



Tree strategy

Introduction



November 2016

High Peak Borough Council

working for our community

Tree Strategy

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1. Introduction

1.1 Importance of trees

Trees are 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. They are amongst the most significant features in the landscape and provide a habitat for many other species. For hundreds of years trees have been cultivated not just for timber, food, shelter and medicine but simply for their intrinsic beauty. They are a part of our history and culture and have been worshipped, celebrated and revered in myth and folklore.

The many benefits of trees can be broadly divided into three key areas.

1.1.1 Quality of Life

Trees are important to the quality of life. They provide a sense of place and continuity, also research shows that trees are associated with a sense of well being. Trees in public spaces provide opportunities for outdoor activities whether this is by providing attractive parks and open spaces for walking and sports or by direct public involvement in planting and caring for trees. They also provide a focus for environmental education and awareness raising.

Trees produce the oxygen that we breathe and absorb the green house gas carbon dioxide and store it in their wood. They also improve the air quality by trapping particulates on their leaves and absorbing harmful gases. Woodlands and dense groups of trees can also be effective at reducing noise pollution. Trees also affect the local climate and can shelter properties from wind and sun; research shows that trees can reduce the energy needed to heat or cool properties. In the advent of climate change and the need to become more fuel efficient, trees will have a more important role to play in this area. Trees also reduce flash flooding by intercepting rainfall.

1.1.2 Amenity

Many people appreciate the intrinsic beauty of trees providing ornamentation and variation through the seasons. Trees also screen or soften unsightly views and give an area a sense of local distinctness. Mature trees play an important role in the character of many of the Conservation Areas in the borough and complement the built environment. This has been shown by research that indicates that property values can be greater where houses are set within mature treescapes.

Trees are also important landscape elements in the open countryside of the High Peak. Whilst the moorland may rightly be largely devoid of trees nevertheless occasional groups of trees sheltering buildings form part of the landscape

character of these areas. In lower lying areas trees and woodlands are more widespread and an intrinsic part of the landscape structure in particular they are found on field boundaries, around settlements, along rivers and transport routes.

1.1.3 Biodiversity

Trees and woodlands are an integral part of the ecosystem providing habitats for many species including protected species some of which are completely dependent on them. Trees are used by birds and bats for nesting and roosting and the fruit and seed produced by trees provides a sustainable food source for various animals and birds. Invertebrates, lichens, moss, fungi and also ground fauna such as bluebells and other woodland species are also dependent on trees. Older and veteran trees are particularly important for biodiversity providing unique and increasingly rare habitats for many specialised species. Dead wood is also important for biodiversity it can provide a variety of important habitats either as dead branches and decay within a living tree, as a standing dead tree or on the ground.

1.1.4 Economic

Trees and woodlands can provide an economic benefit. This may be directly through the production and sale of wood products such as structural timber, furniture, paper, wood-based crafts, biomass fuel and firewood. There may also be an indirect or hidden financial value; some of the environmental benefits noted in Section 1.1.1 above may also bring about cost savings by way of energy reduction, flood reduction and pollution mitigation. In addition, tourism or recreational use of woodland sites may give opportunities for income generation.

1.2 **Policy context**

The Department for Communities and Local Government (DCLG) produced Trees in Towns II (February 2008) a report based on a national survey of urban trees and their management, this set a number of targets that Local Government should achieve including the implementation of a comprehensive tree strategy.

This policy is based on the principals of biodiversity and sustainability as set out in the Earth Summit at Rio de Janeiro (1992) as well as other national and regional policies relating to biodiversity and creating sustainable communities.

International

- Earth Summit Rio de Janeiro, 1992

National

- Town and Country Planning Act 1990 •
- Town and Country Planning (Trees) (England) Regulations 2012

- Planning Practice Guidance – Tree Preservation Orders and Trees in Conservation Areas 2014 •
- National Planning Policy Framework 2012 (NPPF) (Chapter 11 - Conserving and enhancing the natural environment) •
- A Strategy for England's Trees, Woods and Forests (2007) (Department for Environment, Food and Rural Affairs) •
- Government Forestry and Woodlands Policy Statement (2013) •
- Trees in Towns II (2008) (Department for Communities and Local Government) •
- Royal Commission on Environmental Pollution – The Urban Environment (2007) •
- Biodiversity: The UK Action Plan (1994) •
- Natural Environment and Rural Communities (NERC) Act 2006 •
- Conservation of Habitats and Species Regulations 2010 •
- The Wildlife and Countryside Act (WCA) 1981 as amended by the Countryside and Rights of Way Act (CROW) 2000

