

Tree Protection

Planning Guidance Note

Introduction

Trees make a significant contribution to the attractiveness and enjoyment of residential areas. The value of garden trees extends beyond the boundary fence as neighbours and passers-by benefit from the enhanced amenity provided by well positioned, attractive trees. Cumulatively, garden trees also contribute to the wider setting of settlements, providing an attractive 'leafy' impression in the case of well treed areas. Trees are often planted as living memorials and older trees become local landmarks, often loved by successive generations of residents. Garden trees also reduce noise, filter pollution from the air, add oxygen and sustain a variety of wildlife. Retaining and planting appropriate garden trees, particularly native species, contributes to achieving a more sustainable urban lifestyle as well as cultivating a more tranquil sense of place.

In recognition of the importance of trees, Planning Authorities have both duties and powers to ensure that developers:

- submit a tree survey with an application that proposes the removal of trees;
- include the provision of planting new trees within the proposed development; and,
- protect trees where they have natural heritage value or contribute to the character or amenity of a particular location.
- Avoid illegal impacts on bats and their roosts, and on birds nests

Planning Authorities also have powers to make Tree Preservation Orders.

This Guidance Note aims to advise residents of East Dunbartonshire about the value and management of trees generally and to explain the procedures involved in formal tree preservation matters. Note that guidance in relation to woodland areas is addressed in the Natural Diversity GN.

The Council's Tree Officer and Planning Officers are available at the contact points listed at the end of this Guidance to offer advice on tree related issues.

Format of Guidance

All planning guidance notes are material considerations in the assessment of planning applications and shall be afforded significant weight in the decision making process. Failure to comply with Guidance Notes may be a reason for refusal of consent.

Planning Framework

Scottish Planning Policy (SPP) states that “...*individual trees, especially veteran trees, may also have significant biodiversity value and make a significant contribution to landscape character and quality so should be protected from adverse impacts resulting from development...Tree Preservation Orders can be used to protect individual and groups of trees considered important for amenity or because of their cultural or historic interest*”.

The East Dunbartonshire Local Plan 2 builds upon the commitment set out in Scottish Planning Policy with Local Plan Policy NE6 Protection of Trees.

Trees within a Conservation Area

Trees are often intrinsic to the character of the location. Conservation Area status confers protection on all trees. Any works to trees in Conservation Areas require six weeks written notice to be given to the Council to consider whether the proposals are acceptable or whether trees at risk will require the protection of a Tree Preservation Order.

Trees out with a Conservation Area

Trees form an important component of both the urban and rural landscape. They contribute to the general appearance and amenity of an area, and therefore their removal can have a significant impact. The Council therefore may seek to protect the amenity of an area by considering the serving of Tree Preservation Orders.

Tree Preservation Orders

Local Authorities have specific powers to protect trees by making Tree Preservation Orders (TPOs). TPOs are made under Section 160 of the Town and Country Planning (Scotland) Act 1997 and within the procedures set out in the Town and Country Planning (Tree Preservation Order and Trees in Conservation Areas) (Scotland) Regulations 2010. The Council’s Tree Officer will always be happy to advise whether trees are protected and if any permission is required.

Effect of a TPO and the Need for Consent to Carry out Tree Works

A TPO does not mean that the Council is responsible for the tree’s maintenance. Prior written consent is, however, required from the Council before carrying out tree works. An owner wishing to carry out any tree works, or arrange for such works to be done, must complete a form which includes a description of the works they want to do and why, and specifies the tree(s) and their location within the site. The Tree Officer will then make a site inspection and assess the proposed works, usually within 6 weeks of receipt of the application, and will write back with a decision giving reasons, where pertinent.

Penalties for Contravention of a TPO

Contravention of a TPO by cutting down, wilfully destroying or topping or lopping a tree in a manner likely to destroy or damage it, is a prosecutable offence and subject to a fine up to £20 000, plus replacement planting.

Register of TPOs

The Council's Planning Service maintains a register of TPOs which can be inspected during the following hours: 9:00am to 5:00pm Monday to Friday.

New TPOs

The Council is required to regularly review the existing TPOs and, in so doing, it also considers the potential for new TPOs. If you consider that there is a tree or trees worthy of protection, you can suggest this by writing to the Council's Tree Officer.

