

26 Broad Street, Ludlow

Detailed Arboricultural Report

Prepared By Beechland Arboriculture for I. King

23 February 2024

Version Control

Version	Drafted	Date	Reviewed	Date	Notes
1.0	DW	23 February 2024	BLM	23 February 2024	Issued for review

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Definitions

Physiological condition: the condition of the tree with regards to growth, vigour, and biological processes.

Structural condition: the condition of the tree in term of its growth pattern, mechanical stability and strength.

Defect: a growth abnormality with potential to lead to failure of the branch or tree.

Dysfunction: a perturbation in physiological growth - for example, naturally dying branches or bark wounds.

Decay: the rotting of wood most caused by fungi that can lead to a loss of strength in the branch or stem.

Damage: wounding or broken branches, often caused by physical impacts, poor tree work or browsing/chewing by animals.

Deadwood: branches that have died either through disease or through natural processes when the branch is no longer beneficial to the tree.

Branch union: the position at which the branch connects with the parent branch or stem.

Included bark: a weak branch union, often by being too acute so that the branches grow against each other but are not sufficiently or strongly joined.

Dieback: the death of the tree from the tips towards the stem.

Crown transparency: the relative amount of light visible through the crown of the tree. 0% represents a full healthy crown for the given species. Higher transparencies can indicate ill health

Basal growth: small shoots that grow from the base of the tree, these may also be classed as epicormic shoots.

Epicormic shoots: sprouts that arise from latent buds under the bark. These may arise genetically (e.g. Lime), through stress, or be induced by pruning.

Canker: a disease of the bark and tissues below the bark.

Shear crack: a crack arising as the tree flexes. Like how pages in books slide against each other when the book is bent. Cracks arise as wood fibres slide past each other in the stem and branches.

Remedial works: works undertaken, most commonly to reduce risk, but may be undertaken for aesthetic reasons.

Crown reduction: the shortening of the branches, either individually or as a whole tree to reduce its size.

Crown lift: the removal of lower branches, commonly to allow space and light underneath the tree.

Crown thinning: the selective removal of branches throughout the crown, commonly perceived to let light and airflow, rarely of much benefit on trees unless crown is excessively dense for its species.

Root pruning: considered cutting of roots to reduce surface damage or prevent damage to the tree during building works.

Tree Preservation Order (TPO): a legal restriction placed on trees of merit by the local planning authority, preventing unauthorised pruning, felling or damage.

Conservation Area: a blanket designation for an area that has some historic or aesthetic importance. Restrictions similar to a TPO cover all trees over 75mm stem diameter.

Ancient Tree: An ancient tree is one that has passed beyond maturity and is old, or aged, in comparison with other trees of the same species.

Veteran Tree: Veteran is a term describing a tree with habitat features such as wounds or decay... A veteran tree is a survivor that has developed some of the features found on an ancient tree, not necessarily as a consequence of time, but of its life or environment.

Notable Tree: Notable trees are usually magnificent mature trees which stand out in their local environment because they are large by comparison with other trees around them.

1 Introduction

1.1 Instruction

I was instructed by Ian King of on 02 February 2024 to provide a tree survey, tree constraints plan, detailed arboricultural report and an arboricultural impact assessment to BS5837:2012 at 26 Broad Street, Ludlow, Shropshire, SY8 1NJ ('the site').

1.2 Purpose

The purpose of this report is to assess the value of the trees in compliance with BS5837:2012. In doing so, this report will assess the value of the trees on site, the potential impacts that the proposed development may have, and recommend any initial mitigation where practicable. Where mitigation is needed but not practicable, compensation is recommended. The report is provided to inform design and support a validated planning application at the site.

1.3 Project Details

I understand the project is to construct a timber and aluminium garden outbuilding to the east end of the site. The site, being in a conservation area, requires planning permission and is not subject to permitted development rights.

1.4 Author Qualifications

I have 28 years' experience in the arboriculture industry and qualifications including:

- Post graduate Diploma Geographical Information Management (2023) Cranfield University;
- BSc Arboriculture and Amenity Forestry (2004) University of Aberdeen;
- National Diploma Arboriculture (Dist) (1999) Plumpton Agricultural College;
- Lantra Professional Tree Inspector (2023)
- Professional Member of the Arboriculture Association;

A CV is available on request.

1.5 Limitations

No tree can be deemed completely 'safe'. Trees are dynamic organisms that grow and change over time, they can have hidden weaknesses or storm events may overload healthy and stable trees. No guarantees of safety are made or implied within this report.

Consequently, the assessment carried out on 16 February 2024 is valid for a period of 18 months in so far as normal change and growth patterns can reasonably be predicted.

No climbed investigations, soil assessments, invasive testing or soil testing has been undertaken.

All information is obtained from desk study, visual observation and testing with a mallet and probe. Where additional investigation is needed, it will form part of the recommendations.

Legislation relevant to this report is provided for guidance in Appendix D and should be read in conjunction with the report findings. However, this guidance does not set out to be a definitive statement on the relevant law and the author is not a qualified legal practitioner.

2 Site Description

The site comprises a terraced property with a rear garden at the eastern end of the site. The house at the west of the site fronts on to the footway and carriageway of Broad Street. To the north and south are adjacent terraced properties and their rear gardens. To the east is the property at 5 Brand Lane. The south boundary of the site comprises a large retaining wall that steps down c.4m into the neighbouring garden. The north boundary is next to a gardens of 7, 8, 9, and 10 Brand Lane. An overview is shown in Figure 1.



Figure 1 Overview of Site – red line boundary.

The British Geological Survey records the underlying bedrock as Temeside mudstone formation – mudstone and no superficial deposits are recorded.

