

Supplementary Planning Guidance

TREES & DEVELOPMENT



*The Vale of Glamorgan
Adopted Unitary Development Plan
1996 - 2011*





TREES AND DEVELOPMENT



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2. *The Vale of Glamorgan UDP Supplementary Planning Guidance
Trees and Development*



TREES AND DEVELOPMENT

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4.

*The Vale of Glamorgan UDP Supplementary Planning Guidance
Trees and Development*

TREES AND DEVELOPMENT

1. BACKGROUND

1.1. This Supplementary Planning Guidance (SPG) has been prepared in the context of Technical Advice Note (TAN) 10: Tree Preservation Orders (1997) and Planning Policy Wales (2002) as additional information for the Vale of Glamorgan Unitary Development Plan. It addresses trees in relation to development.

1.2. As a result of development proposals trees, either directly or indirectly, may be threatened with damage or removal. Failure to evaluate both the short and long term impact of development on the tree cover on or near a site, could lead to a loss of tree cover, wildlife habitat, local or even national amenity, inevitably leading to a poorer living environment for all.

2. STATUS OF GUIDANCE

2.1. This Guidance was approved for the basis of public consultation and comments were previously invited during the Deposit period of the UDP (April – May 1998). These have subsequently been taken into consideration in this final document which has been updated in light of Planning Policy Wales. This Guidance will be used as a material consideration in determining planning applications and appeals

3. SCOPE OF GUIDANCE

3.1. This guidance note explains the Vale of Glamorgan Council's policy regarding trees and woodlands in relation to construction.

3.2. This guidance note may not apply to some small scale developments and advice on its application is available from the Planning (Development Control) Section, Tel. (01446) 704742.

4. LEGISLATIVE BACKGROUND

4.1 The Town and Country Planning Act 1990 (as amended) makes it a 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.”*
- (b) *“To make such orders (Tree Preservation 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.”*

4.2 National Guidance

4.2.1 National planning guidance is contained within Planning Policy Wales (2002), and accompanying Technical Advice Notes.

4.2.2 Technical Advice Note (Wales) 10 relates to Tree Preservation Orders. The Council are also guided by the Welsh Office Circular 64/78 Trees and Forestry.



4.3. Vale of Glamorgan Unitary Development Plan

4.3.1 The strategic principles contained within the UDP, clearly underline the commitment to protect natural resources, including trees and woodlands, in the Vale of Glamorgan. The principles seek to ensure:

"The continued protection and enhancement of the built and natural environment"

and to

"manage natural resources wisely and avoid irreversible damage wherever possible in order to maintain and enhance their value for future generations".

4.3.2 In this respect policy ENV10 of the UDP seeks to afford additional protection to natural features including trees. Policy ENV10 states:

POLICY ENV 11 - PROTECTION OF LANDSCAPE FEATURES

DEVELOPMENT WILL BE PERMITTED IF IT DOES NOT UNACCEPTABLY AFFECT FEATURES OF IMPORTANCE TO LANDSCAPE OR NATURE CONSERVATION, INCLUDING: TREES, WOODLAND, HEDGEROWS, RIVER CORRIDORS, PONDS, STONE WALLS AND SPECIES RICH GRASSLANDS.

5. SURVEY REQUIREMENTS

5.1. Before submitting a planning application for land adjacent to or on which trees are growing, a comprehensive land and tree survey should be undertaken by suitably qualified professionals.

5.2. For the purposes of this document trees on adjacent sites that should be considered include those whose root or crown spread encroaches into or over the development site.

5.3 Land Surveys

5.3.1 A land survey should include all soft and hard landscape features. Soft landscape features include the more natural aspects e.g. trees, ground cover

etc. whilst hard landscaping tends to include manmade features such as stonewalls and buildings.

5.3.2 A topographical negative should be produced to allow interpretation of requirements for changes in levels in relation to tree cover. On complex or large sites a full hydrological and / or soil survey may be required to fully allow assessment of the impact that changes will have on trees and woodland.

