

Guidance notes for Tree Works form

Relevant legislation:

- Town and Country Planning (Scotland) Act 1997
- Application For Tree Works: Works To Trees Subject To A Tree Preservation Order and/or Notification Of Proposed Works To Trees In Conservation Areas

Introduction

1. The Application for Tree Works form allows you to apply for permission to carry out work to trees in a conservation area or trees which a tree preservation order applies to. You should include this form as part of your proposal.
2. **It is an offence to carry out work to trees in a conservation area or trees which are protected by a tree preservation order without either giving your planning authority notice of the work or getting their permission.**
3. These guidance notes aim to help you fill in each section of the form, whether you do this using the paper form or the online version.

When to use this form

4. You should use this form if you want to carry out work to trees in a conservation area or work to trees which are protected by a tree preservation order (TPO). If you are applying for and are granted full planning permission, you will not need separate permission for any work to trees, which is needed to carry out the work covered by the planning permission.

You can use this form both to give the planning authority notice of the work and to apply for planning permission for the work. You can also use this form if you are planning to carry out work to trees which have other types of protection (for example, a planning condition). Do not use this form to apply to remove or vary a planning condition. **Please use this form to give the planning authority notice of any work to trees which you think may be protected.**

Work to trees in a conservation area

5. You must give the planning authority at least six weeks' notice before carrying out work to trees which are in a conservation area but which are not covered by a tree preservation order. This gives the planning authority an opportunity to consider whether they should make an order to protect the trees.

Applying for permission to carry out work to trees protected by a tree preservation order

6. You need the planning authority's permission before carrying out any work to trees which are protected by a tree preservation order. You may not need the planning authority's permission in exceptional circumstances, for example, if a tree needs to be removed immediately for safety reasons.

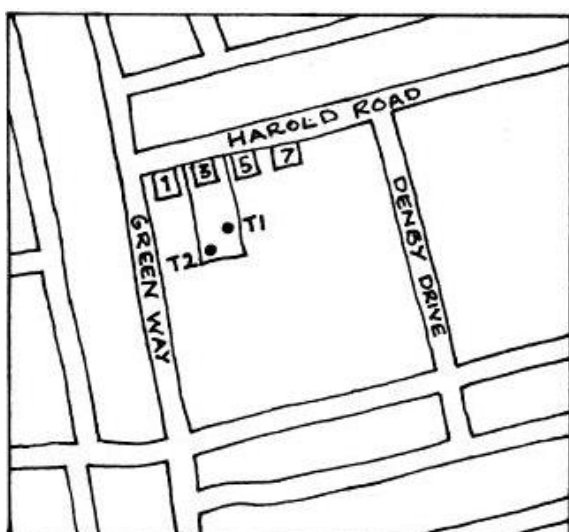
Plans and information you should provide

7. Your plan needs to show clearly and accurately the precise location of the trees in relation to nearby properties, roads and boundaries. It should include the following.
 - The main features of the site where the trees stand and the surrounding area. In particular, you should:
 - mark and name surrounding roads;
 - show the position of the nearest buildings and their approximate distance from the trees; and
 - add house numbers or names.
 - Mark the position of the trees that you want to carry out work to.
 - Identify the trees by the number shown in the tree preservation order, if possible. If you use a different number, please make sure the planning authority can match this with your description of the trees.
 - If there are many trees on the site, make it clear which trees are included in this application by:
 - marking all the trees on the plan but only numbering those you want to carry out work to;
 - showing the approximate distance between the trees and buildings; and

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- showing other relevant features on the site, for example, a greenhouse or paths.
- If it is impossible to identify the individual trees accurately on the plan (for example, because they are part of a woodland or group of trees), please identify their approximate location on the plan and provide details of how the trees) are marked on the site (for example, with high-visibility tape, tree tags, paint and so on). Do not mark trees by scarring or cutting into the bark.

Example of a plan



How to describe pruning work

8. One or more of the following will usually be suitable to describe most pruning proposals.

Crown thinning - This reduces the density of a tree's crown without changing the shape and form of the tree. Thinning reduces the amount of foliage and allows more light through the canopy or crown. The amount to be removed is usually shown as a percentage (%) of the crown.

- Useful for allowing more light into gardens and windows
- Allows crossing and rubbing branches to be cleared

Crown lifting - This means removing the lower branches close to the trunk, or pruning the lower

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branches to give more clear space below the crown.

- Useful for allowing more light into gardens
- Prevents low branches obstructing paths, drives and so on

Crown reduction - The tree crown is reduced by shortening branches. This is usually carried out all round the crown or canopy to maintain a balanced shape.

- Partial reduction may be useful for preventing branches from touching buildings, roofs and guttering

Tree surgery

9. All tree work should be carried out to BS 5839: Recommendations for Tree Work. A qualified tree surgeon will normally need to carry out the work. Any work that would endanger the health of a tree or greatly reduce its value to the local environment is unlikely to be allowed.

Wildlife issues

10. Please note that protected species may be affected by tree works. For example, bats may be roosting in the trees. If this is the case, you may need to arrange a specialist survey to support your proposals. You may also need to consult Scottish Natural Heritage (SNH). If you think this may be the case, you should contact your planning authority before making your application.

Before you apply

11. The planning authority encourage you to discuss your proposals informally before you formally give them notice of the work or make a formal application for planning permission. Discussing your proposals at an early stage gives the planning authority chance to:
 - assess whether you need to apply for planning permission or give them formal notice of the work;
 - advise you on the best way to present your proposals; and

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- guide you through the process and their tree-protection policies.
12. During these discussions the planning authority will give you advice and guidance in good faith. However, they will be unable to give you a definite answer as to whether your proposed work will be allowed.
13. The planning authority are likely to have guidance relating to trees and you should look on their website for more information. There is more detailed guidance, intended mainly for planning authorities, in 'Tree Preservation Orders: A Guide to the Law and Good Practice'. Although this applies only to planning authorities in England and Wales, it is still a useful reference document in Scotland. Other useful reference documents are:
- British Standard BS5837:2012 Trees in relation to design, demolition and construction – Recommendations;
 - British Standard BS 3998:2010 Tree Work – Recommendations; and
 - National Joint Utilities Group (NJUG) publication no10 from National House Builders' Council (NHBC) chapter 4 Trees.
14. Your planning authority may be able to give you more advice on tree preservation orders. For details, please look at your planning authority's website.

Online applications

15. Under The Town and Country Planning (Electronic Communications) (Scotland) Order 2004, please note that by sending in your application electronically, you are agreeing that:
- all communication relating to the application will be made electronically; and
 - the email address you have used is the one which will be included in the application.

If you want to withdraw your agreement to using electronic communication, you should tell the planning authority in writing, giving at least seven days' notice.