The Cranfield Soilscales records the site as unclassified.

Trees within the local area are primarily garden trees and large shrubs.

3 Summary of Methodology

3.1 Desk Study

I undertook a desk study on 19 February 2024 to understand the arboricultural legal and policy constraints that affect the site. Details of sources and research undertaken is available at Appendix C. Advice on legal constraints is also provided at Appendix D.

3.2 Site Survey

I undertook a site survey on 16 February 2024 to inspect and record all trees over 75mm stem diameter (at 1.5m from ground level) within or near to the site boundary. Details of the methodology are available in Appendix C.

In summary, the site survey assessed the dimensions, age and condition of each tree or group to determine their value. Within BS5837:2012, trees and groups are categorised as Category A, B, C or U representing 'High Value', 'Moderate Value', 'Low Value' or 'Unsuitable' respectively. Detailed descriptions of categories are provided in Appendix C.

4 Results

4.1 Desk Study Results

4.1.1 Tree Preservation Orders (TPO)

I reviewed Shropshire's website (<https://shropshire.gov.uk/>) on 19 February 2024 to identify whether any trees in the locality were subject to a TPO. The website does not confirm if trees are subject to TPO. I contacted Shropshire Council Tree Team on 01743 253333, on 26 February 2024 and the officer confirmed no trees are protected by tree preservation order within the site.

4.1.2 Conservation Areas

I reviewed Shropshire's website (<https://shropshire.gov.uk/>) on 19 February 2024 to identify whether any trees in the locality were within a conservation area. The website indicates that the site

is located within Ludlow Conservation Area as shown in Figure 2.

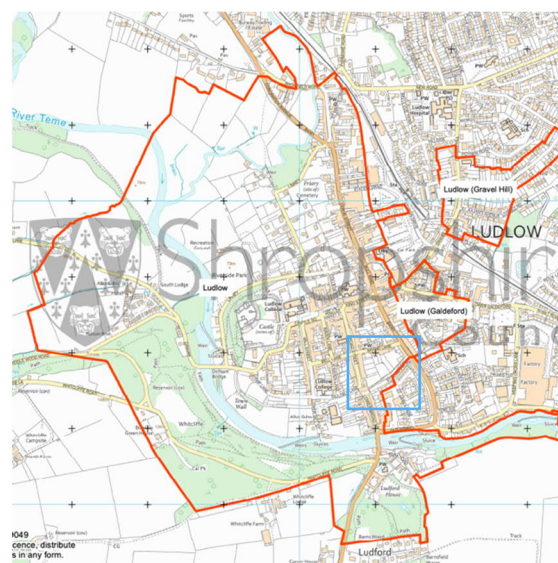


Figure 2 Ludlow Conservation Area, Site is within the blue square. Reproduced from Shropshire County Council www.shropshire.gov.uk.

4.1.3 Other Designations

I also reviewed the ancient tree forum (ATF) website (<https://ati.woodlandtrust.org.uk/>) for the presence of ancient, veteran or notable trees. No trees were identified as being ancient, no trees were identified as being veterans, no trees were identified as being notable as per ATF guidance.

Finally, I reviewed Defra's Magic Map website (<https://magic.defra.gov.uk/magicmap.aspx>) to check the status of ancient woodland or similar assets within or near the study area. The website indicates that:

- No trees are within an ancient woodland or its buffer zone, and they are not subject to ancient woodland considerations.
- No trees are within a wood pasture or parkland area, and they are not subject to parkland considerations.
- No trees are within a traditional orchard, and they are not subject to orchard conservation considerations.

4.2 Survey Results

A total of 4 tree features were identified and recorded during site survey. A summary is shown in Table 1. Tree details are recorded in the survey schedule at Appendix A and locations and dimensions are shown in the tree constraints plan at Appendix B.

Table 1 Tree Survey Summary

Type	A	B	C	U	Total
Trees	0	1	3	0	4

4.2.1 High Value Trees (Category A)

No high value features were identified during site survey.

4.2.2 Moderate Value Trees (Category B)

One moderate value tree was identified during site survey. T4 is a mature magnolia (*Magnolia sp.*) to the north of the site. A cypress tree, that was removed, was previously suppressing the southwest crown of T4. The crown should recover in future to make this a good example of the species.

4.2.3 Lower Value Trees (Category C)

Three low value features were identified during site survey. T1 is a middle-aged holm oak (*Quercus ilex*) that was also suppressed by the removed cypress creating bias growth to the south. T1's main fork has included bark within it. While this does not cause an immediate hazard, this is a growth-limiting defect that will prevent this tree reaching full maturity.

T2 and T3 are Rowans (*Sorbus aucuparia*) of no particular note. T2 is suppressed by T1 and has bias growth to the south. T3 is a small garden tree that will be limited on reaching maturity due to its proximity to the north boundary wall.

4.2.4 Unsuitable Trees (Category U)

No unsuitable features were identified during site survey.

It is likely, for reasons noted, that T1 and T3 would become unsuitable in the next 10 years or so.

5 Discussion

5.1 Preliminary Tree Work

No trees are expected to require pruning or other works due to their condition at this time. If retained, T1 would benefit from light crown reductions on a 3 to 5 year cycle to prevent the tree outgrowing its location. It may be more prudent to replace T1 with a taller, narrower species in the longer term.

5.2 Significant Constraints

A significant arboricultural constraint is typically a higher value tree at risk of construction impacts. Within or near the site, no trees present a significant constraint to the proposed development. The only

category B tree present, T4, is outside the site and neither its crown nor its RPA are impacted by the proposed development.