Trees on Local Authority Land

Trees in parks, schools and roadside verges and all other land owned by the Council, are managed by the Roads and Neighbourhood Services and Greenspace.

Policy Guidance

Protection of Retained Trees during Development

Trees are often overlooked during development and as a result many are either lost or given inadequate protection that results in their demise within a few years. In 2005, the British Standard BS 5837 Trees in Relation to Construction - Recommendations was released and this is now considered the benchmark document for how to successfully retain suitable trees in proximity to development.

Trees have to adapt to their immediate surroundings and any changes will have some effect, therefore, it is essential that a detailed tree survey that complies with the British Standard is undertaken before a scheme is designed. This will schedule the trees according to their suitability for retention and identify the extent of land required to ensure that they have the best chance of survival. Older trees are more vulnerable and they are often the most desirable to retain for both their amenity and conservation value.

Guidance on Arboricultural Good Practice

This information refers only to deciduous broadleaf trees in general, as evergreens and conifers often have different requirements. Also, it should be noted that even the trees dealt with here may have their own very specific requirements. The following is no more than a guide; if in doubt, seek expert advice.

Is Pruning Good for Trees?

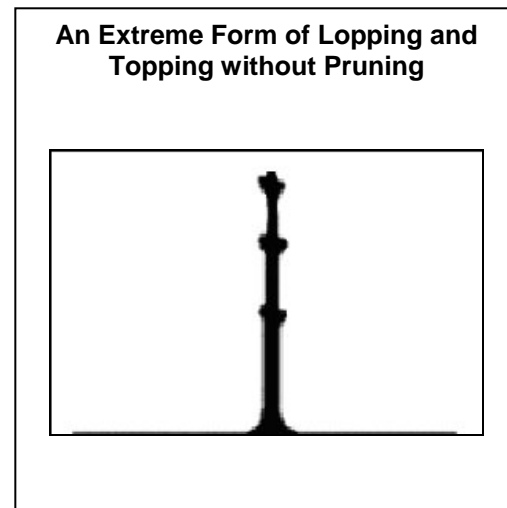
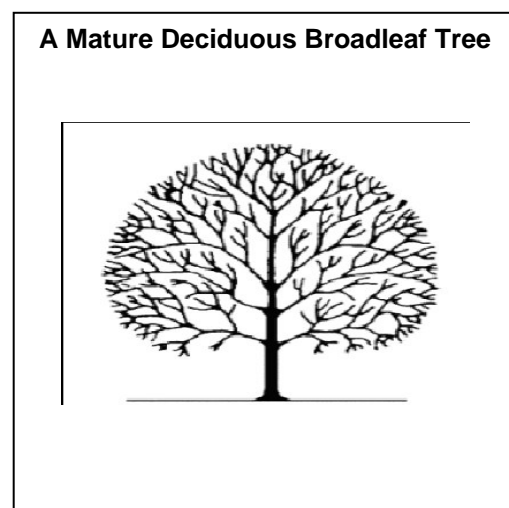
Pruning is a form of wounding that can actually be very harmful to a tree and should be carried out only when absolutely necessary. Pruning should only be undertaken to compensate for identified hazards as recognised by a

competent arborist (see www.trees.org.uk/treework.php) or where the growth of a tree is causing an obstruction. Trees unnecessarily or badly pruned can lead to permanent damage, visual disfigurement and create expensive, long-term problems to the tree owner. Trees need and deserve proper management (see www.trees.org.uk/leaflets.php) if they are to remain a valuable asset for future generations.

How can Trees be Damaged by Pruning?

Pruning can remove vital energy reserves, stored in branches, which a tree needs to maintain good health. In many cases, these reserves cannot be replaced following heavy pruning and the tree soon goes into decline.

In urban areas, trees used to be pruned by lopping and topping, a technique now generally frowned upon.



It can result in an unsightly pole of a tree. The regrowth often leaves weaknesses where branches could snap away and the risk of rot in the main stem is increased. Lime trees can tolerate this treatment better than most, but the result is often unattractive to look at. Other trees, such as Beech, can be killed by this treatment.