Regional

- A Living Landscape – A Biodiversity Action Plan For The Peak District
- Landscape Character of Derbyshire (Derbyshire County Council, 2003)
- Putting Wildlife Back on the Map - A Biodiversity Strategy for the East Midlands Adopted by East Midlands Biodiversity Forum & East Midlands Regional Assembly (May 2006)

Local

- High Peak Corporate Plan 2015-2019
- SPD5 Landscape Character Supplementary Planning Document 2006
- High Peak Local Plan, 2016
- Chapel-en-le-Frith Parish Neighbourhood Development Plan

This policy also has linkages to other areas of national and regional policy:

- Climate Change – changes to current distribution of flora and fauna;
- Cultural – tree and woodland related heritage issues;
- Energy – renewable energy;
- Environment – environmental benefits of trees and woodlands;
- Protected species – Habitats Directive and biodiversity action plans;
- Health – recreation, quality of life;
- Regional Economic Strategy – regeneration, tourism;
- Green Infrastructure
- Regional Planning – area priorities, woodland creation;
- Social Inclusion – community involvement;
- Sustainable Development – inclusion of trees and woodlands;
- Tourism – historic landscapes, e.g. Pavilion Gardens, The Slopes.
- Transport – trees and woodlands along road corridors.

1.3 Corporate policy linkages

In the context of the High Peak this policy and its supplementary documents will contribute to several priorities for action for each corporate aim as set out in the Council's 5 year plan, in particular:

Aim 4 - To protect and improve the environment

The importance of trees and the environment is set out in sections 1.1.1 to 1.1.3 and it is clear that the good sustainable management of trees will make a contribution towards this overall aim. The central mission statement of this document is to manage trees in such a way that contributes to the quality of the local and global environment.

This policy also contributes towards attaining specific priorities identified in the action plan for example

Quality parks and open spaces and clean streets

Managing trees to a high standard in parks and public open spaces enhances these areas and makes High Peak an attractive place to be. Many of the policies in this document contribute to this aim.

This policy also contributes to Aim 1 "To help create a safer and healthier environment for our residents to live and work". Trees have benefits for health as briefly set out in 1.1.1 and the trees risk management contributes to creating a safer environment for residents.

Aim 3 To support economic development and regeneration Appropriate new tree planting and the sustainable management of existing trees within district contributes to making it an attractive place to live and work

1.4 The Scope of the strategy

The aim of this strategy is to direct the long term management of trees and woodlands in the High Peak which the Council has duties and responsibilities for. These are largely within the built up areas of High Peak which are outside of the Peak District National Park. They include:

- Trees and woodlands on land which the Council owns.
- Trees and woodlands protected by the Town and Country Planning Acts and related legislation. In particular trees protected by High Peak Borough Council Tree Preservation Orders or within Conservation Areas. However

Derbyshire County Council also administers some Tree Preservation Orders within High Peak; these are outside the scope of this strategy.

