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Supplementary Planning Guidance Note

Trees & Landscaping



Strategic Planning and Housing

DATE: ~~March~~ July 2016

DRAFT Supplementary Planning Guidance Note: Trees and Landscaping (March July 2016)

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This document is also available in Welsh

1. Introduction

- 1.1 This note is one of a series of Supplementary Planning Guidance notes (SPGs), amplifying the development plan policies and other issues in a clear and concise format with the aim of improving the design and quality of new development. The notes are intended to offer broad guidance which will assist members of the public and officers in discussions prior to the submission of planning applications and assist officers in handling and members in determining planning applications.

2. Status and Stages in preparation

- 2.1 The Council's SPGs are not part of the adopted development plan. The Welsh Government has confirmed that following public consultation and subsequent Local Planning Authority (LPA) approval, SPG can be treated as a material planning consideration when LPAs, Planning Inspectors and the Welsh Government determine planning applications and appeals. This SPG document was approved for consultation formally adopted by Denbighshire County Council's Planning Committee on 16th March 2016. 27th July 2016.
- 2.2 This document has been prepared in accordance with planning policy contained in Planning Policy Wales (Edition 8), Local Development Plans Wales (2015); and Welsh Government Technical Advice Notes.

3. Background

- 3.1 Trees and hedgerows form an important part of our environment and in the delivery of sustainable development, the retention and the planting of new trees and hedges is crucial.

Trees contribute considerably to the amenity of the landscape and streetscene, add maturity to new developments, make places more attractive, and help soften the built environment by enhancing pleasant views, by breaking up view lines and by screening unattractive buildings and undesirable views. They can mitigate landscape impacts, notably in relation to developments in or within the setting of protected landscapes such as the Clwydian Range and Dee Valley AONB and the Pontcysyllte Aqueduct and Canal World Heritage Site. They contribute to people's quality of life and sense of wellbeing and produce oxygen, store carbon, intercept and absorb rainfall thereby reducing flood risk, absorb pollutants which help in reducing the causes of respiratory illnesses, filter noise, provide shelter and shade and provide habitat for wildlife.

4. Planning Policy and Regulations

- 4.1 Planning Policy Wales makes it clear that *“Trees, woodlands and hedgerows are of great importance, both as wildlife habitats and in terms of their contribution to landscape character and beauty. They also play a role in tackling climate change by trapping carbon and can provide a sustainable energy source. Local planning authorities should seek to protect trees, groups of trees and areas of woodland where they have natural heritage value or contribute to the character or amenity of a particular locality. Ancient and semi-natural woodlands are irreplaceable habitats of high biodiversity value which should be protected from development that would result in significant damage”* (PPW Edition 8, para 5.2.9).



- 4.2 Technical Advice Note (TAN) 10: Tree Preservation Orders 1997 provides more detailed advice to local authorities on the making of TPOs and the mechanism for carrying out works to protected trees.

- 4.3 Policy RD1 of the adopted Denbighshire Local Development Plan (LDP) sets out the requirement that existing landscape features be incorporated into new developments and that suitable landscaping be included in all new developments.

5. **Guidance**

- 5.1 The following principles are relevant:

General

Development which would result in damage and/or inappropriate felling of significant trees (i.e. British Standard (BS) 5837: Category A & B trees) and hedgerows will not normally be permitted. Planning conditions and Tree Preservation Orders will be used to safeguard trees in appropriate cases.

Development proposed near to existing trees, woodlands or hedgerows must be in accordance with the design and protection principles set out in this Local Planning Guidance Note and BS 5837: 2012 "Trees in relation to design, demolition and construction - Recommendations" (or any subsequent revisions). The British Standard provides a flow chart that details the necessary steps to be taken at each stage of the development process. The chart can be found in Appendix 1 of this Guidance Note.

The type and level of arboricultural information to be submitted with your application (✓) and where additional information (*) may be required will depend on the scale and type of development proposed. (This is summarised in the table below).

i) For **householder applications** (e.g. all works to a single dwelling, except house construction) all trees (stems and canopy spreads) and hedges on site or within influencing distance should be accurately plotted on a block plan. Include details of which trees are to be retained, removed and pruned.

ii) For **small scale applications** (e.g. four dwellings or less, floor space of less than