5.3 Arboricultural Impact Assessment

5.3.1 Impacts During Construction

The proposed construction of the outbuilding is lightweight timber, aluminium and glass construction. The building will be supported above ground on manually driven ground screws, the majority of which are not within the RPA of any tree. All materials will be brought to site by hand on existing paths so that significant ground disturbance is avoided.

T1's RPA will be encroached on by around 4.5% by area. T3's RPA will be encroached on around 9% by area. The actual impact from the ground screws, or any rain shadowing is, therefore, negligible. T4 and T2 are not expected to be impacted by the proposal.

5.3.2 Impacts During Operation

The marginal impact from increased use of site from the proposed building is expected to be negligible. Only light pedestrian access, as is normal in a garden, will be expected.

5.3.3 Mitigation

Mitigation has already been built into the design through the use of ground screws and human portable modular construction, in part necessitated by the limited access to the site, but also to minimise soil and tree impacts.

5.3.4 Compensation

No trees are proposed to be removed, so no compensation is required.

6 Conclusion

I was instructed to evaluate the trees on or near the site in compliance with BS5837:2012 at the site to determine the likely impacts, if any on the trees within the site.

During site survey, I found that four trees were within or near the site that might be impacted.

Of those trees, two are shown not to be impacted (T2 and T4), and two are only marginally impacted (T1 and T3) by the proposed development. Both T1 and T3 do not have a long life-expectancy due to their condition. Notwithstanding, no trees are proposed to be removed for the proposed development.

Overall, the impacts of the proposed development to trees on site are negligible.

Due to the simplicity of the works and manual nature of construction, no arboricultural method statement is required and should not be a condition of planning approval.

7 Bibliography

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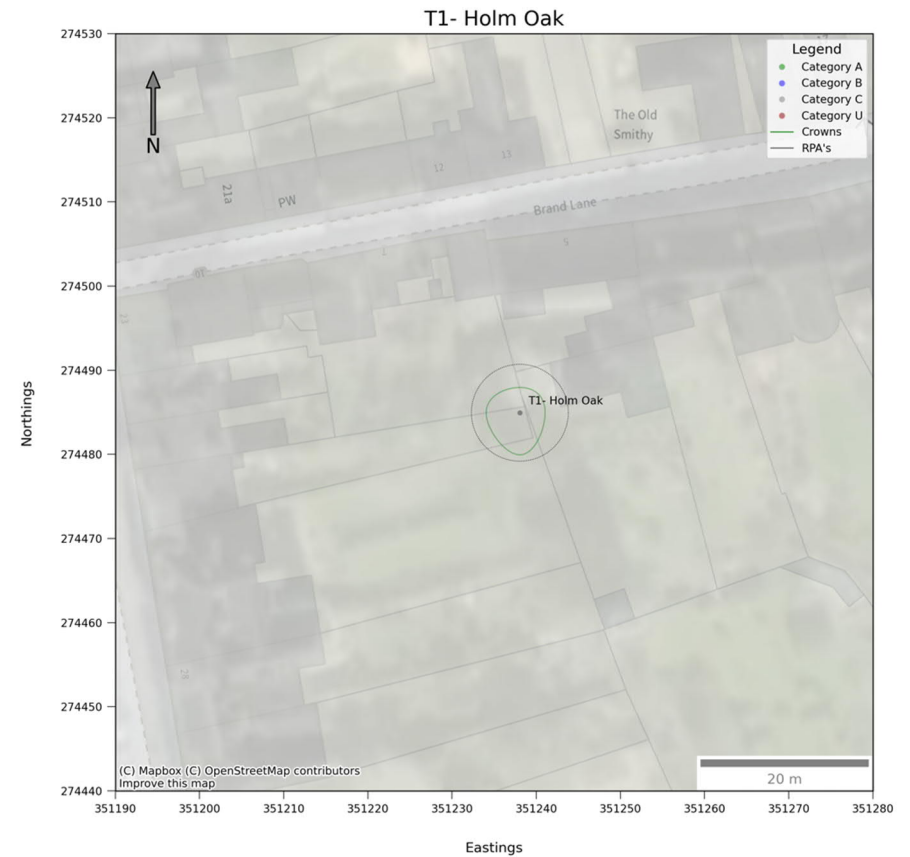
Shropshire (2024) <https://shropshire.gov.uk/>

Appendix A – Survey Schedule

T1- Holm Oak (*Quercus Ilex*)



Height (m):	11
Stem Diameter (mm):	480
Crown Spread(m):	N: 3.0 E: 3.0 S: 5.0 W: 4.0
Age Class:	Middle-Aged
Physiological Condition:	Good
Structural Condition:	Fair
BS5837 Category:	C1
RPA Radius (m)	5.76
RPA Area(m ²)	104.2