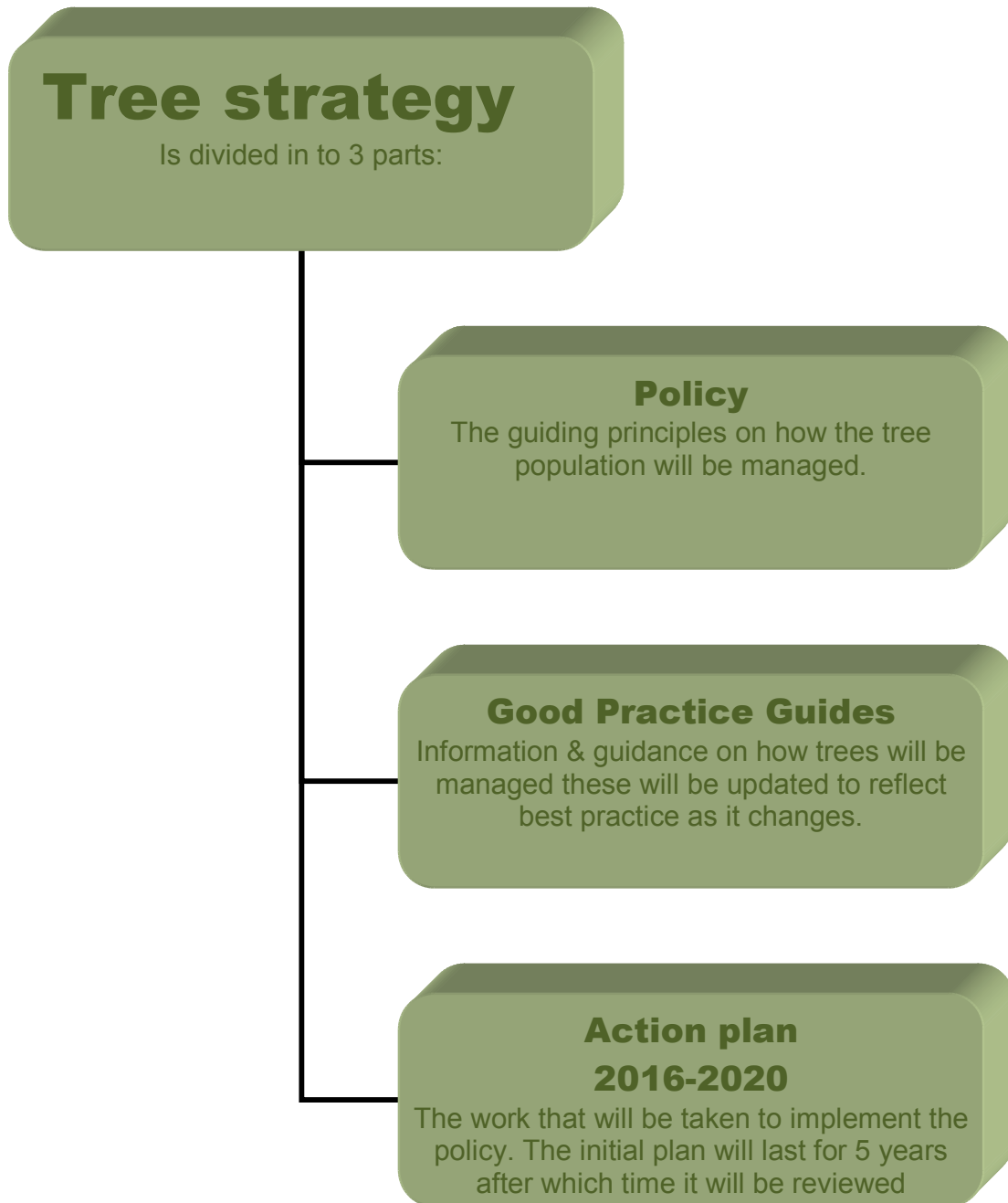
- The Local Government (Miscellaneous Provisions) Act 1976 gives the Council powers in relation to dangerous trees in private ownership. Also the Highways Act, 1980 gives powers to Derbyshire County Council as the highways authority with respect to trees which affect the highway
- High Peak Borough Council also manages Highway trees on behalf of Derbyshire County Council and whilst this strategy cannot directly apply to these trees the principles set out in this policy will guide this management.

Trees in private ownership make up the majority of trees within the borough. The Council can influence the management of some of the trees through its statutory powers, although many are outside the scope of the Council's responsibility. However the Council has a role, along with other agencies, in raising the awareness of the importance of trees and influencing their management by acting as an example of best practice and providing information.

The majority of trees for which the Council has responsibility are trees within built up areas. There are only few woodlands which are the direct responsibility of the Council although there some which are protected by planning legislation. The primary focus of this policy is therefore on trees within built up areas.



1.4 The structure of the strategy





Tree Strategy

Policies



2. The policies

2.1 Mission Statement and Key Aims

Tree Strategy Mission Statement:

To manage trees in High Peak to create a sustainable tree population that contributes to the quality of the local and global environment.

The following are the key principles of the policy which will guide the Council's management of trees using our statutory powers and encouraging and providing advice to others.

