

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
24/00255/WTCA	Chelsea Petrillo	24 April 2024

Address: Rear Of 170A Spotland Road, Rochdale, OL12 7AA

Proposal: Application to remove 3 trees within Spotland Bridge Conservation Area

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 Standard Conditions
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CHECKED AND SIGNED OFF BY: TH DATE: 02.05.2024

SITE

The application relates to three trees located between the rears of Spotland Road and Molyneux Street and within the Spotland Bridge Conservation Area

PROPOSAL

The proposal seeks consent for the removal of the three trees.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Places for Everyone (PfE) JDP (2024):

JP-G7 – Trees and Woodlands

Adopted Rochdale Core Strategy (CS):

G7 – Increasing the value of biodiversity and geodiversity

RELEVANT SITE HISTORY

None applicable.

CONSULTATION RESPONSES

Tree Officer

The trees are semi-mature, self seeded, growing on an embankment between the rears of Spotland Road and Molyneux Street. There is a retaining wall between the properties on Spotland Road and Molyneux Street, and the trees are growing close to the wall. Although I would not consider that there is an imminent prospect that the wall will fail, the trees do have the potential to cause further, future damage to the retaining wall and consequent risks to land stability.

The trees in question are poor quality specimens which do not make a significant contribution to the local landscape character. They are not prominent, only really highly visible to the immediate properties. The trees have been poorly pruned in the past and as a consequence are poorly shaped, multi-stemmed in places covered in dense Ivy. They are not rare trees and are not of particularly high nature conservation value. Further pruning would not substantively improve the appearance of the trees, and would not mitigate the potential of the trees to cause damage to the retaining wall.

Using the TEMPO Guidelines I would not consider that the trees are worthy of special protection by a TPO.

Advice – That a TPO is not made and permission is granted to remove the trees.

Replanting on the embankment is not advised.

Nesting birds – the trees should be removed outside of the optimum time of year for bird nesting (March to August inclusive) unless nesting birds have been shown to be absent.

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:

- 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 objection to the works proposed and did not request replanting due to the location. A condition has been recommended to which the trees shall not be removed during the bird breeding season for the avoidance of any harm.

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

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 dwellings along Spotland Road and Molyneux Street 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

1. The trees shall not be removed during the bird nesting season (March - August inclusive) unless an ecological survey has been submitted to and approved in writing by the Local Planning Authority to establish whether the site is utilised for bird nesting. Should the survey reveal the presence of any nesting species, then no works shall take place during the period specified above unless a mitigation strategy has first been submitted to and approved

in writing by the Local Planning Authority which provides for the protection of nesting birds during the period of works on site.

Reason: In order to prevent any habitat disturbance to nesting birds in accordance with policy G7 of the adopted Rochdale Core Strategy 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
- Location Plan (Annotated)
- Tree photos 1-5

Report Author Chelsea Petrillo