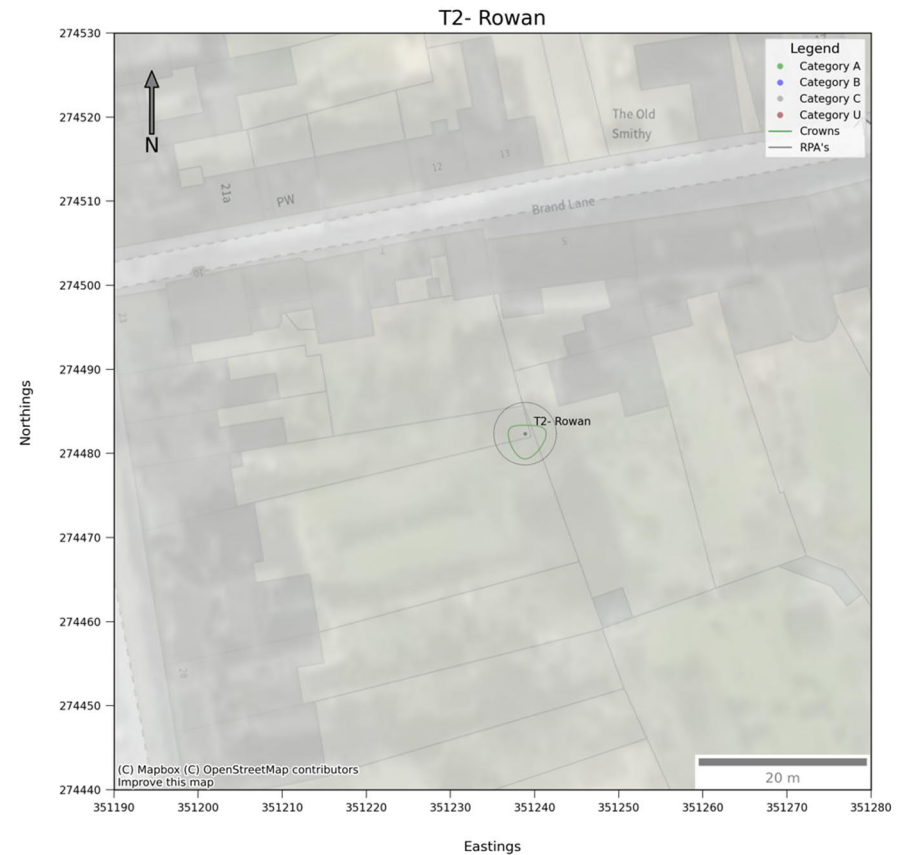


Notes: Co-dominant stem bifurcates at 2.5m agl. North stem also co-dominant at 6m. Northwest crown absent due to suppression from removed tree in neighbouring trees.

T2- Rowan (*Sorbus aucuparia*)



Height (m):	9.0
Stem Diameter (mm):	310
Crown Spread(m):	N: 1.0 E: 2.5 S: 3.0 W: 2.0
Age Class:	Mature
Physiological Condition:	Fair
Structural Condition:	Fair
BS5837 Category:	C1
RPA Radius	3.7
RPA Area(m ²)	43.4

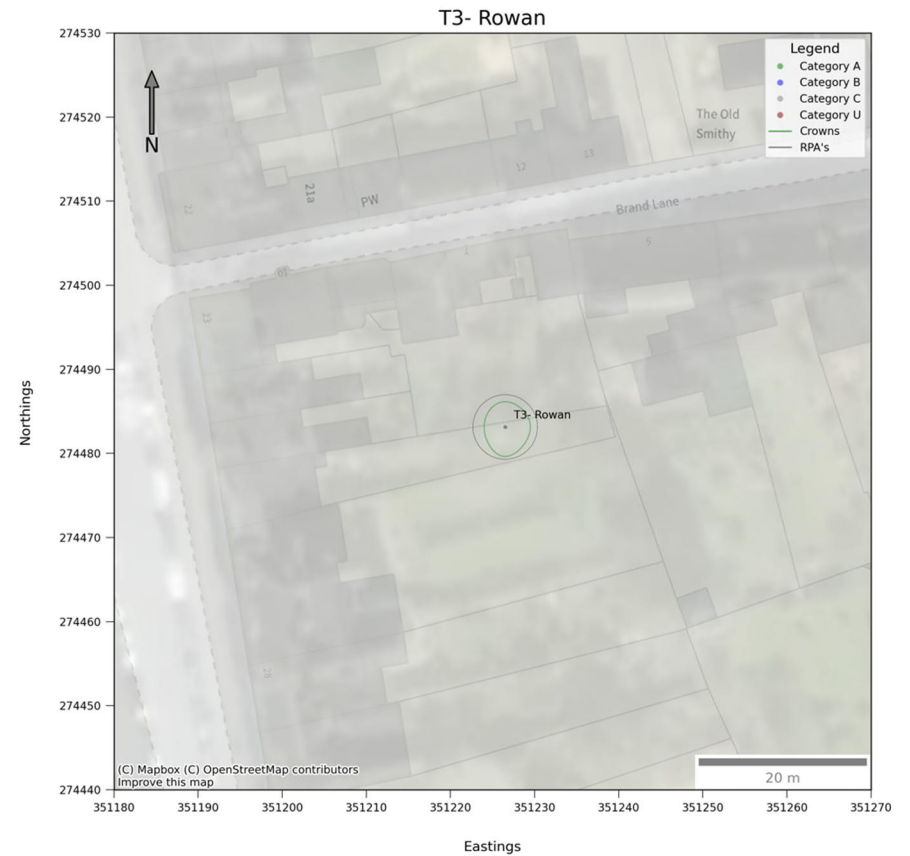


Notes: Suppressed by T1 on north side

T3- Rowan (*Sorbus aucuparia*)



Height (m):	12.0
Stem Diameter (mm):	320.0
Crown Spread(m):	N: 3.0 E: 3.0 S: 3.5 W: 2.5
Age Class:	Mature
Physiological Condition:	Good
Structural Condition:	Fair
BS5837 Category:	C1
RPA Radius	3.84
RPA Area(m2)	46.3