5.4 Tree Surveys

5.4.1 A tree survey should include:

(1) The accurate location to within 1metre of all existing trees on or adjacent to the site. Where woodland is within a site the woodland should be accurately plotted with all boundary trees shown. If development is proposed within the woodland area, it will be necessary to plot all trees. If woodlands are outside the site boundary, then the woodland edge (including crown spread) should be shown. Hedgerows should also be accurately plotted. Certain shrubs may also be of such significant interest as to merit plotting e.g., groups of rhododendron or other evergreen species.

(2) All trees should be individually numbered as specimens or distinct individuals.

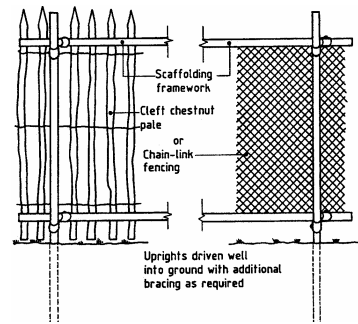
Group numbering may be acceptable where trees are growing together. However, if development is proposed within the crown spread of any individual tree within the group individual numbering will be required. Woodland numbering and the use of designated compartments is also acceptable provided no development is proposed within the woodland. Edge trees may still require individual numbering.

(3) Tree species, approximate age /age range, and condition.

(4) The tree's height, diameter at breast height (DBH) and crown spread. If the crown spread is uneven this should be shown.

(5) General comments on wildlife, special value, rarity, defects, hazard trees, safe useful life expectancy (SULE) if development is permitted, and any other points that will allow a clear indication of a tree's value.

(6) A full specification for tree works including details of any trees to be removed. Where a tree's removal is to facilitate development and for no other reason, the specification should be marked "for development purposes".



Protective fencing on scaffolding framework
BS 5837 : 1991

demonstrated that the likelihood of tree retention will be improved.

6.2.2 Information contained within BS 5837:1991 covers all stages of development from designing site layout to landscaping plans. It should be used as a guide by developers, architects and landscape architects.

6. DEVELOPMENT PROPOSALS

6.1 Arboricultural Implication Study

6.1.1 The land and trees surveys form an Arboricultural Implication Study (AIS), which should then be submitted as part of the planning application. The information should be presented in such a way as to provide a document that can be read in conjunction with site layouts allowing a full assessment of the impact of the development upon existing trees. Details of proposals for tree protection during and after development should also be included.

6.2 BS 5837:1991

6.2.1 The Vale of Glamorgan Council will be particularly guided by the recommendations contained within British Standard 5837:1991 "Guide for Trees in Relation to Construction". The Standard gives essential advice with regard to all of the important issues relating to trees on construction sites such as suitable forms of tree protection and methods for construction within the rootplate of a tree. However, the Council will consider proposals for new methods or materials where it can be

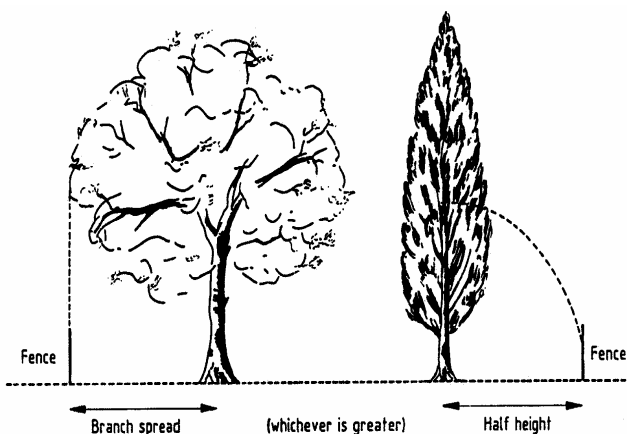
7. DETERMINING PLANNING APPLICATIONS

7.1 In determining planning applications, the Council will consider the effect of development upon trees and the overall landscape as a material consideration, with due regard to the Unitary Development Plan, Government advice and this Supplementary Planning Guidance note. The AIS and other detailed submissions including drainage plans and details of other underground works will be an important aspect in assisting the Council to evaluate the balance between tree/landscape losses and gains thus providing a basis for determining appropriate planning conditions.