Aim 1: To protect the trees that we have, through sustainable management of the tree population.

Unnecessary tree felling and drastic pruning will be resisted and only undertaken when it is justified particularly for reasons of safety, tree health or in accordance with legal obligations and for development which has been agreed through the planning process. Action will also be taken to minimise damage to trees.

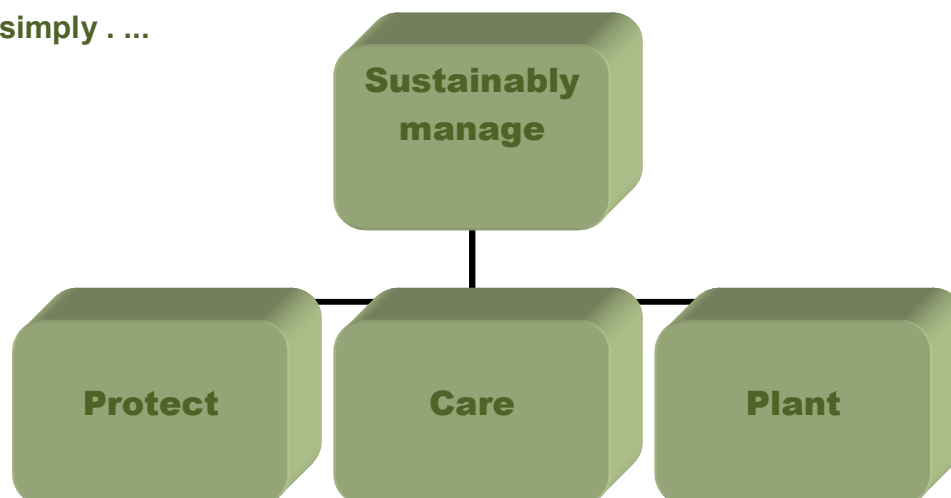
Aim 2: To practice and promote good tree care.

Where it is necessary to undertake tree work the Council will ensure where it is within its powers that the work is undertaken in accordance with current best practice. Tree maintenance will be carried out to promote tree health but also to enhance the environment, landscape and quality of life.

Aim 3: To promote and encourage appropriate tree planting to ensure a healthy balanced tree population.

The Council will seek opportunities and use its powers where appropriate to encourage tree planting in appropriate areas. Where trees are felled on Council owned land replacement planting will take place.

Put simply . . .



2.2. Tree protection policies

2.2.1: 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 either administered by High Peak Borough Council or Derbyshire County Council, 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 very high amenity or those 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 use a system for assessing requests that considers the justification for making an order based on government guidance.

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 Development Control Committee for a final decision. If 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.

2.2.2: 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 GPG 1 and 2. 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 GPG 1 and 2. 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.

2.2.3: 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.

2.2.4: Particular efforts will be made to identify, protect and retain veteran trees within the borough 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. The Council will make particular efforts to ensure that these trees are retained and appropriately managed and work with agencies such as Derbyshire Wildlife Trust and the Woodland Trust to promote the importance of these valuable trees.

2.2.5 The Council will promote the value and importance of trees, particularly through the use of parks as an educational and recreational resource

The aim of the Good Practice Guides which accompany this policy is to provide information and advice on the management and care of trees. These documents not only will act as a basis for the management of trees which the Council is responsible for but will be made publicly available.

The majority of Council owned trees are within the parks and open spaces which the Council manages. These areas provide opportunities for both recreation and environmental education.

2.2.6 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.

The Council has a duty, where appropriate, to 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 and trees on development sites and how trees on development sites should be considered is given in GPG 3.



2.3 Tree care policies

2.3.1: Trees will not be felled or pruned unless there is adequate justification

The Council needs to undertake works to trees as required to reduce risk and liability, also to allow the reasonable enjoyment of public and private property and promote tree health. Felling 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 Tree Management Guidance – GPG 2.

2.3.2: Requests for tree work to Council trees will be considered in accordance with Tree Management Guidance - GPG2.

The aim of this guidance note is to provide a transparent process by which requests for tree work will be considered. It will deal with the most common requests received and more unusual requests will be considered on their merits in line with policies and guidance outlined in this strategy. All requests for tree work will be assessed by the Council's Arboricultural Officer.

