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## A Tree Strategy for Huntingdonshire | Tree Policies





# Tree Policies

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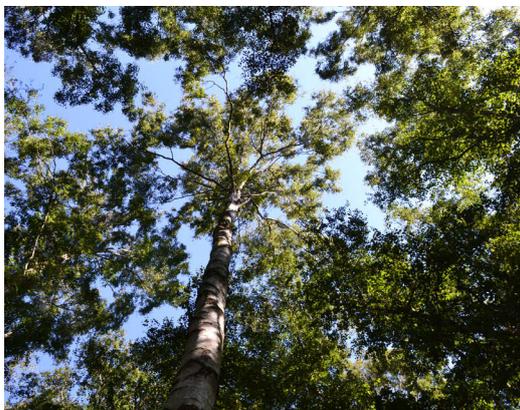
## 2.0 Tree Policies

### 2.1 Policy context

The Tree Strategy for Huntingdonshire has been informed by a comprehensive review of policy at the national, regional and local levels, to ensure consistency between the Tree Strategy and the overarching policy framework. Principal policy issues set at the international scale and reflected in national policy include the protection and enhancement of biodiversity and ecology, landscape and cultural heritage. The relevant and key policies are summarised below.

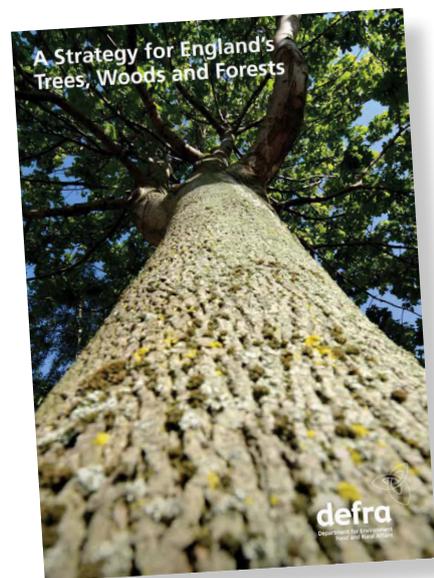
#### *International*

- Sustainable development is the main national policy driver, filtering through from international policy and legislation. International and national bodies have set out broad principles of sustainable development, with Resolution 24/187 of the United Nations General Assembly defining sustainable development as meeting the needs of the present without compromising the ability of future generations to meet their own needs (World Commission on Environment & Development - 1987), ensuring a balance between social, environmental and economic development. Tree benefits encompass these three pillars of sustainable development.



#### *National*

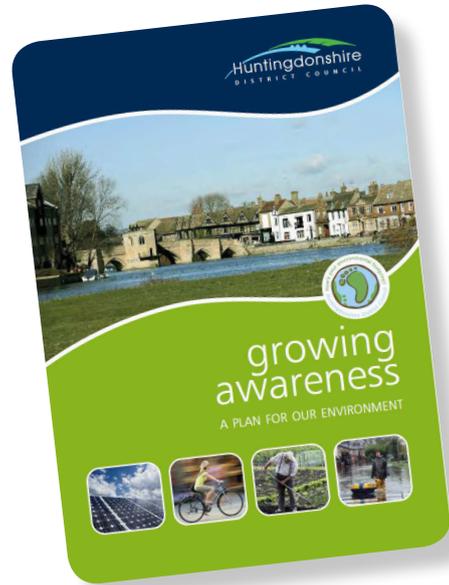
- Trees in Towns II, undertaken for the Department of Communities and Local Government, (2008). This survey of urban trees in England, and their condition and management, promotes investment in the urban forest. It sets a number of targets that local government should achieve including the implementation of a comprehensive Tree Strategy.



- A Strategy for England's Trees, Woods and Forests (Department for Environment, Food and Rural Affairs, 2007) aims to ensure that there is a resource of trees, woods and forests where they can contribute most in terms of environmental, economic and social benefits. It highlights the need for partnership working between all those responsible for trees, to increase their contribution to quality of lives, quality of places, and the sustainable use of resources.
- The National Planning Policy Framework (Department for Communities & Local Government, 2012) sets out policies for England, and has the central theme of achieving sustainable development.