1000 m², or outline applications of less than 0.5 Ha) where trees are on or within influencing distance of the proposed development site, a land survey, a BS 5837 Tree Survey and a Tree Protection Plan will be required. Include details of which trees are to be retained, removed and pruned

iii) For **large scale applications** (e.g. five dwellings or more, floor space greater than 1000 m², or outline applications of more than 0.5 Ha and mineral workings and waste development proposals) where trees are on or within influencing distance of the proposed development site, a land survey, a BS 5837 tree survey, a Tree Protection Plan an Arboricultural Implication Assessment, and an Arboricultural Method Statement should be submitted with your application.

iv) Where significant trees (BS 5837 Category A & B trees) are present on or adjacent to small scale and householder application sites and these could be affected by the proposed development, additional information, such as a BS5837 tree survey and an Arboricultural Implication Assessment, may be required.

v) An arboricultural consultant will be able to advise you further on the above requirements.

5.2

	Householder Applications	Small Scale Applications	Large Scale Applications
Trees & Hedges Plotted on Block Plan	✓	*	*
Land Survey	*	✓	✓
BS 5837 Tree Survey	*	✓	✓
Arboricultural Implication Assessment (AIA)	*	*	✓

Tree Protection Plan (TPP)	*	✓	✓
Arboricultural Method Statement (AMS)	*	*	✓

Table 1: Arboricultural Information Required by Scale of Development

6. Design

6.1

The planting of new trees, including the choice of species, planting locations and future maintenance needs and the integration of good quality existing trees and hedgerows is an integral part of the design process. Plant stock should normally comprise native local species, which should ideally be locally grown to ensure continuity of the local gene pool and reduce plant failures. Development must be planned around significant trees and hedgerows and where appropriate, to increase tree cover with new planting, thereby enhancing local amenity. For example, trees and hedgerows of considerable age, visual amenity, and ecological or historical value are not easily replaced and should be retained and safeguarded.

Where development results in the loss of trees and hedgerows, new planting of at least an equal number or canopy cover to those lost will usually be required to mitigate for the loss.



6.2

Where space permits, the use of large canopy trees will be required in order to provide structure to the development and surrounding landscape and streetscene.

The use of mature planting to provide immediate screening and landscaping should be used whenever possible. On large development sites the use of advance structural planting should be considered to provide appropriate screening.

- 6.3 Development design must ensure that retained and planted trees do not cause unreasonable nuisance or inconvenience. Proposals which would result in trees causing excessive shading or being overly dominant or oppressive, and/ or unduly encroach upon private amenity space or over residential properties, will not normally be permitted. Replacement of any trees to be removed with those of a more appropriate size or species should be incorporated into any landscaping proposals for a site.
- 6.4 New utility services should be located far enough away from existing and proposed trees to prevent damage to the trees from installation and maintenance and to avert possible damage to the apparatus. Where possible, all utility apparatus should be ducted and laid "in corridors". Where underground services must be positioned within tree root protection areas, the installation and maintenance should be undertaken in accordance with industry best practice, National Joint Utilities Group (NJUG) Volume 4 (See Appendix 3). Thrust boring or the use of air spades for the installation of underground services should be considered, as these methods will limit potential damage to roots.

6.5 Tree Protection

- 6.6 The type and level of protection required for retained trees and for areas to be planted will depend upon the scale and type of development. In the vast majority of cases, retained trees should be protected by well braced weld-mesh e.g.Herras or close boarded fencing. Further details can be found in BS5837.



- 6.7 The Construction Exclusion Zone for significant ancient, veteran and/ or historic champion trees (BS 5837 Category A3 trees) should be based on an area with a radius which is 15 times the diameter of the tree's stem (measured at 1.5 metres from ground level) or at a distance of 2 metres beyond the crown spread, whichever is the greater.

6.8 Planting

- 6.9 Appropriate new tree and hedgerow planting, amongst other landscaping proposals, will be required on development sites to enhance amenity and to mitigate for any loss of canopy cover from tree felling. Development should provide for tree planting along principal frontages and access routes. For residential development of ten properties or more, avenue tree planting will usually be required on principal routes within the site and individual street tree planting will be required on other internal roads. Where the loss of trees cannot be adequately mitigated for by new planting within the scheme, the Council will expect developers to provide for adequate new planting off-site, through the use of Section 106 agreements.



- 6.10 The choice of trees to be planted should take into account the layout and design of the site, future use, soil and climatic conditions, local landscape character and contextual surroundings and sufficient space must be planned within the layout to allow trees to reach their mature size.
- 6.11 Planted trees should be of a species that at maturity achieve a size and form compatible with the scale and structure of the development.
- 6.12 Where tree planting is proposed within hard surfaced areas (e.g. parking areas and footpaths) the size of planting pits should be sufficient to provide an adequate volume of soil to support the eventual size of the planted tree(s) (Further advice on tree rooting volumes can be found in the titles marked * in Appendix 3).