2.3.3: Tree work undertaken by the Council will be in line with the guidance in Tree Work Guidance - GPG1.

Work to Council trees will be undertaken to a high professional standard by the Council's approved contractor or trained Council staff. The standard of work is outlined in the current contract document and is in accordance with the various national standards and the best practice guidance given Tree Work Guidance - GPG1.

2.3.4: The council employ a tree risk management system

Good practice guide 4 – Tree Risk Management Strategy has been developed and clear sets out how the council will monitor and manage tree risk in relation to trees which it has responsibility for.

This is done by means of a computerised record of Council owned sites and trees and a prioritised regime of tree works and re-inspection based on the level of risk.

2.3.5: Owners of trees that pose an identified and ‘unacceptable’ 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 to take action to remove the hazard. If it is not possible to identify the owner of the trees we 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 Tree Risk Management – GPG 4.

2.3.6: 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 promotes good practice tree care in particular through the use of Tree work Guidance - GPG1 and Tree management Guidance GPG 2. The Arboricultural Officer will assist the owners of protected trees in making applications to undertake appropriate tree work.

2.3.7: 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) - Trees in relation to design, demolition and construction. Recommendations and and Trees and Development Guidance - GPG3.

Where trees are retained on a development site damage can occur during the development process which is detrimental to the long term health of the retained trees. This damage can be avoided by the use of appropriate protection such as fencing off areas surrounding trees 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 Trees and Development Guidance - GPG 3.

2.3.8: All tree work to Council trees will be undertaken in consultation with the Arboricultural Officer.

This is to ensure that all works are completed to a high professional standard and in accordance with the policies and guidance provided by this document.

2.3.9: Wherever possible the arisings of tree work will be recycled.

The Council will work closely with the approved contractor to ensure that timber, logs and wood chip produced by tree works are recycled. Logs and wood chip provide a valuable dead wood habitat and where it is appropriate on Council owned land this will be left for conservation purposes.

2.3.10 Where proposed work to Council trees deviates from the policies in this document or the guidance outlined in Tree Work Guidance GPG 1 or Tree Management Guidance - GPG 2 the Council will undertake appropriate consultation.

The Council maintains 1000's of trees 100's of which are subject to some tree work each year and it is therefore not practical to consult on all works undertaken. Pruning works if undertaken in accordance with the policy and the good practice guidance for tree works and tree management - GPG1 &2 are unlikely to cause public concern, felling of trees however can be contentious. It will be necessary to fell trees because of safety issues where it is not appropriate to undertake consultation because the work will need to be undertaken promptly and no other reasonable option is available. Nevertheless 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.

Where the removal of prominent mature trees on Council land is being considered for reasons other than safety the consultation procedure as outlined in Tree management Guidance - GPG2 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.

2.4 Tree planting policies

2.4.1: For every tree felled on High Peak Borough Council land at least one will be planted.

Where it is practical a 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, rather than introducing new trees the regeneration will be managed as appropriate to replace any felled trees. Therefore 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 in the borough and it is anticipated that replacement planting will be greater than 1 for 1.

Although the Council will from time to time fell trees on Highway land it will not be possible to apply this policy to these areas because this land is controlled by Derbyshire County Council as the Highway Authority.

2.4.2: Species for planting will be carefully selected and appropriate to their location, giving particular consideration to the landscape character guidance and enhancement of biodiversity.

Trees planted in natural and rural areas will be native species appropriate to the area and follow the guidance given by Supplementary Planning Guidance 5: Landscape Character. Where possible these will be sourced from stock of local provenance. Where appropriate non-native species will be planted in more formal areas to add variety and interest, tree planting in the parks will be guided by the individual tree management plans for each park and reflect the historical landscape of the park.

2.4.3: Trees will be planted and established in accordance with current best practice.

It is important that when trees are planted that 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 following best practice guidance in particular the appropriate British Standards.

2.4.4: The Council will promote the benefits of trees and encourage the planting of trees on private land.

The majority of trees in the borough 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 as the free tree scheme run by Derbyshire County Council.

2.4.5: 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, where it is appropriate and there is adequate space, 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 landscaping including tree planting will be made a condition of planning approval in accordance with High Peak Local Plan Policy EQ 9 Trees, woodland and hedgerows