## Regional

- Climate Change & Environment Strategy (Cambridgeshire County Council 2012), (adopted 2008), which tackled the issues of climate change and environmental sustainability in Cambridgeshire. The strategy recognised that in Cambridgeshire the pace of development creates a huge pressure on the environment, and aimed to balance environmental issues, social issues and the economy.
- Cambridgeshire Green Infrastructure Strategy (Cambridgeshire Horizons 2006, reviewed in 2011). The reviewed Strategy was developed by Cambridgeshire Horizons working with all the Cambridgeshire local authorities and statutory and non-statutory nature conservation organisations, and provides a strong evidence base for future policy and funding decisions, such as the Community Infrastructure Levy; ensuring that high quality and sustainable Green Infrastructure is delivered to 2031 and beyond.



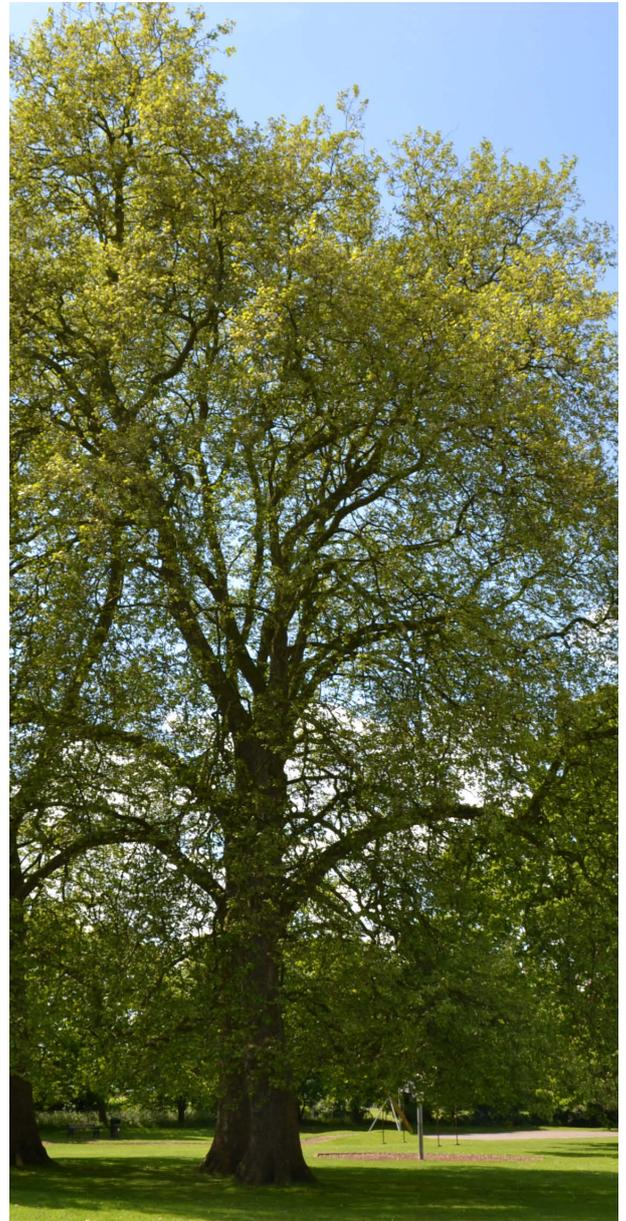
## Local

- Growing our Communities: Huntingdonshire Sustainable Community Strategy 2008 – 2028 (Huntingdonshire District Council, 2008) which informed the subsequent Core Strategy.
- A Plan for the Environment: 'Growing Awareness' (Huntingdonshire District Council, 2008). This five year environment strategy was the starting point for a variety of initiatives aimed at safeguarding Huntingdonshire's unique environment for the future.
- Core Strategy (Huntingdonshire District Council, adopted 2009), which sets out the overall vision and objectives for the District up to 2026. Also relevant are saved policies of the Huntingdonshire Local Plan 1995 and the Huntingdonshire Local Plan Alteration 2002. The Huntingdonshire Tree Strategy contributes to the following objectives for the Core Strategy:



- Huntingdonshire Landscape & Townscape Assessment (Huntingdonshire District Council Supplementary Planning Document – adopted 2007). The report provides information on the visual character of Huntingdonshire’s landscape and market towns, to raise the awareness and understanding of the special qualities of the District, and assist HDC in considering future priorities for the conservation, enhancement and regeneration of the area’s countryside, villages and towns.
- Huntingdonshire Design Guide (Huntingdonshire District Council Supplementary Planning Document, adopted 2015), produced to assist in improving the quality of new development in Huntingdonshire. It sets out important design principles and explains key requirements of the District Council.