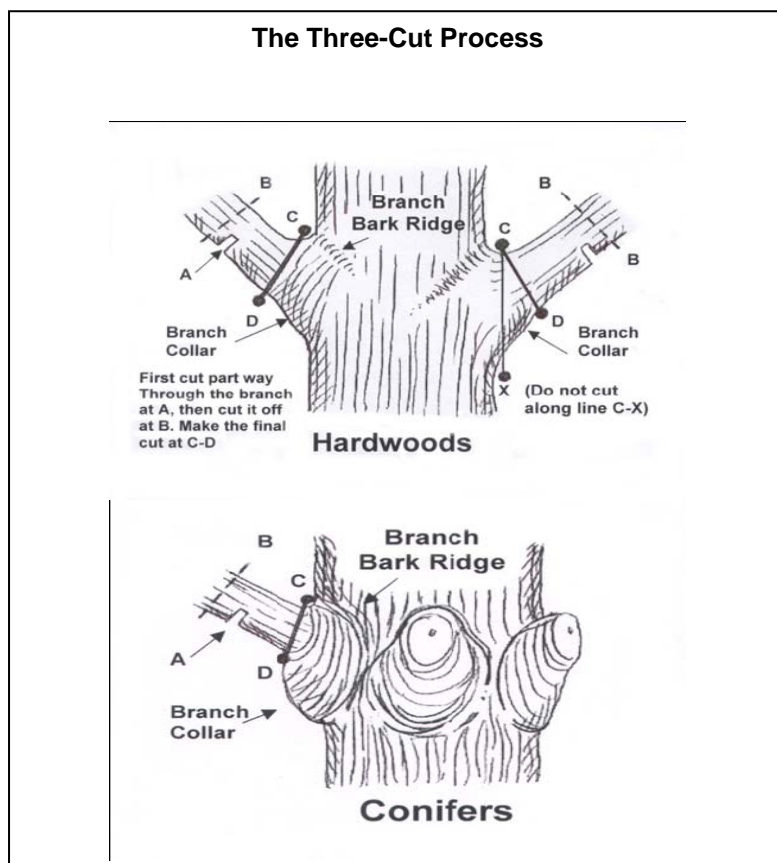
The wounds created by pruning can allow fungal spores to enter the tree, which can lead to decay. If a tree has to be pruned, a good arborist will know where to position the cuts in order to minimise the adverse affects caused by wounding.

Wounds caused by 'lopping and topping' are the worst cuts of all because they are not carried out at a natural branch union and instead leave flat-topped stubs that fail to heal properly. They also leave the tree disfigured and any new re-growth is weakly attached to the parent limb. A competent tree surgeon should avoid the practice of 'lopping and topping' and will carefully prune the limb back to a side branch in order to retain the natural flowing branch line of the canopy.

Pruning Trees – Natural Target Pruning

The practice of natural target pruning makes use of the branch collar to identify the proper location to remove a branch. There is a three-cut process that must be used to remove branches in order to preserve the bark tissue and the branch collar. The first two cuts remove the weight of the branch. This will prevent the bark from being ripped off the trunk at and below the branch collar.

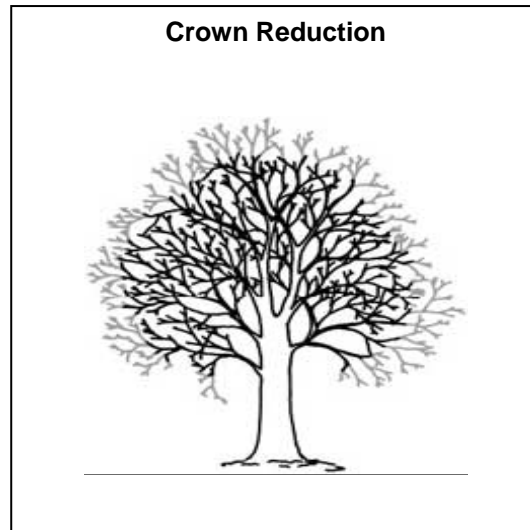
- **The first cut** (marked A in figures below) is an undercut about 1/4 through the branch made upward from the bottom of the branch about one or two inches farther out than the collar.
- **The second cut** (marked B in figures below) is a downward cut just outside the undercut that actually removes the entire branch, eliminating the weight of the branch before making the final natural target cut.
- **The third cut** (marked C-D in figures below) is the natural target cut. The remaining portion of stub is removed with a cut made just outside of the branch collar tissue.



