

<b>APPLICATION NUMBER</b>		T/23/00216/TPO	
<b>SITE ADDRESS:</b>		Woodland between River Derwent and A6 road in area around Recycling Centre, Darley Dale	
<b>DESCRIPTION OF DEVELOPMENT</b>		To fell approximately 108 trees	
<b>CASE OFFICER</b>	Dr Chris Payne	<b>APPLICANT</b>	Dr Chris Payne (DDDC Trees and Landscape Officer)
<b>PARISH</b>	Rowsley	<b>AGENT</b>	n/a
<b>WARD MEMBERS</b>	Cllr. S. Hobson	<b>DETERMINATION TARGET</b>	Mon 08 Jan 2024
<b>REASON FOR DETERMINATION BY COMMITTEE</b>	Application submitted on behalf of the Council for its own works.	<b>REASON FOR SITE VISIT (IF APPLICABLE)</b>	To assess the impact of the works on the amenity of the area.

## MATERIAL PLANNING ISSUES

The impact of the proposal on the amenity of the area and whether the proposal is justified.

## RECOMMENDATION

That the application be approved.

## **1. THE SITE AND SURROUNDINGS**

- 1.1 The application site comprises woodland Between River Derwent and A6 Road in the area extending from the DDDC Northwood depot, around Recycling Centre and up to the DDDC car park near the A6 road bridge at Rowsley.

## **2. DETAILS OF THE APPLICATION**

- 2.1 This application seeks permission to fell 108 ash trees displaying advanced symptoms of ash dieback disease which are located in positions presenting high level of risk of personal harm or damage to property. The submitted aerial photos show the locations of the trees for removal.

## **3. PLANNING POLICY AND LEGISLATIVE FRAMEWORK**

- 3.1 Adopted Derbyshire Dales Local Plan (2017)

S1	Sustainable Development Principles
S4	Development in the Countryside
PD5	Landscape Character
PD6	Trees, Woodland and Hedgerows

- 3.2 National Planning Policy Framework (2023)

- 3.3 National Planning Practice Guidance

## **4. RELEVANT PLANNING HISTORY**

None.

## **5. CONSULTATION RESPONSES**

Rowsley Parish Council

No comments received.

## **6. REPRESENTATIONS RECEIVED**

Two representations have been received which are summarised as follows:

- Councillor Susan Hobson - requested information regarding proposed replanting.
- Dave Hepworth – asked whether felled trees could be milled to provide replacement planks for the bridge walkway just south of Rowsley where he reported that the plastic planks keep on failing. He was of the opinion that ash timber is hard-wearing and traditionally used for scaffold boards so may be able to stand considerable hammer and would be better than the plastic planks at present.

He also asked whether the felled wood could be sold to locals who have log burning stoves. He was of the opinion that ash could provide cheap winter heat for lots of people. He expressed his thanks for the work the council does for the environment.

## **7. OFFICER APPRAISAL**

- 7.1 This application is unusual because the land is owned by DDDC but there is also a DDDC TPO on parts of it.
- 7.2 National Planning Practice Guidance advises that where a local planning authority makes an application to itself to carry works to trees protected by a TPO it must publicise the application by displaying a site notice for at least 21 days, giving details of the works and the reasons for the application and which sets out how to make representations and by when. The requisite publicity has been undertaken.
- 7.3 Before reaching its decision the authority must take into account any representations made by the date given in the site notice; and it must give notice of its decision to all people who made representations. Generally, the decision is to be taken by a committee or officer of the authority other than the one with responsibilities for management of the land in question, hence the reason for consideration of this application at planning committee.
- 7.4 Ash dieback disease is caused by a pathogenic fungus that is air dispersed. The disease is specific to ash trees. There is no known cure or treatment for the disease. It is expected that most infected trees will be killed.
- 7.5 It was first noted in England in 2012, having spread from Europe and has since gradually spread throughout the country. DDDC's area now shows infection of ash trees throughout and the symptoms displayed by affected trees are becoming more severe as the disease progresses.
- 7.6 Infected tree's symptoms include reduced numbers of leaves in the canopy, early leaf fall in autumn, disfigured twigs and sometimes abundant water sprout twig development in the canopy. Killed branches and whole trees become rapidly embrittled and have an increased likelihood of failure.
- 7.7 Official guidance recommends that trees showing significant symptoms are removed in order to manage risk from falling branches / trees where these are located in positions with higher value targets (i.e. places that are regularly occupied by people or property).
- 7.8 Many councils and landowners throughout the country are now taking action to remove infected trees to address the risks posed by ash dieback disease.
- 7.9 DDDC is currently removing infected ash trees from many other sites in Council ownership. These sites do not have TPOs so applications for consent from DDDC for these works are not needed. Felling licences have been granted by the Forestry Commission for the works.
- 7.10 The woodland subject to this application for tree removals was surveyed by DDDC's arboricultural consultants during summer 2023 to identify ash trees displaying advanced symptoms of ash dieback disease which are located in positions presenting higher level of

