest of good arboriculture practice.

The application proposal (as amended) is therefore considered to be compliant with the guidance contained within the NPPG noted above, and the application is recommended for approval

RECOMMENDATION

GRANT Subject to Standard Conditions

The tree works hereby approved shall be in accordance with the confirmed tree works and replanting details agreed by the applicant on email (dated 11.04.2024) including native species specified on email (dated 13.02.2024).

Planting shall be carried out in accordance with the approved details within the next planting season or in accordance with a timetable agreed in writing with the Local Planning Authority, following completion of the approved tree works. Any replacement trees which, within a period of 5 years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, to be agreed in writing by the Local Planning Authority.

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, the 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
- Tree Locations
- Tree Report (Dated 04.04.2023)
- Replanting Location Plan (Received on email 03.04.2024)

Report Author Chelsea Petrillo