8. STATUTORY CONTROLS

8.1 The Council has the power to serve Tree Preservation Orders (TPOs) to maintain the amenity of the local environment. Decisions to serve TPOs will be based upon the site's importance, individual specimen importance, the development proposals and the level of data provided to the Council with regard to development. The Council will utilise TPOs in a flexible manner during all stages of development.

8.2. In the event that a TPO is placed on a site, the Council encourages consultation between the developers and Council Officers. Advice regarding TPOs and trees in Conservation Areas is available from the Planning Department.



Alternative location for protective fencing
BS 5837 : 1991

A leaflet entitled "Guide to Protected Trees" is also available from Council Offices and libraries. This leaflet also outlines the Council's responsibility and the protection afforded to trees in conservation areas.

9. IMPLEMENTATION OF PLANNING PERMISSION

9.1 The flow chart contained in Appendix 1 is reproduced from BS5837:1991 and should prove valuable to developers wishing to include soft landscaping features into their proposals. The chart is complimented by Appendix 2 which expands specific issues to enable developers to fully appreciate the implications of their proposals.

9.2 The Council seeks to encourage developers and others considering construction works to plan beyond gaining planning permission, and consider management and programming aids which ensure trees and other soft landscaping features are safely

and attractively integrated into the construction phase.

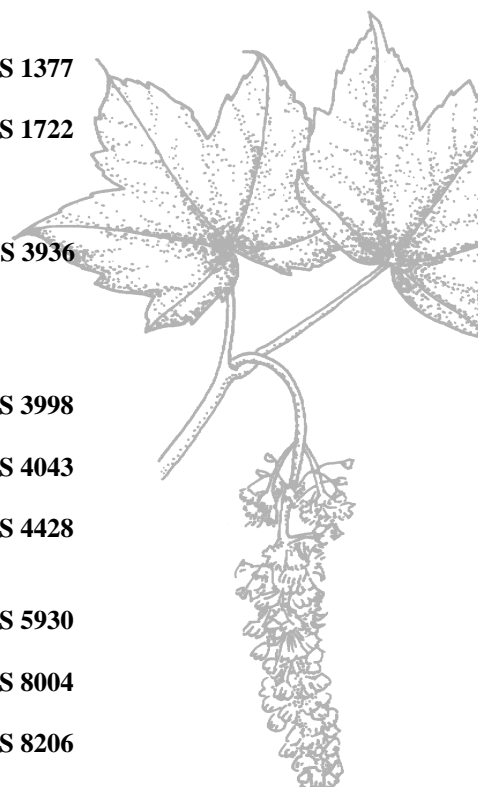
9.3 The Council will also require developers and their advisors who are planning construction projects to obtain the appropriate professional advice. With regard to existing trees, woodlands and other vegetation (including hedgerows), this will extend to supervision of the construction phase by the developer's own arboriculturist. Such professional advice will help to ensure that developers are aware of any other forms of control, such as The Hedgerows Regulations 1997, that may affect their proposals.

9.4 The Council will monitor development sites to ensure that all aspects of tree protection are adhered to throughout development. Failure to comply with conditions requiring tree protection and retention will lead to enforcement action being taken by the Council. This will include the possibility of legal action should this be deemed necessary.

