

1. Application under consideration:

Application No:	22/02096/CAT
Location:	Clare Cottage Church Street Malpas Cheshire SY14 8PF
Proposal:	Request to fell - 1x holly (1), 4x conifer (2,6,7, 8), 1x cedar (3), 1x sycamore (4), 1x willow (5), 1x conifer (9) and several hedges
Consultation Deadline Date	7 th July 2022

2. Executive summary: *(Delete which statements are not appropriate and add reasons.)*

~~1/ Malpas Parish Council supports this application because:~~

2/ Malpas Parish Council objects to this application after careful consideration of the observation given below.

~~3/ Malpas Parish Council would make the observations as documented below:~~

4/ If the Cheshire West Council Planning Authority is minded to approve the application the Parish Council would request that the following conditions be included:

i/	That any tree removed is replaced on a two for one basis as defined in policy DM45 note 2 of the Cheshire West Local Plan part 2 and the Malpas and Overton Neighbourhood Plan.
ii/	

3. Background Factors:

Open countryside		Within settlement boundary	X	Conservation area	X
Listed Building		Tree Preservation Order			
Relevant Neighbourhood Plan Policies	LC4				

4. Positive aspects of development

Potential benefits to the community	None identified
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5. Material considerations against development (visual, noise, pollution etc.)

Potential impact on neighbours	None identified
Potential impact on wider community	The removal of 8 trees and a hedge will have an impact on the community reducing the carbon capture capability of this particular area of the village.

6. Other relevant information

The garden area of Clare Cottage currently represents a significant “green wildlife corridor” stretching from the open countryside into the heart of the village.

The intention to clear the space of this amount of flora will have a huge impact on the wildlife and the biodiversity that this area currently provides for. There are a variety of native species of trees on the site including Hazels, Willows and Holly, mostly all in good condition. It should therefore be protected with only diseased or dead trees being allowed to be removed.

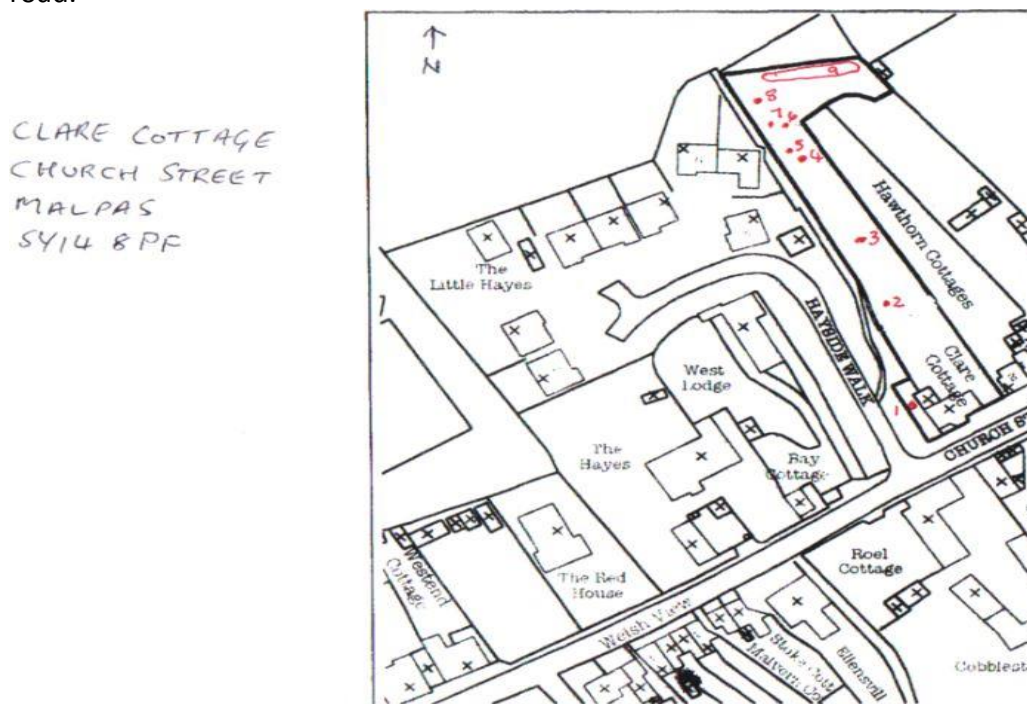
The application provides insufficient information and does not contain any statement about the applicant's intentions to replace the trees or a valid reason for not doing so.

The removal of the volume of trees and hedges associated with this application is contrary to the strategy to preserve trees and hedges to mitigate against climate change.

The sketch plan provided with this application does not truly represent the correct location of the trees indicated for removal on the site. The plan is an exact copy lifted from a previous application (06/00927/CAT)

The Council believes that tree 1 is outside the applicant's property boundary and is therefore not owned by the applicant as referenced by the drawing provided with a previous application (12/02309/CAT) for this site.

The tree is located where the figure **1** is shown on the attached plan not where the **●** is shown, and a site visit confirms that this tree is clearly located in the verge of the Hayside Walk access road.



However, that said it is recognised that the state of tree 1 could present a danger to structure of Clare Cottage.

The Parish Council would ask that the applicant provides a Biodiversity Net Gain Plan as per current planning regulations; this to compensate for the inevitable loss of biodiversity the scale of this proposal will result in.

Whilst it is recognised there is a need to maintain an amenity garden area in a tidy state, there is no development associated with this application that requires the removal of such healthy trees and wildlife friendly hedges.

Planning History

04/01409/FUL – This application was refused on the reasoning of an unacceptable loss of vegetation causing significant harm to the character and appearance of the Malpas Conservation Area.

A subsequent appeal (X0605/A/06/2024310) was dismissed by the inspector who identified the harm to the character and appearance of the conservation area as being contrary to Local Plan policies HO5, ENV2, ENV37 (Now replaced by DM45 and DM46.)

06/00927/CAT – This drawing associated with this application is exactly the same as the current one. The indications are that the work was never completed.

12/02309/CAT - This application was granted for the removal of all Leylandi trees from the rear garden. This does not appear to have been completed.

Any necessary removal of a tree should see replacements on at least two for one basis as defined in policy DM45 note 2 of the Cheshire West Local Plan part 2 and the Malpas and Overton Neighbourhood Plan.

Malpas Parish Council like CW&C, has declared a climate emergency and would expect all proposals for new developments, extensions or alterations to recognise this, specifically by ensuring properties are at least carbon neutral, avoiding the use of fossil fuels and have facilities for the charging electric vehicles.

Signed: Clerk Malpas Parish Council

Dated: