

# Tree Policy



Chester City Council 2006

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## INTRODUCTION

Trees are amongst the most important and significant features in the landscape, in the countryside and within our towns. For hundreds of years trees have been cultivated not just for timber, food, shelter and medicine but simply for their intrinsic beauty. Even the ancient Greeks planted trees for amenity. They are a part of our history and culture and have been worshipped, celebrated and revered in myth and folklore.



## THE IMPORTANCE OF TREES IN TOWNS AND RURAL AREAS

Trees play an especially important role in enhancing the urban environment. They screen unsightly structures and activities, give privacy and soften the hard lines of buildings. Trees also bring colour and contrasts into the urban environment.

Not only do trees have a visual quality, but they also enhance the environment in less obvious ways.

Trees improve air quality by acting as natural air filters removing dust, smoke and fumes from the atmosphere by trapping them on their leaves, branches and trunks. Just one hectare of beech woodland can extract four tonnes of dust a year from the atmosphere.

Trees reduce the 'Greenhouse' effect by absorbing carbon dioxide and releasing oxygen. Each year a mature tree produces enough oxygen for 10 people.

By planting and maintaining more trees and woodlands we can help to offset the damage done by harmful emissions.

Trees are also an effective sound barrier and

can limit noise pollution. Recent research shows that they also help reduce the stress of modern life.

Trees benefit the environment and the landscape, but they are also an integral part of the ecosystem providing benefits to wildlife and biodiversity. Older trees and those in groups or woodlands, provide habitats for native ground flora such as bluebells and fauna, particularly birds, bats, and invertebrates.

**Planting trees and preservation of mature trees can go a long way to making Chester a better place to live and work.**



Even though trees can enhance our urban areas, this environment is often a hostile one. Many urban trees show signs of stress. They grow slowly and are more prone to disease. They are subjected to a variety of pollutants such as car fumes, herbicides, salt and other de-icing agents from roads. Vandals rip off branches, strip off the bark or set trees on fire.

Even under the guise of tree care there can be subconscious acts of vandalism. For example, tree ties that are left in place can strangle the tree they were meant to support. Also, incorrect pruning can leave unsightly trees struggling to survive.

Urban trees are more susceptible to drought. Many of the surfaces that they grow in are impervious to water and air, because the soil is compacted and any excess rainwater is drained away.

Tree roots are frequently severed during installation of underground services or to allow for construction work. This can lead to the premature death of trees.

All these factors mean that the life expectancy of urban trees is greatly reduced. Latest research indicates that the life expectancy of a newly planted street tree is approximately 11 years.

Important rural trees can also be under extreme pressures through road de-icing and agricultural activities such as ploughing, chemical treatments, ground compaction and bark damage caused by animals.

## TREES AND MODERN LIVING

Trees are widely accepted as 'a good thing' but a common comment made about urban trees is "Don't get me wrong I love trees, but not this one." In general people want trees in towns as long as they are not on their doorstep, shading their garden, shedding leaves or interfering with their television reception.

**So, if we want trees in our City and District, we have to take a common sense approach and manage our trees in such a way that we not only maximise their contribution to the landscape and environment, but also minimise their conflict with other urban and rural activities. This is what this policy aims to do. It seeks solutions to common conflicts not just in the short term but also in the long term so that future generations inherit an attractive healthy tree resource, which requires the minimum of maintenance.**

## PURPOSES AND AIMS OF TREE POLICY

### TREES IN TOWNS

In 1993 the Department of the Environment (D.O.E.) published the document 'Trees in Towns' (HMSO). This was the result of a study carried out by land use consultants, to investigate the character and distribution of trees in towns in England.

The principal conclusions were:

**"... the need for each local authority to**

- **examine the tree stock in its towns;**

- **discuss their findings and make projections of future trends;**

- **formulate a long term strategy for maintenance of existing trees, their eventual replacement, and the planting of new trees within an overall landscape plan"**

Other relevant Government advice concerning the management of council trees includes:

- **D.O.E (ODPM) Circular No. 36/78 'Trees and Forestry'**

- **D.O.T (ODPM) Circular No. 52/75 'ROADS'**

- **The Highways Act 1980**

The common theme of these above documents is the need for regular inspections and careful planning of: pruning, felling, planting and encouraging private land owners to manage their trees appropriately.

## SCOPE OF POLICY

Much of this policy is aimed at the management of Chester's 'urban trees'. These are classed as trees that are within the built up areas of the city. This definition includes trees adjacent to highways, in residential and commercial areas as well as in parks and open spaces.

This policy also provides for the management of Chester's rural trees and woodlands in its control as well as the protection of important hedgerows through the hedgerow regulations.

This document provides a framework of policies to effectively manage and enrich Chester's tree resource. Strategies and procedures will be produced which will identify how each policy should be implemented.

## LINKS TO OTHER DOCUMENTS

Chester's Environmental Policy states:

**5. Amenities and Landscape. Chester wishes to protect, enhance and increase the public's awareness of the local environment, including public open space, countryside and wildlife habitats.**

One of the principles of Chester's Corporate Plan (2002-2007) is to provide **Quality Environment** and states:

**Objective 1 To ensure our services and activities achieve the highest environmental standards**

**Objective 8 Create more opportunities for wildlife to thrive in amenity open space managed by the Council**

## AIMS

The aims of this tree policy are:

- 1. To ensure that the management of our trees contributes to making Chester's environment attractive and healthy.**
- 2. To ensure that trees enhance the landscape and add to the biodiversity thereby helping to attract investment.**
- 3. To ensure efficient management and sustainability of our trees.**
- 4. To ensure an increasing and varied tree population within the City and District, which is in harmony with other land uses.**
- 5. To promote awareness of the importance and value of trees.**

## CHAPTER ONE - TREE RESOURCE MANAGEMENT

The aim of the policies in this chapter is to develop the most efficient working practices that will provide a continuous safe, healthy and attractive tree population. At present much of the city council's tree resource is managed by responding to complaints as they arise. Reactive management is not efficient and does not give our customers best service.

A concern with the reactive approach is that hazardous trees may not be identified and made safe. Already much of the tree resource has been identified and works prioritised, but there are still improvements to be made.

We need to move towards a methodical way of working with regular inspections of all council owned or managed trees and prioritising any recommended works.

The policies in this chapter cover:

- 1.1 Tree Survey**
- 1.2 Tree Management Strategy**
- 1.3 Administration and Financial Management**
- 1.4 Standard of Work**
- 1.5 Quality of Service**
- 1.6 Green Waste**

## LINKS TO OTHER DOCUMENTS

'Trees in Towns' emphasises the need for tree strategies and tree surveys. Circular's 52/75, 36/78 and the Highways Act 1980 also emphasise the need for this proactive approach, see policy 1.1.

And policy 1.6 responds to Chester's Environmental Policy:

**2. Waste and Recycling. The council will develop and promote waste management and recycling schemes, both within the authority and throughout the District**

## 1.1 TREE SURVEY

We have limited records of the exact number and location of trees that the city council is responsible for. A conservative estimate is that there are approximately 5,500 trees on our 'open spaces' not including woodlands. Information about these trees is essential if our trees are to be managed effectively and for us to use planned management.



The need for councils to carry out tree surveys has been recognised for some time. The D.O.T.'s (ODPM) Circular 52/75 "Highway Trees" noted that trees adjacent to highways should be examined for signs of injury or decay that could lead to them becoming a hazard. A competent person should carry out the inspection. It also suggests that it would be useful to keep a record of previous work.

In 1978 the D.O.E.'s (ODPM) Circular 36/78 "Trees and Forestry" extended this advice to cover all trees:

***"An assessment of existing tree cover is desirable in order to determine the present and potential need and areas of priority"***

and adds:

***"A competent inspection at reasonably frequent intervals helps to ensure that disease is noted and treated."***

More recently, in 1993, the D.O.E.'s (ODPM) research report 'Trees in Towns', identifies as one of the principal conclusions of its study:

***"The need for each local authority to***

***Examine the tree stock in its towns;...."***

We need to survey all the trees we are responsible for in a uniform way and store the information on a database.

The initial cost of collecting the information will be offset in the long term by more efficient and effective maintenance of trees. This will improve the quality of service to residents. The D.O.E.'s study of councils which have initiated tree surveys and strategies found that they had more than recovered the cost. This has been achieved through greater efficiency and by raising the profile of trees. They were therefore in a better position to attract private and public funds for planting and management.

Only with this information can we establish a long-term coherent strategy for the management of Chester's trees. It would allow us to identify problems early and solve them in a planned way. It will also enable us to plan work schedules with the approved tree contractor making best use of the resources.

### **POLICY 1.1**

***The council will carry out an initial tree survey of all council owned and managed trees, so that the collected information can be used to manage the tree resource in a planned and efficient way, which allows for the development and implementation of long term management plans, work schedules and the prioritisation of tree work.***

## **1.2 TREE MANAGEMENT STRATEGY**

We need a strategy to fully implement this policy. It will outline a five year action plan. After that time the plan should be reviewed.

### **POLICY 1.2**

***The council will develop a tree management strategy to implement the policies in this chapter. This will be revised after five years.***

## **1.3 ADMINISTRATION AND FINANCIAL MANAGEMENT**

Our owned or managed trees in our open spaces include; parks, car parks, grassed areas, hard landscaped areas, playing fields, allotments, cemeteries and woodlands. A central fund has been made available to maintain these trees, although it has never been quantified in terms of annual funds needed to improve the tree stock and providing further plantings.

A full survey of the tree stock is needed to provide a management plan with projected annual costs. This may recognise the need for further funding to fulfil the strategy.

### **POLICY 1.3**

***To ensure the effective implementation of policies in this document the council will allocate appropriate resources specifically for arboricultural work including tree planting and where possible seek external funding through partnerships or grant schemes.***

## **1.4 STANDARD OF WORK**

It is important to ensure that Chester's trees are pruned to a high standard.

The council's tree work is subject to Best Value, and at present is carried out by private landscape contractors through the Grounds Maintenance contract. The standard of work required is outlined in the contract. This

documentation needs to be updated as each contract comes up for renewal to ensure that the standards set are up to date with current best practices. The accepted standard for tree work at present is BS 3998 British Standard Recommendations for Tree Work (1989). This is used as a guide for the specification of tree work.

Poor tree pruning can not only look unsightly, but also reduce the life expectancy of a tree or lead to it becoming hazardous.

Tree surgery is not only specialised and skilled work, but also can be dangerous. Staff who are involved in this work require training to protect themselves and the public.

Tree planting is also a specialised task and requires proper consideration. All too often trees are planted in poorly prepared pits with inadequate protection and maintenance.

The accepted standards for tree planting and nursery stock are outlined in the current Arboricultural Specification and they relate to: BS 3936, BS 4043, BS 4428 and BS 5236.

It is also important that the Trees and Woodlands Officer is aware of new developments in methods of tree care.

#### **POLICY 1.4**

***The council will endeavour to maintain high standards of tree work by:***

***a) regularly reviewing the specifications in the contract to ensure that they are precise and meet with currently accepted standards***

***b) supporting the development and training of all arboricultural staff involved in council tree work.***

### **1.5 QUALITY OF SERVICE**

When a resident has made a request for work to a council tree, an inspection is carried out to assess the tree and specify any work required. The money is then allocated from the appropriate budget or the client department. Finally, this work is issued to our contractors. This process may take some time from the request being made to a tree being pruned. This can be frustrating for the customer.

Other policies in this document will, in the long term, help to reduce the number of complaints

received, particularly as more work is planned and potential problems are identified earlier. The response time to individual enquiries should be reduced.

Response time depends on the performance of all parties involved. Working together and setting targets can make this process more efficient and productive so the customer receives a consistent quality service.

By monitoring the aspects of tree work it will be possible to ensure that:

- applicable policies are being effectively implemented
- when problems arise in the system, they are identified
- customer receives a quality service
- maximum output is attained for the resources available

#### **POLICY 1.5**

***The council will ensure effective implementation of policies and provide a quality tree management service.***

### **1.6 GREEN WASTE**

A great deal of wood is produced each year from felling and pruning trees. Occasionally this may be of sufficient quality to interest a timber merchant. However, it is usually either of poor quality, too small or on a site from which it is impractical or uneconomical to extract.

In consequence, much of the wood has to be disposed of through landfill. This adds cost to tree work and wastes useful material. As well as economic cost, both these methods of disposal have a wider environmental cost.

There are many other ways in which wood that is useful as timber can be used; by finding outside markets or by using the products within the council. Woodchips are regularly produced from routine tree work and can be used as mulch or to dress footpaths. We do this regularly.

Other uses for the timber can be; habitat piles, particularly in woodlands and copses to encourage wildlife or for creating sculptures installed in our parks and open spaces

Green waste can be used to fuel wood burning heating systems, and opportunities may exist in future for developing these options in public buildings.

## **POLICY 1.6**

***The council will seek alternative uses for arisings from tree work to ensure as much as possible is reused or recycled and the tipping and burning of wood is kept to a minimum.***

## **CHAPTER TWO TREES IN THE URBAN ENVIRONMENT.**

Chester's urban tree population is under considerable pressure in certain areas as much of the stock has been severely pruned at some point in their lifetime and consequently this has led to some trees being treated as pollards, particularly in Curzon Park and Handbridge. These pruning operations have led to some trees developing structural problems such as: decay, excessive re-growth, included bark and weak branches.

These pruning practices are now considered to be bad practice due to the affect on trees as outlined above.

It is important to remember that people rarely contact us when they are happy about local trees. Only when trees become an apparent problem are comments made, and therefore a distorted picture of peoples' perception of trees develops. It is important to seek alternatives to felling or severe pruning when conflicts arise, so that the trees can remain for the silent majority who value them.



It is important to retain our mature trees as long as we can. A mature tree may have taken 80 years or more to reach its peak. To replace this tree may be relatively cheap in financial terms, but there is no substitute for the time it will take a young tree to reach maturity. It is not always necessary to remove or severely prune a tree because it is causing a problem. There are other

options available and these need to be considered before a tree is felled.

This section looks at some of the most common conflicts that our urban trees cause and how these can be mitigated or overcome without felling or excessive pruning. The aim of the following policies is to strike a balance between removing problem trees and retaining trees in good health.

Policies in this section are:

### **2.1 Damage to Property**

### **2.2 Right to Light**

### **2.3 Television and Satellite Reception**

### **2.4 General Nuisances**

### **2.5 Removal of Trees**

### **2.6 Phased Felling and Replacement**

### **2.7 Emergency Procedures for Dangerous Trees**

## **LINKS TO OTHER POLICIES**

Chester's Environmental Policy makes the declaration that:

***5. Amenities and Landscape. Chester wishes to protect, enhance and increase the public's awareness of the local environment, including public open space, countryside and wildlife habitats.***

## **2.1 DAMAGE TO PROPERTY**

Trees tend to cause concern where they are very close to buildings. A common concern is that the roots are undermining property. It is rare for the direct action of roots to damage a house. However, they may affect lighter structures like garden walls or porches.

Trees may cause more serious damage if they are growing on shrinkable clay. However, this type of clay is less common here than in the south. The effect is variable and depends on the type of clay soil, species of tree, rainfall, and distance between the tree and the property. This is a complex relationship and all cases will need to be investigated thoroughly to ensure that it is the tree that is causing the problem and not some other factor.