7. Processes and Information

7.1 The Survey Stage

For most types of application where trees are present on or adjacent to proposed development sites, both land and tree surveys will be required.

- 7.2 **Land Survey** - recording the locations of all trees (with a stem diameter of 75 mm or more), including their stems and canopy spreads and any significant shrubs and hedges within the site and trees on adjacent land which are within influencing distance of the development site (refer to BS 5837 section 4.1). Where development

does not impinge upon wooded areas, only the edge trees need be recorded. Trees within influencing distance include those at or within a distance equal to 12 times their stem diameter (measured at 1.5 m from ground level), those where the canopies overhang the development site boundary, and/or that cast excessive levels of shade on proposed residential properties and gardens.

7.3 **Tree Survey** - indicating the attributes, quality and value of all trees on site and those within influencing distance e.g. ref. number, species, height, stem diameter, age, condition, estimated lifespan, etc (refer to BS 5837 section 4.4.2.5 & Table 1), those proposed for removal and retention and containing a schedule of recommended works. The tree survey should be undertaken, independently of, and preferably, prior to design proposals being drawn up.

7.4 It will also be necessary to carry out further surveys where features on or adjoining the site are favourable to protected species. Trees can contain roosting and breeding sites for bats, a European protected species, and birds, whilst, hedgerows and lines of trees can provide an important wildlife corridor function. Contact the Council's Ecologist or Natural Resources Wales for advice on this matter.



7.5 Native hedgerows are afforded protection under the Hedgerow Regulations 1997 and should be assessed to determine whether they are 'important' within the meaning of Regulations. Further guidance on this can be found in the DETR published guidance booklet "The Hedgerow Regulations 1997: A guide to the law and good practice".

7.6 **The Design Stage**

- 7.7 Development design should take into account the constraints and opportunities posed by existing quality trees, woodland and hedgerows and provide adequate space for new planting.
- 7.8 Where appropriate the following information will be required in order to assess the impact of the proposed development on trees and hedgerows:
- 7.9 **Arboricultural Implication Assessment (AIA)** comprehensively identifying and evaluating the direct and indirect impacts of development on trees and advising on subsequent mitigation measures (e.g. special engineering and tree protection measures and replanting details where tree loss is unavoidable). The assessment should comprehensively include tree survey schedule data, a tree survey plan, a tree retention/ removal plan, a tree protection plan, and where necessary proposals for replacement planting, shading analysis and an indicative Arboricultural Method Statements.
- 7.10 **Tree Protection Plan (TPP)** - indicates tree protection measures and illustrates:
- i) **Root Protection Area (RPA)** - an area around a tree that is indicative of the **minimum** rooting volume (root spread and soil) which the tree requires to survive and which must be protected during development. This is determined by the diameter of the tree's trunk e.g. for single stemmed trees the diameter (at 1.5 metres from ground level) is multiplied by 12, for category A3 trees the stem diameter is multiplied by 15. For multi-stemmed trees refer to BS 5837:2012 section 4.6.1. a & b. These figures are then converted by an arboriculturist into an area (in m²) around each tree, taking into account any constraints to root growth such as foundations, roads, etc.
 - ii) **Construction Exclusion Zone (CEZ)** - an area around retained trees which must be protected during development, including ground level changes, demolition and construction. This is based on a tree's Root Protection Area (in m²) and canopy spread, with the Construction Exclusion Zone extending to the edge of the tree's canopy or Root Protection Area, depending on whichever is bigger.

For significant ancient, veteran and historic champion trees the Council will expect the Construction Exclusion Zone to be increased in accordance with section 6.7 of this guidance note.



7.11 **The Tree Protection Plan** should also show all trees, hedgerows and large significant shrubs to be retained and removed, the location of protective fencing and ground protection measures, including specifications, and areas for proposed tree planting (see Appendix 2).

8. **The Construction/Aftercare Stage**

8.1 Planning permission may include conditions relating to:

8.2 **Arboricultural Method Statement (AMS)** - specifies working practices relating to any operations in close proximity to retained trees and should include details of tree surgery works, the erection of tree protection measures, works within tree Root Protection Areas and Construction Exclusion Zones, arboricultural supervision, contingency plans, proposed landscaping in proximity to retained trees and contact details.