risk of personal harm or damage to property. Surveys were also undertaken at many other sites owned / managed by DDDC.

- 7.11 Higher risk targets at the site include the A6 road and the cycle track passing through the woodlands.
- 7.12 Some trees of other species were also identified for removal based on their poor condition and high risk locations.
- 7.13 Some of the trees for removal are located within a DDDC TPO, though it is difficult to ascertain exactly which on the ground.
- 7.14 Accordingly, this application is for all 108 trees within the woodland currently identified for removal though some of these may not be within the TPO.
- 7.15 The submitted aerial photos indicate the locations of the trees for removal.
- 7.16 Many other trees within the woodland currently show ash dieback symptoms but their locations are such that they do not need to be removed because they present acceptable level of risk.
- 7.17 Further ash trees in higher risk locations are very likely to develop ash dieback in future and will need to be removed at that time.
- 7.18 Replanting will meet the requirements of the Forestry Commission felling licence which has been granted for this work.
- 7.19 The works are necessary / justified in the interests of public safety and the replacement planting will ensure that long term adverse impacts on the amenity of the area are minimal. A recommendation of approval is put forward on this basis.
- 7.20 The conditions and advisory notes of of the felling license (which deal with replanting are as follows):

Conditions:

1. The land on which the felling took place is to be managed in accordance with the rules and practice of good forestry so as to secure restocking with Norway maple; sycamore; hazel; hawthorn & mixed broadleaves to achieve not less than 1100 stems per hectare evenly distributed over the site by 60% natural regeneration and 40% replanting.
2. All licenced trees felled are to be removed quickly and carefully so as to avoid damage to the remaining tree stumps, seedlings or coppice shoots.
3. The land is to be adequately prepared and weeded to facilitate natural regeneration or coppice regrowth (as specified under condition 1 above). Any preparation or weeding must be done in a way so as not to damage existing trees, of any age, on site.
4. If before 30th June 2029 the restocking described in 1. above is not achieved then the land is to be planted or sown before 30th June 2029 in order to secure a stocking of not less than 1100 stems per hectare of Norway maple(20%); sycamore(20%); hazel(20%); hawthorn(20%) & mixed broadleaves(20%) evenly distributed over the site.
5. For a period of 10 years from the restocking:
  - a. The plants must be protected against damage and be adequately weeded.

- b. Any failure or losses should be replaced as necessary to provide a stocking of not less than 1100 stems per hectare evenly distributed over the site.
- c. Any replanting subject to the conditions of this licence must be properly maintained in accordance with the rules and practice of good forestry.

Advisory information and guidance:

Restocking is expected in the following circumstances:

- When areas felled are 0.01ha+ in size & when 3 or more main canopy trees are removed that are next to each other & make a group. Ash natural regeneration is acceptable but only when the min stocking density has been achieved by other agreed species.
- Coppice/seedling natural regeneration to be managed to prevent encroachment onto planted stock. Regular maintenance is essential to ensure replanting component succeeds & gap up until the min conditioned density is achieved.
- Invasive vegetation and browsing mammals to be managed and/or mitigated accordingly to ensure stump, coppice and seedling natural regeneration succeeds and establishes within the stated period.
- Mixed broadleaves can include tree and shrub species with selection based on suitability to the local site conditions. Min 2 species required.

## **8. RECOMMENDATION**

That permission be granted for the works subject to the following condition:

1. The work shall be carried out within two years of the date of this consent.

Reason:

To ensure that the tree work relates to the current condition of the tree/s and is carried out within a reasonable verifiable time period.