

APPLICATION NUMBER: 23/00391/WTCA

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
23/00391/WTCA	Sam Yuen	13 June 2023

Address: Land Opposite 30 Timbercliffe, Littleborough OL15 9QL

Proposal: Application to remove 3 Sitka Spruce Trees (Tree 8, Tree 9, Tree 10) within Rock Nook Conservation Area

RECOMMENDATION	NO OBJECTION
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CHECKED AND SIGNED OFF BY: **RK** **DATE: 14/06/2023**

SITE

The application relates to three Sitka Spruce trees sited on land to the south-east of no. 30 Timbercliffe in Littleborough. The trees are located within the Rock Nook Conservation Area.

PROPOSAL

The proposal seeks to fell three Sitka Spruce trees. The submitted tree report provides justification for the proposed works, noting the trees are in poor condition, having previously been topped. It is also noted the report recommends the replacement of the trees with a native species.

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
- P2 Protecting and enhancing character, landscape and heritage

RELEVANT SITE HISTORY

17/00088/WTCA - Works to trees within conservation area - No Objection

21/01561/WTCA - Application for works to 15 trees within Rock Nook Conservation Area – No Objection

CONSULTATION RESPONSES

Tree Officer

The tree officer raises no objection to this application. As a result of the poor pruning which the trees have experienced in the past, they have poor form and do not make a notable contribution to the Conservation Area. Their form is unlikely to improve, and further pruning will not remedy the situation.

The tree officer would not regard the trees as suitable candidates for Tree Preservation Orders.

The Tree Officer would support the proposals to replant the trees with a suitable broad-leaved species, such as Birch or Rowan.

Conservation Officer

As the proposed tree works are within Rock Nook Conservation, the provisions of the Planning (Listed Buildings and Conservation Areas) Act 1990 apply. This requires a local planning authority to endeavour to preserve or enhance the character or appearance of conservation areas as a whole. Trees include the character of these areas, thus works to trees should be considered carefully in this context. It also requires that applicants give at least six weeks' notice before undertaking works to any trees in a conservation area.

Additionally, NPPF Paragraph 190 states that the local authority should promote conservation and enjoyment of the historic environment whilst sustaining and enhancing the significance of historic assets.

The adopted Rochdale Core Strategy Policy P2 states that the borough will endeavour to conserve, enhance and promote key heritage assets, including consideration of their wider settings.

The application is within Rock Nook Conservation Area, which is a designated heritage asset of special local significance. Trees are a feature of significance, as remarked in the Draft Conservation Area Appraisal held by the LPA.

The proposed works are to remove 3 no. Sitka Spruce trees (T8, 9 & 10) and replace them with trees of a native species, presumed to be near to the location of the present trees.

The tree report claims that these trees are in poor condition and require removal as they were mistakenly planted as a hedge.

The Spruce trees, which are evidently not a native species do not contribute to the setting or character of the conservation area. The Conservation Officer therefore has no objection to the proposed works but would recommend the specification of the species of the replacement trees to ensure they are a native species.

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 trees in a Conservation Area that are not protected by a Tree Preservation Order, Government advice in paragraph 116 of the NPPG states:

“Trees in a conservation area that are not protected by an Order are protected by the provisions in section 211 of the Town and Country Planning Act 1990. These provisions require people to notify the local planning authority, using a ‘section 211 notice’, six weeks before carrying out certain work on such trees, unless an exception applies. The work may go ahead before the end of the six week period if the local planning authority gives consent. This notice period gives the authority an opportunity to consider whether to make a Tree Preservation Order on the tree.”

With regard to the above, the main considerations in respect of this application are whether the trees are deemed worthy of being placed under a Tree Preservation Order or whether the Local Planning Authority is satisfied the works can go ahead without further intervention.

To assist with the assessment of the proposal against the above considerations, the tree officer and conservation officer were consulted on this application. The tree officer notes that by virtue of poor pruning, the trees in question have poor form and are unlikely to improve through further pruning. The trees are not a native species and therefore do not make a notable contribution to the setting or character of the conservation area and are not regarded as suitable candidates for Tree Preservation Order.

Taken as a whole, the tree officer and conservation officer raise no objection to the proposed works and support the replanting of trees of a suitable broad-leaved species such as Birch or Rowan, subject to the specification of the replacement tree species.

In terms of environmental protection as a result of the proposals, 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.

In light of the above assessment, the proposal is therefore considered to be compliant with the guidance contained within the NPPG and the LPA accordingly raises no objection.

RECOMMENDATION: NO OBJECTION

Notes for Applicant:

INFORMATIVE

1. For the avoidance of doubt, this Decision Notice relates to the following drawings / document(s):-
 - Tree Location Plan – dated 05/10/2021
 - Tree Report – ref: TR613 dated 02/05/2023
 - Annotated photos of trees and proposed works

Report Author Sam Yuen