8.3 **Tree and Hedgerow Works** - in accordance with an approved tree survey works

schedule and carried out in accordance with British Standard Tree Work: 3998: 2010.



- 8.4 **Tree and soft landscaping protection measures** - in accordance with the tree protection plan, measures should be installed before all development works (including demolition, soil stripping and/ or ground re- grading works) commence. The type of tree protection fencing used will depend upon the scale and type of development. Protection measures should be inspected following installation and thereafter on a regular basis until the development is completed satisfactorily.
- 8.5 **Landscape scheme** - clarifies the location, type and standards to which planting works will be undertaken to and should include a planting specification and plan. The planting specification should include plant species, stock type and size, the need for stakes/ underground guying, water/aeration tubes, tree shelters/ rabbit guards/ strimmer guards, tree pit dimensions and preparation and any requirements for fertilisers /soil amelioration.
- 8.6 **Maintenance period** - where development includes tree planting, a maintenance schedule for a minimum period of five years will be required. Maintenance of planted trees, including watering, weed control, checking and adjusting trees ties regularly and

the removal of tree stakes and ties after 2- 3 years will be required to be undertaken to ensure successful establishment.

8.7 **Arboricultural supervision** - regular inspections by an arboriculturist of:

- i) Tree and hedge protection measures (fencing and ground protection).
- ii) Works within tree Root Protection Areas and/or Construction Exclusion Zones.

9. **Statutory Protection**

9.1 Trees on or adjacent to development and allocated sites may be protected by planning conditions, or because they are located within Conservation Areas or because they are subject to Tree Preservation Orders, with all three being administered by the Council. All trees in Conservation Areas with a stem diameter of 75 mm or more (measured at 1.5 metres from ground level) have the same level of protection as a Tree Preservation Order. It is an offence, subject to certain exemptions, to prune or fell a tree protected by a Tree Preservation Order or Conservation Area status without planning permission. Additionally, Natural Resources Wales has a statutory duty to regulate tree felling through the issue of felling licences. Where trees and hedgerows contain protected species (e.g. bats, dormice) tree works require the grant of a licence also from Natural Resources Wales.

9.2 The Council will exercise its enforcement powers where development is not undertaken in accordance with approved plans or where planning conditions are not adhered to. Where breaches of Tree Preservation Orders and/ or Conservation Area tree legislation occurs, the Council will normally instigate prosecution proceedings, when protected trees are damaged or destroyed.

10. **Contacts**

Contacts:

Denbighshire County Council
Development Management Team
Caledfryn
Smithfield Road
Denbigh
LL16 3RJ

Tel.: 01824 706727

Email: planning@denbighshire.gov.uk

Denbighshire County Council
Strategic Planning & Housing
Caledfryn
Smithfield Road
Denbigh
LL16 3RJ

Tel.: 01824 706916

Email: ldp@denbighshire.gov.uk

Arboricultural Association (AA)

The Malthouse,
Stroud Green,
Standish,
Stonehouse,
Gloucestershire.
G40 3DL

Tel: 0 1242 522152

E-mail: admin@trees.org.uk

Web: www.trees.org.uk

Advice on trees and produces an annual directory of AA registered arboriculturists (Tree Consultants) and contractors (Tree Surgeons).