10. BRITISH STANDARDS

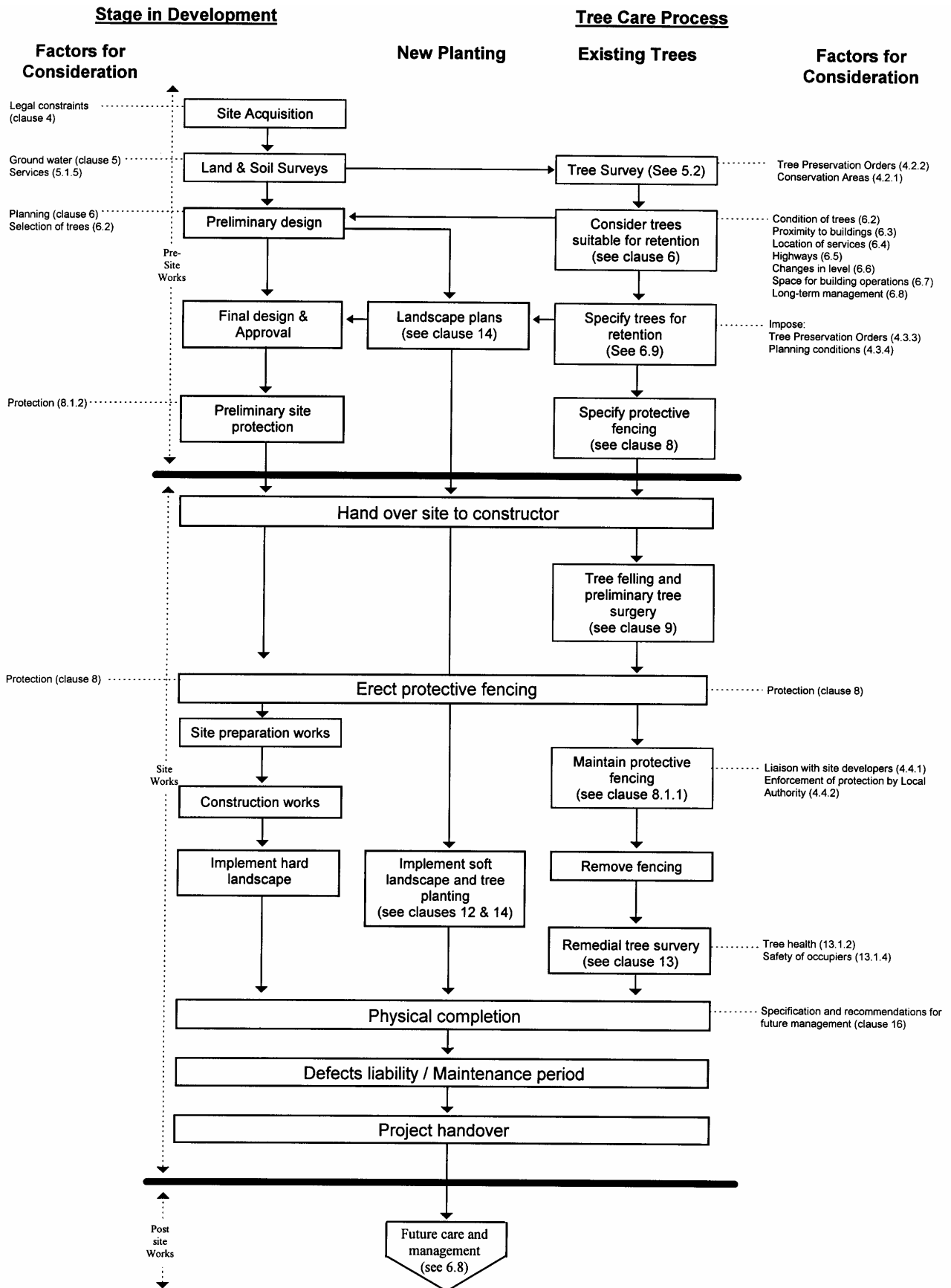
British Standards that apply to vegetation management and development proposals

BS 5837	Guide to Trees in relation to construction (1991)
BS 1192	Construction drawing practice Part 4 Recommendations for landscape drawings
BS 1377	Methods of test for soils for civil engineering purposes
BS 1722	Fences Part 1 Specification for chain fences Part 4 Specification for cleft chestnut pale fences
BS 3936	Nursery Stock Part 1 Specification for trees & shrubs Part 4 Specification for forest trees Part 5 Specification for poplars and willows
BS 3998	Recommendations for tree works (1989)
BS 4043	Recommendations for transplanting root-balled tree (1989)
BS 4428	Code of Practice for general landscape operations (excluding hard surfaces) (1989)
BS 5930	Code of practise for site investigations
BS 8004	Code of practise for foundations
BS 8206	Lighting for Buildings Part II (1992)