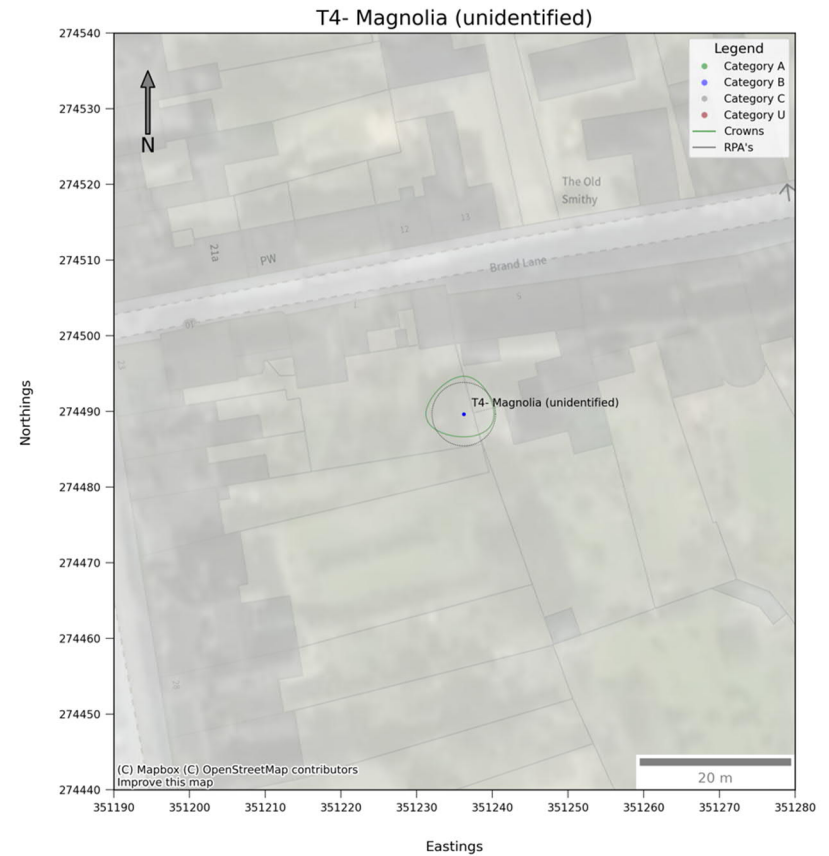


Notes: Ivy on stem. Adjacent to boundary wall

T4- Magnolia (*Magnolia sp.*)



Height (m):	8.0
Stem Diameter (mm):	350.0 (estimated)
Crown Spread(m):	N: 5.0 E: 4.0 S: 3.0 W: 5.0
Age Class:	Mature
Physiological Condition:	Good
Structural Condition:	Fair
BS5837 Category:	B1
RPA Radius	4.2
RPA Area(m2)	55.4

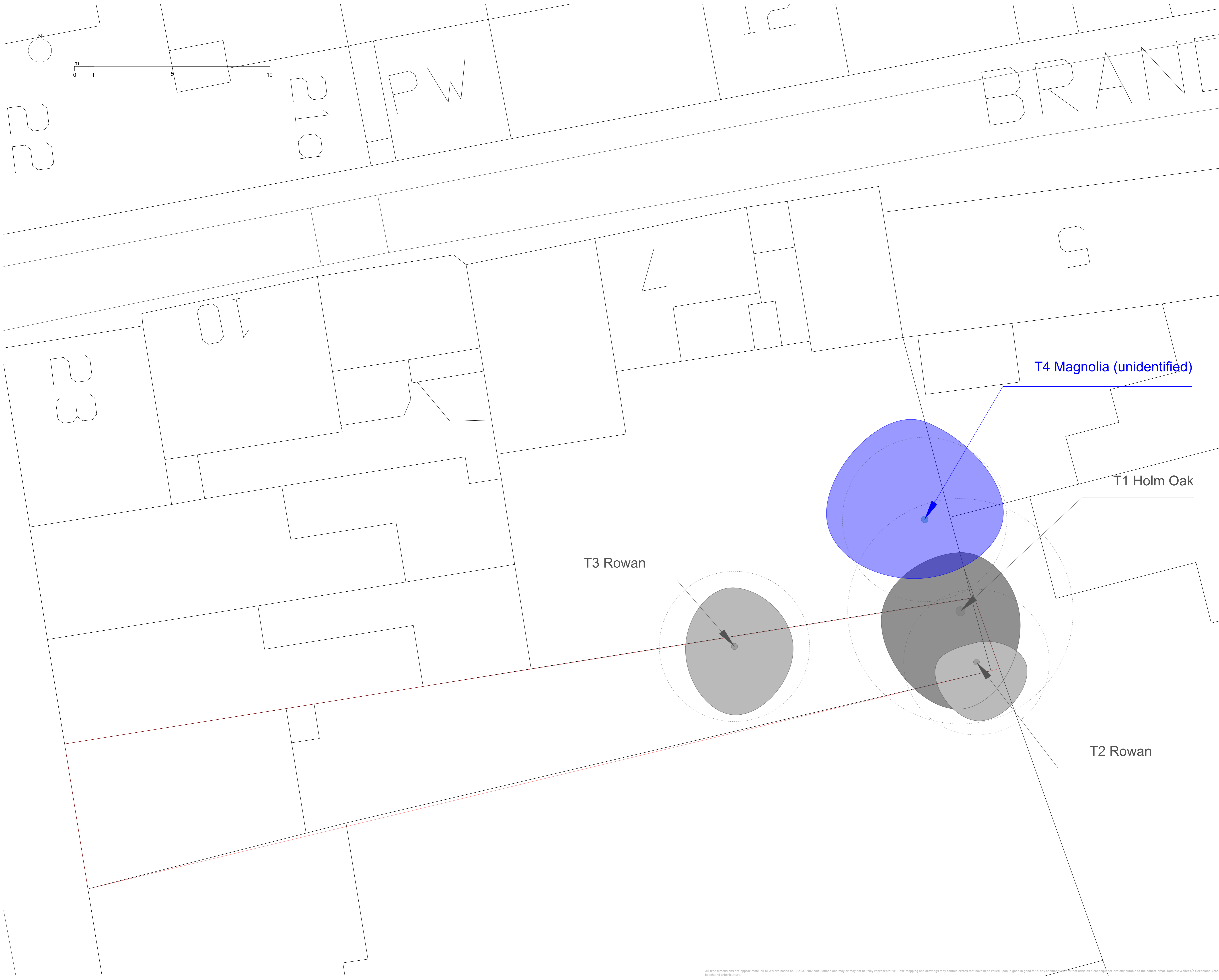


Notes: Spreading specimen previously suppressed to south by now removed tree. Summer house beneath to south, No impairment of condition.