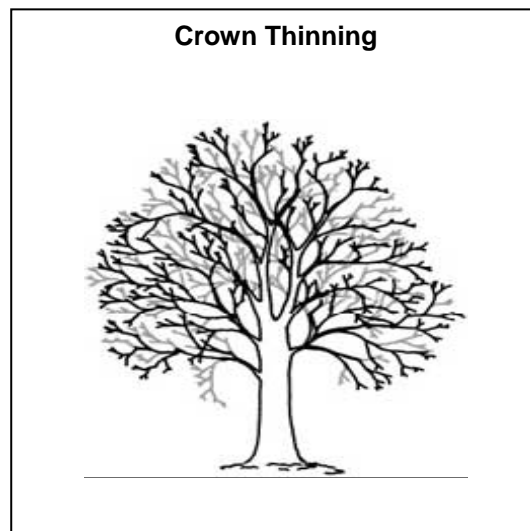
Different Pruning Methods

The shape of the tree is dictated by the structural framework of the main branches. If those are pruned, the shape of the tree will be changed.

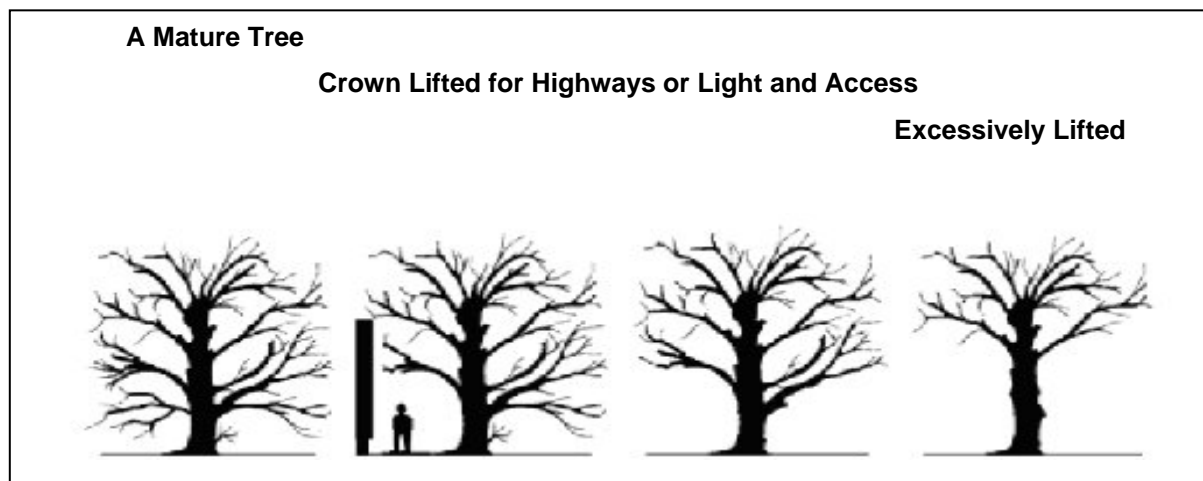
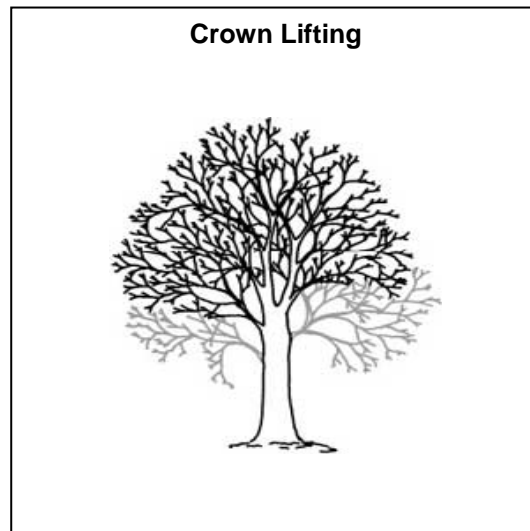
- **Crown Reduction:** gives a far more pleasing result where the overall size of a tree has to be reduced. Crown reduction involves the overall reduction of just the crown of the tree, so there is little change in the overall height. Such reductions are usually quoted as percentages, the usual maximum, being 30%. Most reductions will be in the 10% – 20% range, if the tree is amenable to such works in the first place.



- **Crown Thinning:** Where crown reduction would leave a dense mass of branches, thinning may also be carried out. Again, a guideline maximum is 30%. This procedure is best carried out in winter when it is easier to select the branches to be pruned. An exception to this is thinning selectively to decrease shade.