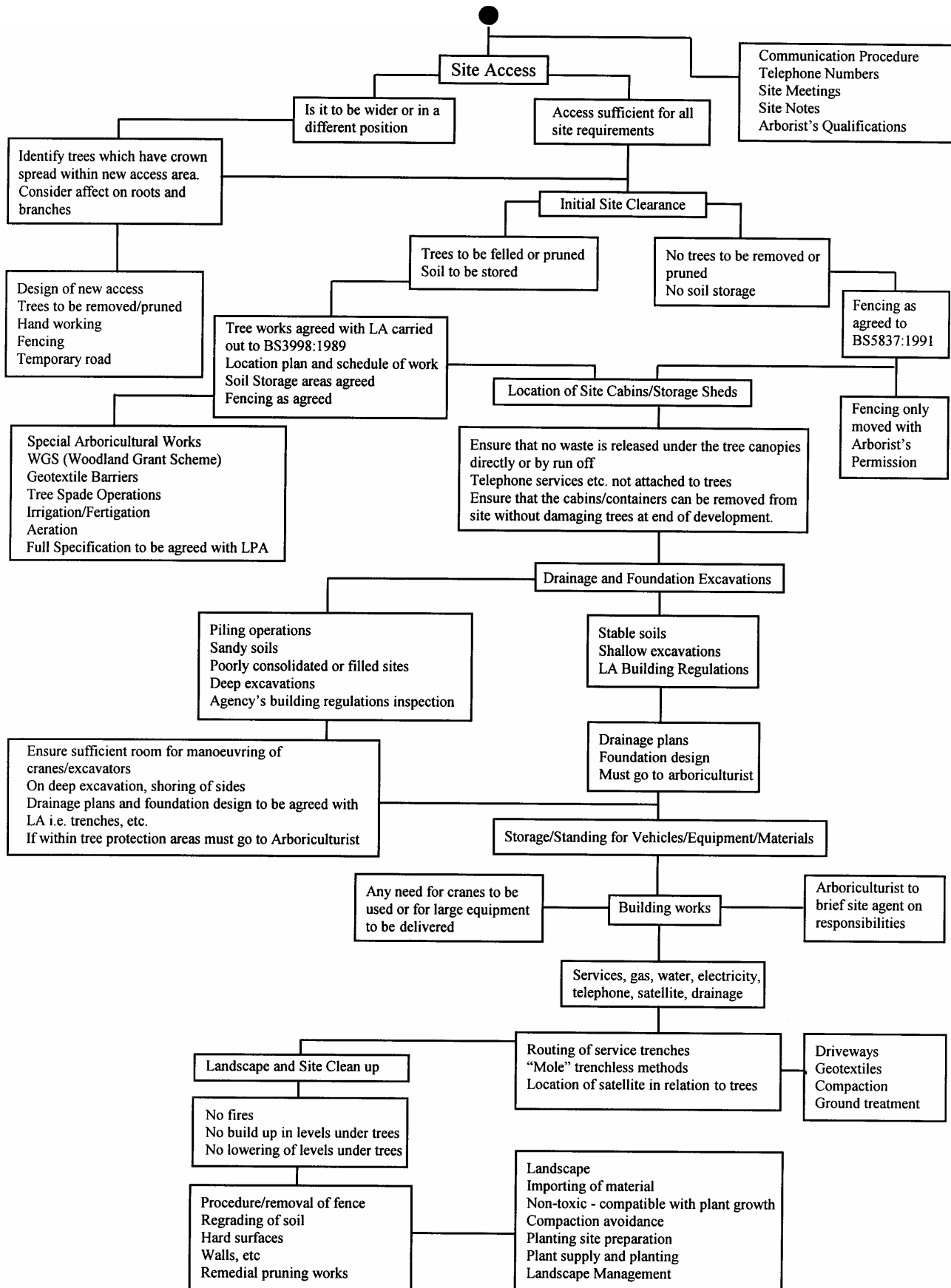
APPENDICES

APPENDIX 1. SUMMARISING PLANNING FOR TREES ON DEVELOPMENT SITES



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APPENDIX 2. SITE ASSESSMENT & METHOD STATEMENT



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