

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL**

**Report to Planning Applications Committee**

**14 January 2021**

<b>TITLE:</b>	<b>Application No. TPO/2020/0052 – Application to fell protected trees at Birchwood House/St Mary’s Mount, Ramshorn Road, Oakamoor</b>
<b>PORTFOLIO:</b>	<b>Planning, Development and Property</b>
<b>OFFICER:</b>	<b>Steve Massey, Arboricultural Officer</b>
<b>WARD:</b>	<b>Alton</b>

**Appendices Attached –**

**Appendix A:** Location Plan for Birchwood House/St Mary’s Mount.

**Appendix B:** TPO Plan for TPO No. SM.105.

**Appendix C:** Air Photo of wider area of Ramshorn Common and Cotton.

**Appendix D:** Applicant’s Operations Map.

**Appendix E:** Plan of proposed Operations Compartments within TPO Woodland W1.

**Appendix F:** Air Photo of application site.

**1. Recommendation**

- 1.1 That consent be granted for the proposed forestry operations within Compartments 1 and 2 in so far as they lie within the extent of Woodland W1 protected under Tree Preservation Order (TPO) No. SM.105, subject to the conditions set out in this report.

**Reason for recommendation:** In order to enable forestry operations to be carried out which will bring about long term benefits to woodland structure and diversity, and to the landscape character and ecological value of the site and its surroundings.

**2. Executive Summary**

- 2.1 This application seeks consent to carry out forestry operations comprising a substantial amount of tree felling on land to the rear of Birchwood House and St Mary’s Mount, a pair of long-unoccupied semi-detached houses at Ramshorn Road. The general location is shown on the plan attached at Appendix A to this report.

- 2.2 The majority of the combined land associated with these two properties lies within and at the south-west corner of the huge extent of woodland at Ramshorn Common which is protected as Woodland W1 under TPO No. SM.105. A copy of the TPO plan is attached at Appendix B.
- 2.3 In summary, the proposed work comprises: selected thinning of mixed conifers within Operations Compartment 1, approximately 0.09 hectares to the side and frontage of Birchwood House; and clear felling of mixed conifers and broadleaved trees within Operations Compartment 2, approximately 0.89 hectares to the rear of Birchwood House and St Mary's Mount. These two compartments are shown on the applicant's Operations Map attached at Appendix D, and shown within the wider context of the TPO-protected Woodland W1 on the plan at Appendix E.
- 2.4 Initially, a Felling Licence application for the proposed work was submitted to the Forestry Commission. Normally, a Felling Licence takes precedence over a TPO, and the Forestry Commission consults the local planning authority and takes any comments into account before the Commission determines the proposal by granting, or withholding as appropriate, a Felling Licence.
- 2.5 In this instance, however, following a joint site meeting held by the Council's arboricultural officer with the applicant's agent and the Forestry Commission's woodland officer, the Commission has decided to defer to the planning authority. It is therefore down to SMDC to determine the application under the TPO, in so far as the Operations Compartments lie within the extent of TPO-protected Woodland W1. The Forestry Commission would retain decision-making control over areas outside W1.
- 2.6 This Council has given delegated powers to officers to grant consent for felling or pruning work to trees protected by TPO. In this instance, however, in view of the scale of the proposed work and the potential for it to generate local concern or objection, it is considered appropriate to report the application to this committee for determination.
- 2.7 Linked to this, although there is no statutory requirement to carry out neighbour notifications for TPO applications, in this instance Farley Parish Council has been consulted, and notification letters sent to 7 neighbouring landowners/occupiers inviting comments. At the time of compiling this report, which was after the end of the consultation period given, no comments had been received from Parish Council or neighbours. However, it is possible that any postal comments may have been delayed over the Christmas/New Year period, and any which are subsequently received will be included in the late representations report.
- 2.8 The majority of Compartment 2 proposed for clear felling, in particular the eastern half to the rear of Birchwood House, comprises an early-mature plantation of extremely closely-spaced Norway Spruce and Fir, with some lines and groups of Leylandii. These are non-native conifers, out of keeping with the general visual character of the area. The plantation is so dark and dense that there is no ground flora, and is of extremely limited ecological value. It is understood the conifers were originally planted with the intention of commercial cropping for Christmas trees, but were never thinned or harvested, and have since grown well beyond useable size for

this purpose. However, it would always have to be anticipated that at some stage the aim would remain to fell them as some form of low value commercial crop, perhaps for wood pulp. Elsewhere in Compartment 2, mainly to the rear of St Mary's Mount, are very poor quality self-set young Goat Willow and a few Birch, again with some groups and pockets of alien conifers.