Natural Resources Wales

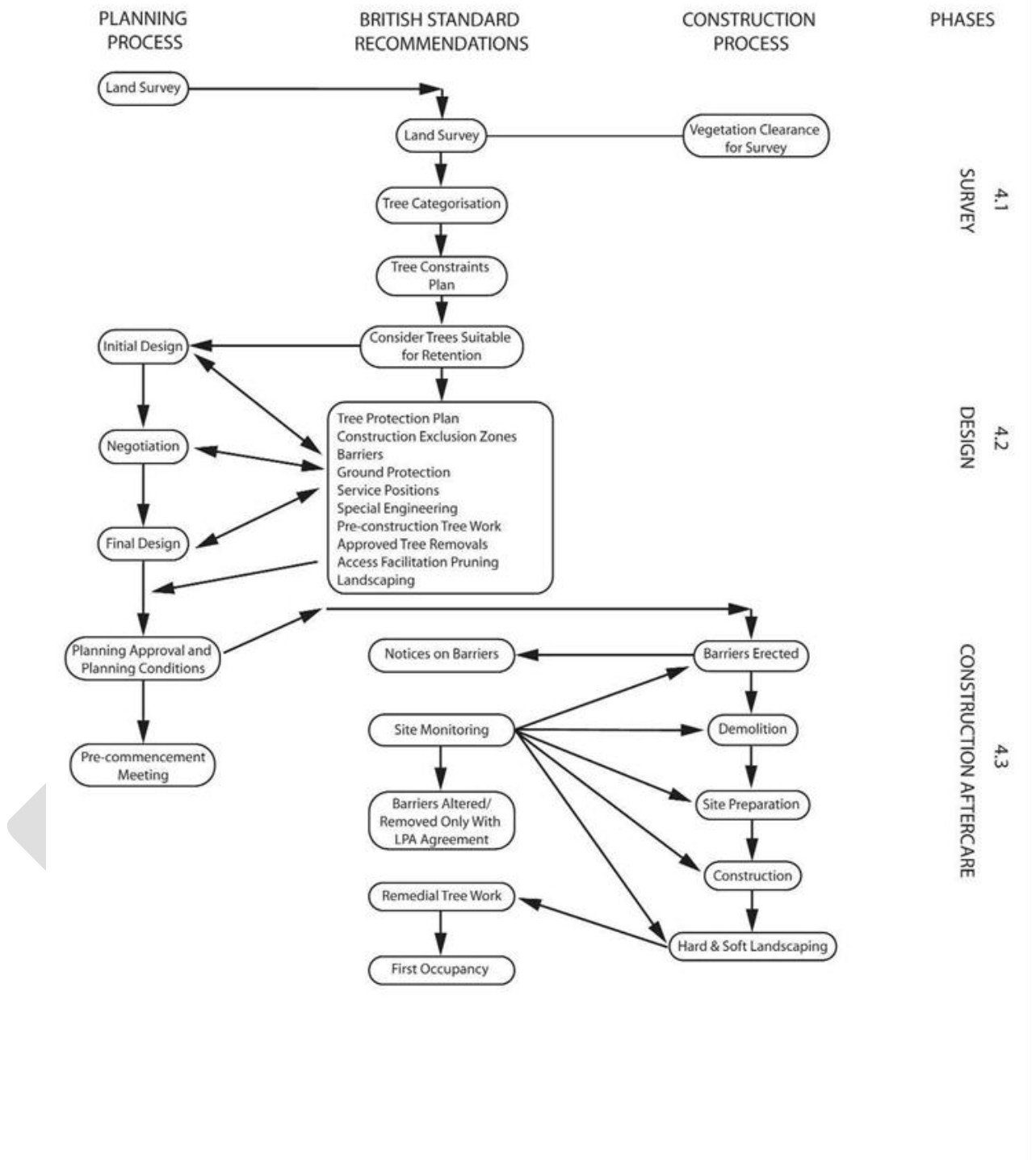
Natural Resources Wales
c/o Customer Care Centre
Ty Cambria
29 Newport Rd
Cardiff
CF24 0TP