- **Crown Lifting:** As its name implies, this technique is used to increase the bare stem height below the crown. The most common is to obtain clearance above highways (up to 6 metres) and footpaths (up to 2.5 metres). None of these works should normally require removal of structural branches.



It is often hard to justify works to a mature tree just for a view, particularly when the pruning may require the loss of major branches. This can result in a poor looking tree and the wounding involved may unnecessarily shorten the life of the tree. There are a number of cases where pruning requirements are for particular problems. A few examples are given below:

- **Clearance Pruning:** This may be required when the canopy of a tree is very close to a building, especially to the north side. If the wind and sun cannot get to the building, the exterior becomes permanently damp and this encourages algae and moss to grow, which in turn increases the dampness. Clearance pruning should always be just of young growth. Depending on the individual circumstances, 1-2 metres clearance between a building and the tree canopy should allow a reasonable airflow. This pruning may be required at regular intervals.
- **Formative Pruning:** This is the procedure carried out on young specimen trees to remove foreseeable problems, such as tightly forked and rubbing stems, and to create the structural framework for the mature tree. There is no reason why such pruning should not be carried out from an early age until the desired final shape of the tree forms.

- **Bracing:** Another past practice was bracing to prevent the forces of the wind taking their natural course. The problem is that once a tree is braced, by wire, chain or rod, it may be impossible to assess how safe it will remain. There is, however, a new flexible form of bracing that allows some natural movement in the tree, but reduces the worst effects of the wind.
- **Summer Pruning** is recommended for some trees that weep copious amounts of sap. Species prone to this include Walnut, Hornbeam, Mulberry, Birch, Lime, Acers and some Poplars. It is also recommended for those trees that could otherwise suffer from infections prevalent in springtime, such as silver leaf disease of Prunus. It can also be useful when thinning for ambient light. It should, of course, be remembered that most trees can be pruned in the summer. The main obstacles to work being carried out at this time is the tree surgeon's ability to see the structure of the tree, the fact that wood is difficult to cut when the sap is flowing and, last but by no means least – birds and bats may be using the tree for nesting or roosting. This is not something to take lightly as disturbing nesting birds or a bat roost is an offence. However, as far as the health of a tree is concerned, the only time pruning should never be done is during the spring growth period.

The issue of wound paint is simple: When pruning out dead branches it is important to realise that the tree was aware of the dead branch long before it became visible to humans. The tree has probably already taken the necessary compensatory steps to protect further dieback. Never cut beyond deadwood without taking expert advice, or you could undo all of the tree's good works.

Ivy Does Not Strangle Trees

Ivy is very beneficial for wildlife. It is a natural component of the countryside providing food, roosts, nesting and hibernation sites for a wide variety of wildlife. Ivy can cause damage, however, if it establishes in the crown or on limbs. The tree has developed in tune with its own weight. When Ivy gets high up into the tree, the extra loading it puts on branches can cause them to snap, particularly in high wind. More importantly, in the long term, ivy can cover up problems in the stem of a tree. A good rule of thumb is that ivy needs controlling once it appears as a mass in the crown.

Seek Professional Advice

The Local Authority cannot recommend tree surgeons, as it interferes with free competition. However, it is strongly recommended that you always turn down the 'today only' offer from the uninvited caller, however much a bargain you may seem to be offered. Suitably qualified Tree Surgeons can be identified through the Arboricultural Association who can be reached at the following web address www.trees.org.uk/index.php

If you need to trim trees near overhead cables, always employ a professional tree surgeon. Bringing down a telephone cable may be expensive, but shorting out electricity cables may be deadly.

We hope that you have found this information helpful. Whilst we have tried to cover the broad outlines there maybe something that we have missed, if you have any doubts please contact the Planning Authority. Please note that this note is for guidance only. The terms and techniques used are to aid tree owners, no more.

Further Information

Should you require further information please do not hesitate to contact:

The Planning Office East Dunbartonshire Council William Patrick Library 2-4 West High Street Kirkintilloch, G66 1AD Tel: 0141 775 4524	The Tree Officer East Dunbartonshire Council Broomhill Industrial Estate Kilsyth Road Kirkintilloch G66 1TF Tel. 0141 574 5572
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Website: www.eastdunbarton.gov.uk