- 2.9 The applicant proposes to clear fell the plantation conifers and poor quality broadleaves in Compartment 2, other than a few notable mature trees which pre-date the plantation including some Oak, Birch and mature Pines. These retained trees would form an underlying existing framework for a replanting scheme to create a replacement woodland of mixed native tree and shrub species, much more in keeping with the prevailing landscape character.
- 2.10 Meanwhile in Compartment 1 there are a few sporadic individual coniferous trees which should be retained, effectively as garden trees for Birchwood House, but also some closely spaced groups of younger conifers which could appropriately be thinned out to favour the better specimens.
- 2.11 Clearly a replacement woodland will take a considerable time to establish and make a substantial contribution to the landscape. In the short term, there would inevitably be some initial impact arising from the felling and clearance of almost a hectare of plantation and scrub. However, given the retention of a few worthwhile trees in Compartment 1, and in Compartment 2 closer to the rear of the houses, it is considered that the impact as viewed from Ramshorn Road would in fact not be overly significant or detrimental.
- 2.12 The more major initial impact would be experienced by users of the public footpath running alongside the eastern boundaries of Compartments 1 and 2, leading from Ramshorn Road up through the wider woodlands of Ramshorn Common. From here, there are close-quarters views directly into the application site, but as this is effectively a dark, dense and solid conifer plantation it has to be said that this is not the most attractive or inviting view. In the longer term, the replacement woodland would be more open and varied, and in addition would provide significantly greater habitat value for wildlife.
- 2.13 On balance, therefore, and taking a longer term view, it is considered that the proposed clear felling, selective thinning and replacement woodland planting would result in a significant improvement to visual amenity, landscape character and ecological value. It is therefore recommended that consent be granted, subject to suitable conditions regarding period of consent validity, requirement for replacement planting scheme and avoidance of bird nesting season.
- 2.14 In view of this conclusion, and having regard to the longer term objectives and anticipated benefits, it is considered that – although involving the felling of a large number of TPO-protected trees within a plantation context – the proposal would not in fact be in conflict with the Council's adopted Tree Strategy. In addition to its more controlling aspects, the Tree Strategy includes objectives and policies aiming to allow and

encourage planting and appropriate management of woodlands, and this application is considered to fall within that bracket.

- 2.15 It is suggested that the details of the replacement woodland planting scheme may be left to officers to specify in a suitably worded condition, if TPO consent is granted. However, this should be based on an appropriate mix of native tree and shrub species, planted at sufficient typical density for amenity woodlands. Whilst such a scheme would normally be planted using small whips and forestry transplants, the applicant is agreeable to including a small percentage at larger size eg feathered trees/standards which will give a little more immediate visual presence. Again as is appropriate for amenity woodland planting, some open ground could be left unplanted as small glades or paths/rides, enhancing the habitat structure and variety. Replanting should be carried out before the end of the next available planting season following completion of felling operations.
- 2.16 A TPO consent is normally valid for 2 years unless otherwise specified. In this case, however, it is suggested that the consent, if granted, would be appropriately made valid for 5 years by condition; this would reflect and tie-in with the standard 5 year validity period of a Forestry Commission Felling Licence, which would still be required to implement these proposals outside the TPO woodland extent. Notwithstanding this, it is understood that the applicant intends to carry out the proposed forestry operations immediately if consent is granted, aiming to complete all felling and clearance before the start of the next bird nesting season in March of this year. It would nevertheless be appropriate to impose a condition to ensure the timing of work avoids nesting season.

### 3. Implications

- 3.1 Community Safety - (Crime and Disorder Act 1998) Nil.
- 3.2 Employees Nil.
- 3.3 Equalities This report has been prepared in accordance with the Council's Equal Opportunities policy.
- 3.4 Financial Anyone suffering loss or damage arising as a consequence of the Council's decision to refuse consent, or to impose conditions when granting consent, may seek compensation from the Council, subject to the provisions of the Town and Country Planning (Trees) (England) Regulations 2012. Any claim must be submitted within 12 months of such an application being determined.
- 3.5 Legal Nil.

3.6 Sustainability

The proposed work retain overall woodland cover whilst providing landscape and ecological benefits in the longer term, in support of the objectives of the Council's adopted Tree Strategy.

Ben Haywood  
**Head of Development Services**

**Background Papers**

TPO SM.105

**Location**

Staffordshire Moorlands District Council  
Moorlands House  
Leek

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**Decision:**

**Reason:**

**Interests Declared:**