- To maintain, enhance and conserve Huntingdonshire’s characteristic landscapes, habitats and species and historic environment
- To increase and enhance major strategic green infrastructure while improving the natural habitat and biodiversity
- To ensure that design of new development is of high quality and integrates effectively with its setting and promotes local distinctiveness
- To increase opportunities for pursuing a healthy lifestyle, by maintaining and enhancing recreation opportunities and encouraging walking and cycling



*Platanus x hispanica*

**The main issues arising from the review of the policy context that need to be considered in the Tree Strategy are:**

Ensuring that appropriate tree planting is included in development proposals where possible and avoid loss of trees through development

Significantly increasing tree and woodland cover in the District

Ensuring that the Tree Strategy informs the Local Development

Following the principle of right place, right tree

Considering trees in the District as a single unified resource

Framework and is a material consideration in decision making

Realisation of the social, economic and environmental benefits of trees

Realising the regeneration potential of trees in the public realm

Securing adequate investment in tree management programmes to reduce avoidable future costs

Identifying and protecting ancient woodland and veteran trees



## 2.2 District tree policies

### Tree protection policies

#### **TP1 - The Tree Preservation Order system will be used to ensure that trees of high amenity which are under threat are protected.**

Many important privately owned trees and woodlands are already protected by virtue of being within a Conservation Area or by Tree Preservation Orders. However, there are still trees of high amenity that are not afforded this protection.

Generally, if trees are owned and managed by responsible owners it is not necessary to formally protect them, although trees of high amenity which come under threat should be protected.

Trees under threat may come to the attention of the Council through various avenues such as applications for development, Conservation Area notifications or requests from the public. In each case before making an order the Council will carry out an assessment that considers the justification for making an Order based on government guidance, using TEMPO as detailed in Guidance Note 4.

#### **TP2 - When a Tree Preservation Order is made the owner of the tree has a right to object to the order.**

Objections will be considered by the Arboricultural Officer and where they cannot be resolved at this level they will be referred to the Development Management – Trees Sub-Committee for a final decision.

If the objector is not satisfied with the final decision they may apply to undertake works to the tree(s) which if refused then gives them the right to appeal to the Secretary of State.

#### **TP3 - Felling and pruning of protected trees will only be granted consent where there is adequate justification. Applicants have the right of appeal to the Secretary of State against refusal of consent.**

Applications to undertake work will be considered in relation to the policies outlined in this document and the latest national guidance. Where work applied for is not considered appropriate, the Arboricultural Officer will advise the applicant on the type of tree work that would be acceptable and invite them to submit a revised application. If an application is refused then the applicant will be advised of their right of appeal to the Secretary of State.

Notifications to undertake works to trees in Conservation Areas will also be considered in relation to the policies outlined in this document and national guidance.

Where work applied for is not considered appropriate the Arboricultural Officer will advise the applicant on the type of tree work that would be acceptable and invite them to withdraw the notification and submit a revised one. If agreement cannot be reached consideration will be given to the making of a Tree Preservation Order, in accordance with the Council's procedure for assessing the suitability of a tree for inclusion in a TPO.

**TP4 - When unauthorised works are undertaken to trees protected by a Tree Preservation Order an investigation will be carried out and enforcement action will be taken where there is sufficient evidence and justification to do so.**

The Council will investigate all unauthorised works to trees and gather information and evidence in relation to these infringements. An assessment of each case will be made with the advice of the Council's Planning Officers and Solicitor. Appropriate action will be taken where there is justification and sufficient evidence to do so.

Efforts will be made to identify, protect and retain veteran trees within the District because of the cultural, historical and biodiversity value. Veteran and ancient trees are particularly important for biodiversity as they provide a habitat for many species some of which may be protected in their own right such as fungi, lichens and invertebrates and also provide roosting and nesting sites for bats and birds. These trees are also often of cultural and historical significance because of their connections with the past.

**TP 5 - The Council will promote the value and importance of trees, particularly through the use of its parks and countryside, as an educational and recreational resource.**

To broaden the understanding and appreciation of trees as a vital part of our natural life support system; cleaning the air we breathe, moderating climatic extremes and contributing to the health and well-being of the community.

**TP 6 - The Council will not grant planning permission for developments which directly or indirectly threaten trees or woodlands of significant amenity or developments which have inadequate or inappropriate landscape proposals, unless there is adequate justification to do so.**

To ensure that the tree and woodland stock of Huntingdonshire is protected and the health and longevity of that cover is secured, reflecting the aim that trees will become a key defining feature of the District for both current and future generations

**TP 7 - The Council will impose planning conditions to ensure adequate provision is made for the protection or planting of trees, and to make Tree Preservation Orders (TPOs) as necessary.**

When assessing planning applications there are many factors which have to be considered and decisions are guided by local and national policy, current legislation and government advice and recommendations. More information of the particular policies that apply how trees on development sites should be considered is given in Guidance Note 3 - Guidance for Trees and Development.