Tel: 0300 065 3000

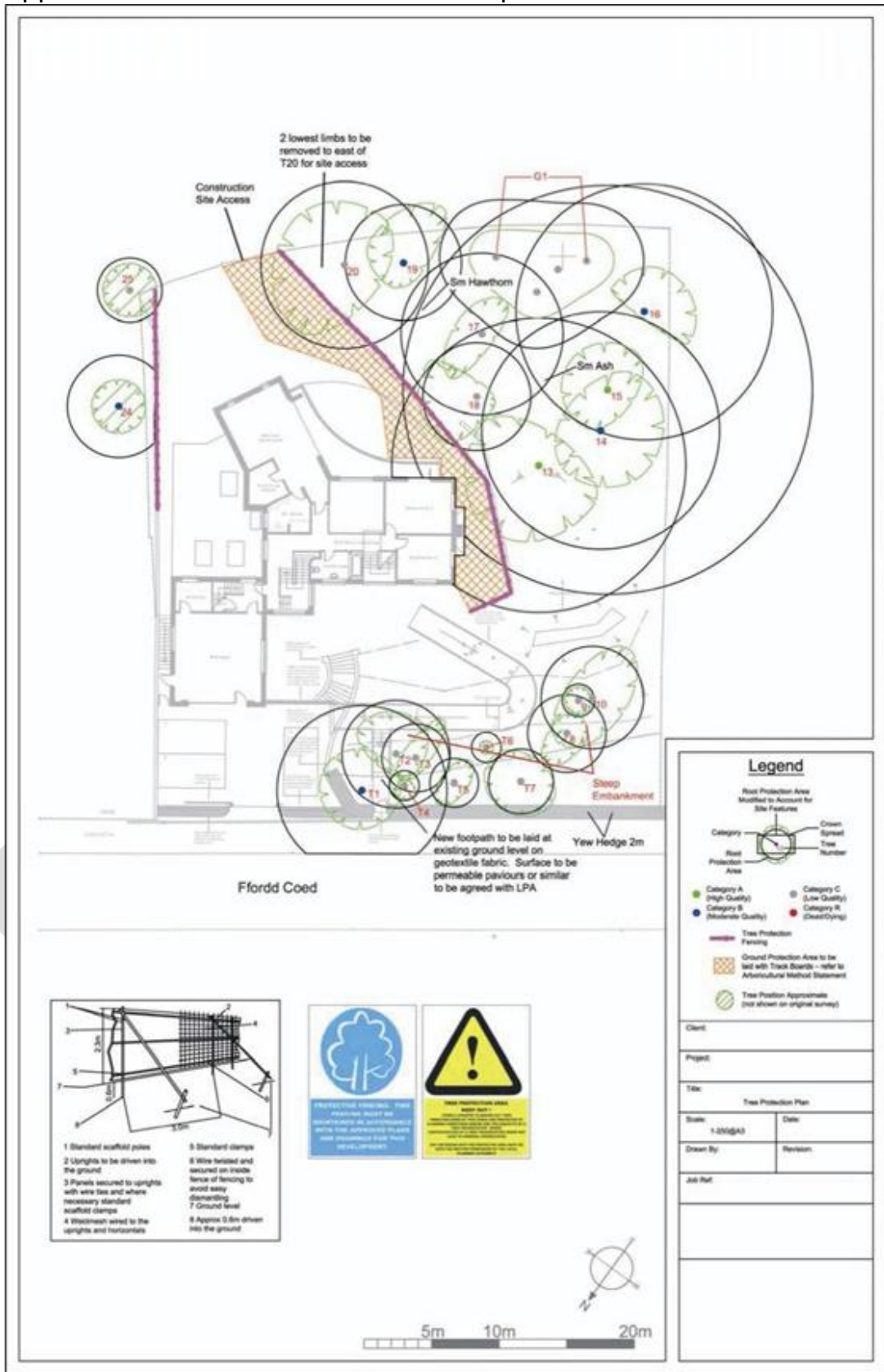
Email:

enquiries@naturalresourceswales.gov.uk

Appendix 1: Planning For Trees on Development Sites - Flow Diagram



Appendix 2 – Tree Protection Plan Example



Consultancy

Appendix 3 – Additional Information

The following British Standards, guidance notes and books offer further guidance on development and trees.

- British Standard 5837: (2012):
Trees in Relation to design, demolition and construction -
Recommendations.
- British Standard 1192: Part 4: (1984): Construction Drawing Practice
- Recommendations for Landscape Drawings.
- British Standard 3882 (2007): Specification for Topsoil and requirements
for use.
- British Standard 3936: (1992): Specification for Nursery Stock.
- British Standard 3998:(2010): Tree Work.- Recommendations
- British Standard 4043:
(1989): Transplanting Root-Balled Trees.
- British Standard 4428:
(1989): Code of Practice for General
Landscape Operations.

British Standards available from www.bsi-global.com

- Building Research Establishment (BRE) - Low-Rise Building
Foundations:
The Influence of Trees on Clay Soils (1999). Available from
www.brebookshop.com
- Ancient Tree Guides No. 3: Trees and Development.
Available from www.woodlandtrust.org.uk
- Department of Environment and
transport (DETR) - Hedgerow Regulations
1997: A Guide to the Law and Good Practice. Available from
www.hedgeline.org.uk
- Department for Communities and Local Government (DCLG) -Tree
Roots in the Built Environment (2006). Available from most book
stores.

- National Joint Utilities Group (NJUG) Volume 4 - Guidelines for the Planning, Installation and Maintenance of Utility Apparatus in Proximity to Trees (2007). Available from www.njug.org.uk
- National House Building Council (NHBC) Standards - Building Near Trees: Chapter 4.2 (Amended 2003). Available from www.nhbc.co.uk or by phoning: 0844 633 1000.
- * Trees in the Urban Landscape - Site Assessment, Design and Installation (Wiley) (2004). Available from most book stores.
- * Up by Roots - Healthy Soils and Trees in the Built Environment (ISA) (2008). Available from www.isaarboriculture.org

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