Appendix B - Site Plans

B1 - Tree Constraints Plan

B2 - Tree Protection Plan



Key:

- Stem Point
- Crown Spread
- Root Protection Area
- Cat A
- Cat B
- Cat C
- Cat U

Drawing Title:
Tree Constraints Plan

Project:
26 Broad Street, Ludlow

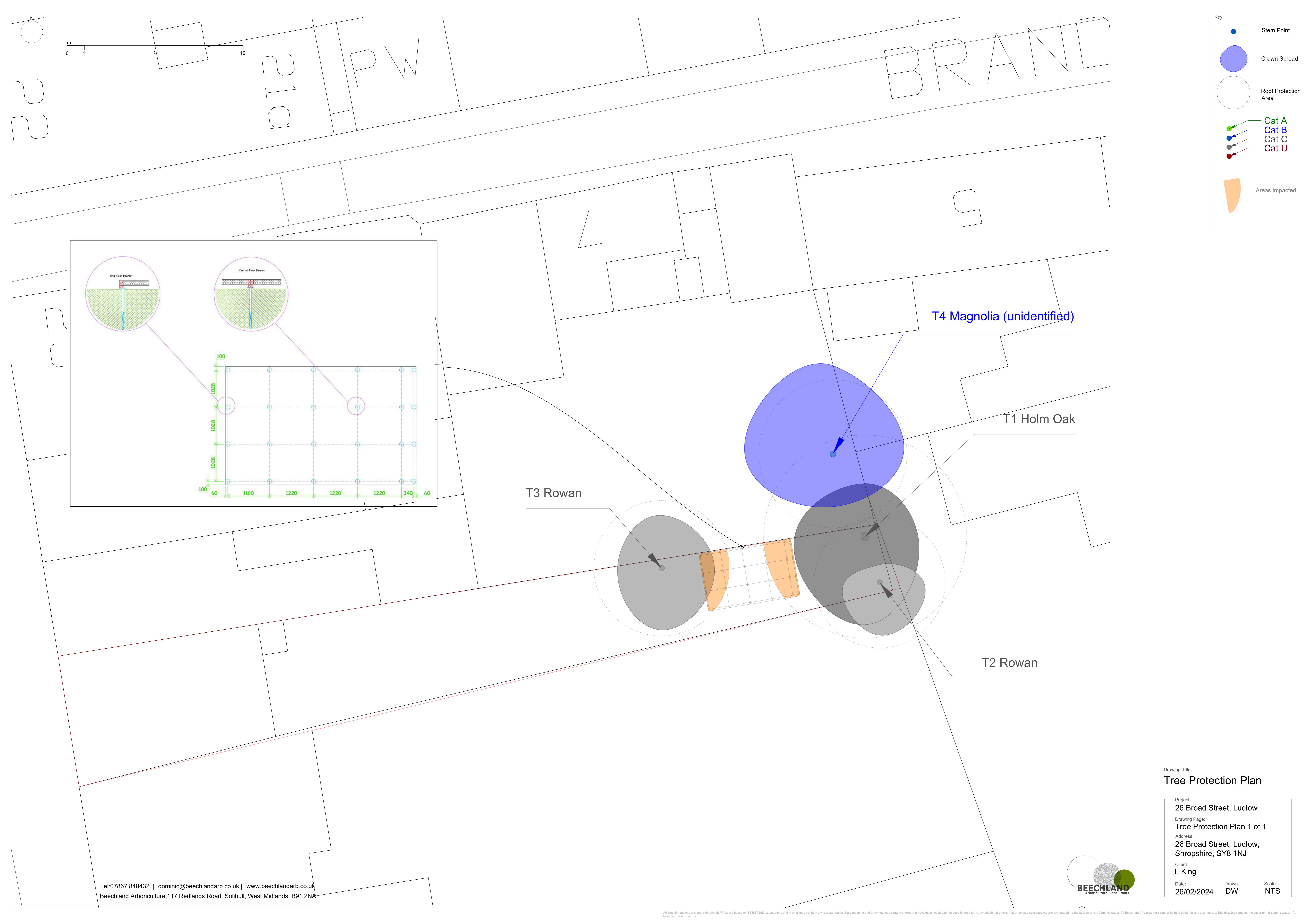
Drawing Page:
Tree Constraints Plan 1 of 1

Address:
26 Broad Street, Ludlow,
Shropshire, SY8 1NJ

Client:
I. King

Date: 26/02/2024 **Drawn:** DW **Scale:** NTS

All tree dimensions are approximate, all RPA's are based on BS5837:2012 calculations and may or may not be truly representative. Base mapping and drawings may contain errors that have been relied upon in good in good faith, any additional errors that arise as a consequence are attributable to the source error. Dominic Waller /s/ Beechland Arboriculture cannot be held liable for any such errors. This drawing remains the copyright of Dominic Waller /s/ beechland arboriculture.