## Tree care policies

### **TP 8 - HDC owned trees will not be felled or pruned unless there is adequate justification.**

The Council may carry out works to trees for safety reasons to reduce risk and liability, and to allow the reasonable enjoyment of public and private property. We may also prune trees to improve the structure and help the future health of the tree. Felling and removal of trees will only be considered where pruning does not offer a reasonable solution. Where risk is an issue a risk assessment of the tree will be undertaken.

Tree work may be required for the benefit of a group of trees for example it may be necessary to remove diseased trees or to thin out a group of closely planted trees to benefit the strongest individuals. More detailed guidance on making decisions in relation to tree work is given in Guidance Note 2 - Guidance for Tree Management.

### **TP9 - Requests for tree work to Council trees will be considered in accordance with Guidance Note 2 - Guidance for Tree Management.**

This guidance note provides a transparent process by which requests for tree work will be considered. It helps officers deal with the most common requests received for work to trees in a constant and professional way. More unusual requests will be considered on their merits in line with policies and guidance outlined in this strategy.

### **TP10 - All requests for works to trees will be assessed by the Council's Arboricultural Team.**

All work to be carried out to Council trees will be undertaken in consultation with the Arboricultural Team Leader, to ensure appropriate works are being recommended, and that all works are completed to a high professional standard in accordance with the policies and guidance provided by this document.

### **TP11 - All tree work undertaken by or on behalf of the Council shall be carried out in strict accordance with Guidance Note 1, Guidance for works to trees.**

Wherever possible the arisings of tree work will be recycled.

## **TP12 - A computerised record and risk management system will be developed for all Council owned trees.**

Some initial work was carried out to survey and record trees on Council owned land in 2002. There were problems with the first tree survey, and some of the data has since been corrupted and lost when it was being transferred to the 'Uniform' database, which is not an appropriate integrated tree management system. While the initial survey was not perfect it did identify that there were thousands of trees that were not being looked after, and this helped with the setting up of the Council's Arboricultural team. This initial work needs to be built on, and all trees on HDC land need to be identified and a programme of surveying introduced.

The aim is to develop a computerised record of Council owned trees and a prioritised regime of re-inspection based on the level of risk. Resources will need to be identified to develop this system to cover all Council owned trees.

Guidance Note 6 sets out how the Council will approach the management of risk associated with the tree population and how this will be developed in the future.

## **TP13 – The Council will work with the County Council and Town and Parish Councils to encourage an extensive risk assessment and active tree management.**

Many significant trees within Huntingdonshire, along roads, within school grounds and in towns and villages are the responsibility of Cambridgeshire County Council and Town and Parish Councils. However, an extensive risk assessment of all trees on their land has not been undertaken and pro-active tree management does not take place.

## **TP14 - Owners of trees that pose an identified and significant risk to neighbouring properties or Council land will be asked to undertake remedial works. If no action is taken the Council will use its powers where justified to ensure remedial work is undertaken and the owner recharged the cost.**

To ensure that the public is not put at risk the Council will use its powers where justified under the Local Authority (Miscellaneous Provisions) Act 1976 to enforce the owners of imminently dangerous trees take action to remove the hazard. See Guidance Note 5 - Miscellaneous Provisions Practice Note.

If it is not possible to identify the owner of the trees the Council will do the work necessary and the cost of the works will be placed as a land charge on the property so in the event of the land being sold the costs can be recovered. The assessment of risk will be based on the principles of risk assessment as outlined in Guidance Note 4 - Tree Risk Management.



**TP15 - The Council will promote the care of trees through the provision of information and advice particularly for the owners of protected trees.**

General advice and information will be made available to the owners of trees which promote good practice tree care in particular through the use of Guidance Note 1 - Guidance for works to trees, and Guidance Note 2 - Guidance for Tree Management.

The Arboricultural Officer will assist the owners of protected trees in making applications to undertake appropriate tree work.

**TP16 – Trees to be retained on development sites must be appropriately protected during construction works.**

Where it is required as part of the planning permission that trees on development sites are to be retained they will be protected in accordance with the recommendations of BS5837:2012 and Guidance Note 3 - Guidance for Trees and Development.

Where trees are retained on a development site, they can easily and quickly be severely damaged. This damage can be avoided by the use of tree protective fencing and prohibiting any construction works within these areas. Such provisions can be made a condition of planning approvals granted. Detailed guidance on this is given in the British Standard 5837:2012 - Trees in Relation to Construction and the specific guidance given in Guidance Note 3 - Guidance for Trees and Development.

