

## DELEGATED DECISION CHECKLIST AND REPORT

| APPLICATION NO. | CASE OFFICER     | DATE             |
|-----------------|------------------|------------------|
| 23/01173/WTTPO  | Chelsea Petrillo | 07 February 2024 |

**Address:** Land At Crimble Hall Farm, Crimble Lane, Heywood, OL11 4AB

**Proposal:** Application to fell 2 Beech Trees (T1&T2) and two Ash Trees (T4.&T5) subject to Tree Preservation Order No. 4 (Crimble Farm)

|           |                            |     |                       |     |
|-----------|----------------------------|-----|-----------------------|-----|
| 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 |
|-----|--------------------------------------------------|---|

|            |                                                                      |     |
|------------|----------------------------------------------------------------------|-----|
| CONDITIONS | Pre-commencement conditions proposed?                                | N   |
|            | Pre-commencement conditions agreed (or notification period expired)? | N/A |

|                |                                      |
|----------------|--------------------------------------|
| RECOMMENDATION | GRANT Subject to Standard Conditions |
|----------------|--------------------------------------|

CHECKED AND SIGNED OFF BY: TH

DATE: 22.02.2024

### SITE

The application relates to five protected trees located in the grounds of Crimble Hall Farm

## **PROPOSAL**

The application originally sought consent for the felling of two Beech, one Sycamore and two Ash trees. Following feedback from the tree officer (noted below), it has been agreed that the Sycamore tree will be retained and monitored.

## **RELEVANT PLANNING POLICY**

### National Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

### Adopted Rochdale Core Strategy (CS):

G7 – Increasing the value of biodiversity and geodiversity

## **RELEVANT SITE HISTORY**

None applicable.

## **CONSULTATION RESPONSES**

### Tree Officer

I last visited Crimble Lane back in August; although not in connection with this particular application, I did view other trees along the Lane, including the trees included in this application.

I would rather reluctantly agree that the majority of the tree removals requested are justified on safety grounds, and in the interests of good arboricultural management. The Ash trees are suffering from Ash die-back, endemic in the area, and will inevitably decline further. As the trees decline they will become more brittle, dropping branches and becoming more dangerous to remove. Removal now is justified to prevent future higher risks.

The Beech trees (particularly T1) show advanced fungal growth, a sign of systemic distress, and basal decay with associated bark loss. Beech in this condition are subject to sudden and sometimes catastrophic failure of the main stems, and therefore removal is justified on safety grounds, particularly of T1. Beech do not do well on wet and waterlogged soils. If T2 were in a less risky location (next to Crimble Lane) I would be minded to recommend that the tree should be retained, but taking a cautious approach probably the best course of action is to permit removal now.

Although removal of these trees is justifiable, I would advise that the trees, rather than being felled to ground level, could instead be topped to leave monoliths 3-4 m high. The resulting monoliths will die and decay, but as they die back they will act as a valuable habitat for fungi, birds, bats and invertebrates, while mitigating the potential risks of tree failure. If this is not considered possible, pruned timber should be left to decay *in situ*, as a valuable wildlife resource.

The tree I would query the removal of is the Sycamore. The cause of the loss of branches is unclear, and while the tree may become more hazardous in future years I would not regard it as posing an immediate risk. I would advise that the tree is retained, but subject to regular monitoring.

The loss of these mature trees will have a very significant impact on the local tree scape, and immediate replacement with heavy standard trees should be required. I would advise Lime trees, which form attractive avenues and will grow well in these conditions. There is sufficient space along the Lane to allow for two-for-one replacements.

## **Bats**

Mature broadleaved trees with crevices and holes can be valuable habitats for bats. I would advise that, prior to removal, the trees are first inspected for the possible presence of roosting bats. Whether bats are found or not, replacement bat roosting boxes should be provided on nearby trees. All UK bats and their resting places carry a high level of legal protection.

## **REPRESENTATIONS**

In accordance with council policy on neighbour notification for this type of application, no letters of notification were sent to neighbouring properties.

## **AMENDMENTS**

Following the consultation response from the Tree Officer, the application was altered accordingly via the Planning Portal: *(T3 to be monitored, T1,2,4,5 to be removed to stop the spread of ash dieback and beech on safety grounds). Also the replanting of 2 x heavy standard Lime per tree removed. These to be planted in the proximity of the original trees.*

## **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. The Officer raised no objections to the application on Arboriculture grounds however, did state the loss of the Sycamore

tree is considered not to be an immediate risk therefore further monitoring was advised.

The amended description of works propose the replanting of 2x Lime Trees per tree removed as supported by the obtained location plan which aims to compensate for the impact to the tree scape, as suggested by the Tree Officer. This approach has been agreed by the applicant.

The work is justified in the interest of safety and good arboriculture practice. The works are also justified on the grounds of avoidance of harm to both the users of the Crimble Lane highway and the highway itself and in the interest of good arboriculture practice.

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

### **RECOMMENDATION**

GRANT Subject to Standard Conditions and the following condition:

1. The felling of the trees hereby permitted shall not be commenced before details of bat boxes, to include their design, specification, positions and heights, to be undertaken in nearby retained trees, have been submitted to and approved in writing by the Local Planning Authority.  
Reason: To compensate for the loss of potential or actual bat roosts within the trees approved for removal, in accordance with Rochdale Core Strategy policy G7.

### **Notes for Applicant:**

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

- Location Plan
- Tree Survey and Report (Dated 23-09-2023)
- Annotated Photographs
- Replanting Details (Received on email 09.02.2024)

The applicant is advised to note the advice from the tree officer (available in the officer's report) regarding the potential for bat roosting within the trees hereby consented for removal. Bats are a protected species under the Wildlife and Countryside Act (1981) (as amended) and the Conservation of Habitats and Species Regulations (2017) (as amended). Compliance with these laws is the responsibility of the applicant.

Report Author Chelsea Petrillo