- Key:
- Stem Point
 - Crown Spread
 - Root Protection Area
 - Cat A
 - Cat B
 - Cat C
 - Cat U
 - ▭ Areas Impacted

T4 Magnolia (unidentified)

T1 Holm Oak

T3 Rowan

T2 Rowan

Drawing Title:
Tree Protection Plan

Project:
26 Broad Street, Ludlow

Drawing Page:
Tree Protection Plan 1 of 1

Address:
26 Broad Street, Ludlow,
Shropshire, SY8 1NJ

Client:
I. King

Date:
26/02/2024

Drawn:
DW

Scale:
NTS



All tree dimensions are approximate, all RPA's are based on BS5837:2012 calculations and may or may not be truly representative. Base mapping and drawings may contain errors that have been relied upon in good faith, any additional errors that arise as a consequence are attributable to the source error. Dominic Waller /A Beechland Arboriculture cannot be held liable for any such errors. This drawing remains the copyright of dominic waller /A beechland arboriculture.

Appendix C - Methodology

A desk study was undertaken to understand the legal and policy constraints or otherwise relating to trees within the site. The following resources were consulted:

Shropshire telephone correspondence on 26 February 2024.

Defra's MAGIC MAP for Ancient Woodland status on 26 February 2024.

Ancient Tree Inventory – for ancient and veteran and notable tree status on 19 February 2024.

C1 BS5837:2012 Methodology and Categorisation

BS5837:2012 gives recommendations and direction on managing trees within design, demolition and construction processes. It sets out the principles and procedures to be applied to achieve a harmonious and sustainable relationship between trees and structures.

Within the standard's procedure, a competent arboriculturist is required to record information about the trees on or adjacent to a site. The results are used to identify any significant trees that may be a material constraint to development and propose mitigation, insofar as is practicable, to ensure the development and trees exist in harmony.

Individual trees, groups of trees and woodlands are assessed for their quality and benefits within the context of proposed development so that an objective and consistent decision making process can follow.

Each tree is allocated to one of four categories and three subcategories as shown in Table 1 of the standard as reproduced below.

Groups of trees and woodland are identified and assessed where they occur. An assessment of individuals within a group may be undertaken if there is a need to differentiate between them. The British Standard advises the following for groups.

The term "group" is intended to identify trees that form cohesive arboricultural features either aerodynamically

(e.g., trees that provide companion shelter), visually (e.g. avenues or screens) or culturally, including for biodiversity (e.g. parkland or wood pasture).

All details from survey are recorded in the survey schedule in Appendix A.

C2 Root Protection Areas

For single stem trees, the root protection area should be calculated as an area equivalent to a circle with a radius 12 times the stem diameter. For trees with more than one stem the calculation differs slightly. In all cases, the stem diameter(s) are measured in accordance with Annex C and the RPA. The calculated RPA for each tree is capped to 707 m²

The RPA for each tree is plotted as a circle centred on the base of the stem. Modifications to the shape of the RPA reflect a soundly based arboricultural assessment of likely root distribution. Where not certainty of assymetrical shapes is known, the RPA's are not amended.

C3 BS5837:2012 Condition Survey

Trees were inspected from ground level primarily using the Visual Tree Assessment (VTA) method and procedures detailed in Lonsdale(1999). The VTA method is a standard way to interpret growth patterns and signs that may indicate structural strengths and weaknesses in the tree.

Measurements and dimensions are estimated to the nearest metre, while stem diameter was measured with a (rounded down diameter) tape measure, at 1.5m from ground level to the nearest centimetre. Where access is constrained diameters are estimated to the nearest 50mm.

Trees were assessed for signs and symptoms of disease and dysfunction that would indicate physiological problems. Trees were also assessed for the structural issues and defects that may indicate a loss of strength and stability. A nylon hammer was used to detect decayed wood or hollows in the stem. Where open cavities or decay are identified a probe may be used to assist determination of the extent of decay.

Category and definition Criteria (including subcategories where appropriate)
Trees unsuitable for retention

<p>Category U Those in such a condition that they cannot realistically be retained as living trees in the context of the current land use for longer than 10 years</p>	<p>Trees that have a serious, irremediable, structural defect, such that their early loss is expected due to collapse, including those that will become unviable after removal of other category U trees (e.g. where, for whatever reason, the loss of companion shelter cannot be mitigated by pruning) • Trees that are dead or are showing signs of significant, immediate, and irreversible overall decline • Trees infected with pathogens of significance to the health and/or safety of other trees nearby, or very low quality trees suppressing adjacent trees of better quality NOTE Category U trees can have existing or potential conservation value which it might be desirable to preserve;</p>	U
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Trees to be considered for retention

Subcategory	1 Mainly Arboricultural Qualities	2 Mainly landscape qualities	3 Mainly cultural values, including conservation
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<p>Category A Trees of high quality with an estimated remaining life expectancy of at least 40 years</p>	<p>Trees that are particularly good examples of their species, especially if rare or unusual; or those that are essential components of groups or formal or semi-formal arboricultural features (e.g. the dominant and/or principal trees within an avenue)</p>	<p>Trees, groups or woodlands of particular visual importance as arboricultural and/or landscape features</p>	<p>Trees, groups or woodlands of significant conservation, historical, commemorative or other value (e.g. veteran trees or wood-pasture)</p>	A
<p>Category B Trees of moderate quality with an estimated remaining life expectancy of at least 20 years</p>	<p>Trees that might be included in category A, but are downgraded because of impaired condition (e.g. presence of significant though remediable defects, including unsympathetic past management and storm damage), such that they are unlikely to be suitable for retention for beyond 40 years; or trees lacking the special quality necessary to merit the category A designation</p>	<p>Trees present in numbers, usually growing as groups or woodlands, such that they attract a higher collective rating than they might as individuals; or trees occurring as collectives but situated so as to make little visual contribution to the wider locality</p>	<p>Trees with material conservation or other cultural value</p>	B
<p>Category C Trees of low quality with an estimated remaining life expectancy of at</p>	<p>Unremarkable trees of very limited merit or such impaired condition that they</p>	<p>Trees present in groups or woodlands, but without this conferring on them significantly greater collective landscape value;</p>	<p>Trees with no material conservation or</p>	C