**TP17 – The Council will inform the public in advance of undertaking major tree works.**

Because the Council maintains hundreds of trees each year, it is not practical to consult with the public on all works undertaken. Pruning works if undertaken in accordance with the policy and the good practice guidance for tree works and tree management (Guidance Notes 2 and 3) are unlikely to cause public concern. Felling of trees, however, can be contentious. Where the felling involves prominent mature trees and the timescales involved allow, efforts will be made to inform the public of the proposed works and the reasons why it is necessary. Occasionally it will be necessary to fell dangerous trees on safety grounds alone, where consultation is not possible.

Where the removal of prominent mature trees on Council land is being considered for reasons other than safety the consultation procedure as outlined in Guidance Note 2 - Guidance for Tree Management will be followed.

For trees which are to be felled or pruned as part of the planning process i.e. trees protected by Tree Preservation Orders, in Conservation Area or on development sites there are already statutory consultation processes in place.

## Tree planting policies

### **TP18 For every tree felled on Huntingdonshire District Council land at least one replacement tree will be planted.**

Where it is practicable a new tree will be planted for every one felled. In some cases it may not be appropriate to replant in the same area as the tree felled. Where this is the case planting will take place elsewhere. Where trees in a woodland are removed and there is suitable natural regeneration, this regeneration will be managed in an appropriate manner to ensure that it adequately replaces felled trees, rather than introducing new trees.

Therefore successfully managed regeneration will contribute to tree replacement targets. There are a number of initiatives as outlined in the Action Plan which are specifically intended to increase tree planting within Huntingdonshire and it is anticipated that replacement planting will be greater than like for like.

### **TP19 Where trees are felled on private land the Council will encourage planting of replacement trees wherever possible.**

Where trees are on land owned by a third party such as Cambridgeshire County Council, Luminus Group, or the many town and parish councils, it may not be possible to enforce replacement planting unless the trees have the protection of a TPO, lie within a Conservation Area, or where a felling licence is required. However, all of these land owners will be encouraged to adopt a policy of replacement planting. Where such trees are within a CA or subject to a TPO or planning condition the Council can require replanting for the felled trees. Similarly, trees felled with a felling licence may be replaced under the control of the Forestry Commission.

### **TP20 Selection of tree species for new planting to be appropriate to the local site characteristics.**

When new tree planting is undertaken, species will be selected that are appropriate to the planting site - based on the ultimate tree height and spread; growth habits; nutritional requirements; the local landscape, and future management requirements.

When trees are planted in rural areas, a presumption will be made to favour native species appropriate to the area, with direction taken from the Cambridgeshire Landscape Guidelines. (However, advice on planting of ash trees, see guidance note 8 Information for the General Public from the East Anglian Tree and Landscape Officers Group, ash dieback (*Chalara fraxinea*.) Where possible the trees will be sourced from stock of local provenance. Non-native species are more likely to be planted in more formal and urban areas to add variety and interest. Tree planting in the parks will reflect the historical landscape of the park itself.



## Tree planting policies

### **TP21 Trees will be planted and established in accordance with current best practice.**

It is important that when trees are planted this is undertaken with care to ensure that they stand the best chance of survival. Different planting techniques will be required dependent on the type and size of tree being planted. Tree planting will follow best practice guidance BS 8545 Young Trees: From Nursery to Independence in the Landscape.

### **TP22 The Council will promote tree planting by private landowners.**

The majority of trees in the District are on land in private ownership and it is important that if the urban tree population is to be sustained that appropriate tree planting is undertaken on this land. The Council can play a role in encouraging tree planting on private land by the provision of advice and directing individuals towards the various grants available for tree planting as well as other initiatives such as the Parish Planting free tree scheme run by Huntingdonshire District Council.

The Council will promote the benefits of trees and continue to support and encourage the planting of trees on private land through the very successful Parish Planting scheme.

### **TP23 The Council will use its powers to require appropriate replacement tree planting when protected trees are felled or when trees are removed to allow development.**

The Council can require that replacement trees are planted when trees protected by Tree Preservation Orders are felled. Replacement tree planting in Conservation Areas can only be required in some instances and when this is the case appropriate replacement planting will be required. Where trees are felled to allow a development landscape planting including tree planting will be made a condition of planning approval where it is considered appropriate.

There is a widespread lack of knowledge in the current landscape industry of the basic requirements for successful establishment of new trees on development sites.



