**Edith Weston Parish Council**

**Tree Consultation Policy**

**Purpose of policy**

# The Parish Council is committed to conserving and protecting its trees and hedgerows. Trees provide valuable habitats for many species, mitigate climate change, and contribute to the visual character and amenity of the Parish.

# The preservation of trees is recognised as an important consideration in the National Planning Policy Framework (NPPF) which specifically identifies the maintenance and retention of trees as a material objective for the planning process. The current and proposed draft Local Plans for Rutland also set out policies to ensure that the quality and diversity of the natural environment will be conserved and enhanced to safeguard the character of the local landscape.

# This is a policy guiding the Parish Council’s response to tree-related consultations and enquiries by members of the public. This includes (but is not limited to):

* Considering Section 211 Notices of the intention to carry out works to a tree in a Conservation Area
* Considering an Application for work under a Tree Preservation Order (TPO) and/or related enquiries
* Considering planning applications which implicate trees
* Providing an opinion on other proposals and suggestions which implicate trees

# The Parish Council undertakes to provide a fair and balanced response to consultations, following the principles set out in this policy within framework of the relevant statutory legislation.

**Conservation Area**

# In the Edith Weston Conservation Area, all trees with a stem diameter of 75mm (measured at 1.5m above ground) are protected by legislation whereby Rutland County Council must be provided with advance notice of the intention to carry out tree works so that it can consider the notice and have the opportunity to make a Tree Preservation Order if appropriate.

# Edith Weston Parish Council understands that a Conservation Area Section 211 Notice is not an Application.

# A method of preliminary amenity assessment will be adopted to help assess whether a tree (or trees) are suitable for consideration of inclusion in a TPO. A simple method focused mainly on an amenity assessment can be found at Appendix A.

# Where works are considered to be inappropriate, or tree loss is unacceptable; Edith Weston Parish Council will make a representation to Rutland County Council to indicate its findings and express a preference that a TPO is Made. A suitable form for Parish Council Representation can be found at Appendix B.

**Tree Preservation Orders**

# Tree Preservation Orders (TPOs) should be used to protect trees and woodlands if there might be a risk that they are felled, pruned or damaged and where that would have a significant negative impact on local amenity.

# A tree that could be at risk as a result of anticipated development may benefit from additional protection under a TPO; however, trees that could be considered to be already under good arboricultural management (eg. street trees under the responsibility of the local authority) do not need any additional protection.

# A TPO can be used to protect individual trees (including trees in a hedge), trees within an area, groups of trees or whole woodlands. Protected trees can be of [any size or species](https://www.gov.uk/guidance/tree-preservation-orders-and-trees-in-conservation-areas#any-size-or-species).

# The Edith Weston Parish area contains very few Tree Preservation Orders. As such, tree protection relies predominantly on the Conservation Area legislation to provide a mechanism for protecting trees.

# Amenity is judged based on the ability to see the tree from a public place (eg a road or footpath or other public area), and an assessment of the individual importance of the tree. Importance can be based upon attributes, distinctiveness, status as a landmark, contribution to the landscape (now or in the future), historic value or contribution to the character of a Conservation Area. There might also be consideration of importance to nature conservation or climate change mitigation, though this would not be enough on its own to merit making an Order.

**Planning**

# Edith Weston Parish Council is generally consulted by Rutland County Council for comments on Planning Applications in the area.

# Edith Weston Parish Council will ensure that the appropriate supporting evidence and assessment has been provided with a Planning Application.

# In accordance with British Standard 5837:2012 ‘Trees in relation to design, demolition and construction – Recommendations’, trees within application sites and any trees on adjoining land within a distance equivalent to 12x main stem diameter, are considered to be affected by a proposal. Edith Weston Parish Council will require all Applications sites affected by trees to be supported by an Arboricultural Implications Assessment carried out in accordance with BS5837.

**Tree Warden Scheme**

# The Parish Council will seek to set up and maintain a Tree Warden Scheme.

# Basic training will be provided to volunteers.

**General Enquiries**

# The Parish Council cannot provide specific advice.

# The Parish Council will direct enquiries to Rutland County Council in the first instance.

**Appendices**

**Appendix A**

Method of assessment of a tree or trees’ suitability for inclusion in a Tree Preservation Order

1. The subject tree or trees will be viewed from a public place. A public place is a road or footpath near the subject site.

* If the whole tree can be seen from a public place, it is considered to have ‘high’ public visual amenity and may be worthy of a TPO
* If the tree can only be partially seen or is a skyline feature that offers only glimpsed views than it is considered to have ‘low’ public visual amenity but may still be considered suitable for inclusion in a TPO
* If a tree cannot be seen from a public place, it is not suitable for inclusion in a TPO

1. If the tree or trees have public visual amenity, an assessment of other factors that would affect whether they are suitable for inclusion in a TPO should be made by an appropriately-qualified practitioner. This will typically be the Rutland County Council Tree Officer.
2. Where the Parish Council believes a tree may be worthy of a Tree Preservation Order, it will ask the Tree Officer to carry out a TPO assessment.

**Appendix B**

Suggested format of note to Rutland County Council in response to a Section 211 Notice.

Conservation Area Notice Reference

Site Address:

Brief Description of proposal

Assessment of Proposal by Edith Weston Parish Council

Either:

This tree/these trees offer high public visual amenity and the proposed works would have a significant detrimental effect on the Edith Weston Conservation Area.

Or:

This tree/these trees have some public visual amenity and the proposed works would have a detrimental effect on the Edith Weston Conservation Area.

Edith Weston Parish Council therefore requests that a Tree Officer (or other appropriate person) carries out a full assessment. Where the tree/s are assessed as worthy of a Tree Preservation Order, the Parish Council expects the Notifying agent to be told a Tree Preservation Order may be made unless the Section 211 Notice is withdrawn.