Appendix D - Legislation and Policy

D1 - Duty of the Local Planning Authority

The Town and Country Planning Act 1990 places a duty on the Local Planning Authority to make provision for the preservation of trees where it is expedient in the interest of amenity:

*'197 It shall be the duty of the local planning authority—
(a) to ensure, whenever it is appropriate, that in granting planning permission for any development adequate provision is made, by the imposition of conditions, for the preservation or planting of trees; and (b) to make such orders under section 198 as appear to the authority to be necessary in connection with the grant of such permission, whether for giving effect to such conditions or otherwise.'*

As a duty is conferred, this makes trees a material consideration within the planning system.

D2 Power to Make Preservation Orders

The main control for the LPA is the power to make Tree Preservation Orders (TPO's).

Where trees are protected by a TPO it is vital that that permission is sought before impacting the tree in any way. Consequently, a summary of TPO legislation is provided.

A Tree Preservation Order is a legal designation placed on a tree or trees so

'no person shall—

(a) cut down;

(b) top;

(c) lop;

(d) uproot;

(e) wilfully damage; or

(f) wilfully destroy, any tree to which an order relates'

This will include damage to roots and changes in soil conditions that may damage the roots and the health of the tree.

Where a TPO is breached, the person undertaking the works and the person who permitted the works, commonly the tree owner, are liable for prosecution and, in more serious cases, an unlimited fine. When taking the amount of fine into account the court may

consider any financial gain accrued from the trees' loss.

Certain exceptions apply where permission may not be required, but a tree owner is advised to always check with the LPA that their proposed works are exempt, or make a full application.

Works can be undertaken to the tree with the permission of the LPA. Permission is applied for through the planning portal or direct LPA communication i.e., mail or email. Among other details, the application must contain:

'(i) a plan which identifies the tree or trees to which the application relates;

(ii) such information as is necessary to specify the work for which consent is sought;

(iii) a statement of the applicant's reasons for making the application; and

(iv) appropriate evidence describing any structural damage to property or in relation to tree health or safety, as applicable.'

The LPA are required to consult with stakeholders and advertise the application. They must return a decision within 8 weeks unless an extension by the applicant is granted. If no decision is made, then it does not mean permission is granted. In such cases an appeal may be lodged for non-determination, however, this removes the decision from the LPA.

Where approval for removal of the tree is granted, a condition is often required to replace the tree. This will usually be required to be of a similar species or size and in the same location, unless otherwise agreed with the LPA.

Where tree works are required to complete construction under a planning application, and exemption may apply for the need to apply for trees works and approval may be tacit within the granting of planning permission. However, this must not be assumed and clear authorisation as part of planning approval must be sought.

D3 Conservation Area

Trees in a conservation area that are not protected by a Tree Preservation Order are protected by the provisions in section 211 of the Town and Country Planning Act 1990. These provisions require tree owners and their agents to notify the local planning authority, using a 'section 211 notice', 6 weeks before carrying out certain work on such trees, unless an exception applies. This notice period gives the authority an opportunity to consider whether to make a TPO on the tree.

The work may go ahead before the end of the 6-week period if the local planning authority gives consent or makes clear intention they will not make a TPO on the application tree(s).

Where a single stemmed tree in a conservation area is not greater than 75mm in diameter at 1.5m from ground level it is exempt from the legislation. This exemption does not apply for trees with multiple stems.

Where works are undertaken in contravention of s211, i.e., without approval, where no exception applies or before the 6 week exemption has formally lapsed, then the penalties of a TPO contravention are deemed to apply.

The main differing point of conservation area protection and a TPO protection is that works may be undertaken after the LPA does not respond within 6 weeks. Works may be undertaken (at risk) without consent after this time. No such time limitation applies to a TPO consent.

When reviewing the section 211 notice, the LPA must decide either to consent to the works or place a TPO on the tree. The LPA cannot decline works in a conservation area, but they may apply the TPO and then decline the works under the new TPO. Once a TPO is made then this legislation supersedes the conservation area legislation, and the tree is protected under the TPO. In applying for section 211 notice consent, the details to be included are the same as for the TPO.

Tree replacement notices will be served on the tree owner for replacement of each tree removed except where the LPA dispenses with this requirement.

D4 Deciding Planning Applications

There are two main considerations before a planning authority in considering impacts on trees from development. First, the LPA has a duty to make a decision on planning applications in line with national and local policy. Second they must fulfil their duty to 'make provision for the preservation of trees' as described above.

It follows that if a tree is of significant amenity value so that removal or impairment of that tree is not in line with the policy or is considered significant enough for protection under a TPO, then the tree will become a material consideration.

D5 National Planning Policy

The National Planning Policy Framework was updated on 20 July 2021 with significant amendments to tree preservation. The previous revision of February 2019 only specified ancient and veteran trees. This policy is still contained within the current revision para at 174

that revises previous paras 170 and 175:

NPPF 'Conserving and Enhancing the Natural Environment' 174:

Planning policies and decisions should contribute to and enhance the natural and local environment by: (a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan); (b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;(c)...(d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;(e)(f)

Significantly for urban trees the 2021 revision now includes statements on trees at para 131:

131. Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible. Applicants and local planning authorities should work with highways officers and tree officers to ensure that the right trees are planted in the right places, and solutions are found that are compatible with highways standards and the needs of different users.