## **POLICY 2.1**

***The Council will:***

***a) take into account the long term effects of planting trees near buildings, when***

**designing planting schemes referring to current relevant guidance such as NHBC STANDARDS 'Building near trees' and British Standard 5837 'Trees in relation to construction'**

***b) remove or prune council owned trees that are causing damage to property if it is the most appropriate solution.***

## 2.2 RIGHT TO LIGHT

A common complaint about urban trees is that they block light from properties or shade gardens. The seriousness of this effect is as variable as the perception of it. Often removal of the tree will have little effect on the amount of sunlight reaching the house or garden. An example of this is where the house is north facing and the tree is small or at a distance. It should be pointed out that there is no right to light under the law.

The problem of restricting light can usually be resolved by remedial pruning of the tree. Although this will not increase the amount of light to the maximum level possible, it is usually a satisfactory compromise.

### **POLICY 2.2**

***If a complaint is made about a council tree which is significantly shading a property or garden, pruning will be carried out in accordance with the current accepted techniques, where it is possible to do so without being detrimental to the health or amenity of the tree.***

***Felling for this reason will normally only be acceptable where there is a dense group of trees and some trees can be removed to allow more light through.***

## 2.3 TELEVISION AND SATELLITE RECEPTION

Interference with television or satellite reception causes frequent complaints. Interference is worse when the leaves are on the trees and in bad windy and rainy weather satellite reception is more sensitive to interference than television reception. There has been an increase in these complaints in recent years with the advent of this new technology.

In most cases the situation can be significantly improved or solved by careful pruning or the

relocation of the aerial. Boosters are also available which can improve the reception. These options are far cheaper and less destructive than the felling or pruning of a tree. It must be remembered that in the vast majority of cases the tree was there long before the occupant of the dwelling.

We expect this situation to change as technology advances.

People need to be encouraged to seek alternative solutions to the removal or pruning of the trees. These will usually be cheaper and more sustainable, leaving money available for more essential tree works.

### **POLICY 2.3**

***If a complaint is made about a council owned/managed tree or trees interfering with television and/or satellite reception and all other alternative solutions have been explored, the council will prune the tree according to the current accepted pruning techniques, only where it is possible to do so without being detrimental to the health or amenity of the tree.***

## 2.4 GENERAL NUISANCES

There are a variety of nuisances associated with trees that are not mentioned above. The more common ones include:

- Branches interfering with telephone wires
- Bird droppings and honey dew dropping from leaves on to cars and pavements
- Fruits and leaves dropping on footpaths making them hazardous in wet weather
- Roots lifting pavements and walls
- Insects associated with trees, such as, wasps and flies etc.
- Heavy leaf fall

Most of these problems are minor or seasonal and considered to be social problems associated with living near trees. They can often be minimised by careful pruning and by giving due consideration to species choice in the first instance.

#### **POLICY 2.4**

***We will not fell or drastically prune trees, which cause minor nuisances, but strive to find alternative solutions or prune trees to the accepted standard as outlined in the current Arboricultural Specification.***

### **2.5 REMOVAL OF TREES**

Mature trees are a valuable part of the urban landscape. Once they are removed it can take decades before another tree can reach a similar size. Also, mature trees are an important habitat and valuable to conservation and biodiversity. A single tree can be the home to many different species including insects, birds, fungi, mosses and lichens. An English Oak has around 400 species of insect associated with it. When a mature tree is felled, a valuable habitat is lost.

The larger a tree, the greater its contribution to improving air quality by, for example, removing dust from the air and producing oxygen. Mature trees are local landmarks and may have historical significance. They may be the last remnants of what was once open countryside or woodland which some of our older residents remember from their childhood.

Because of these special values, the removal of mature trees should be given careful consideration. These trees will take a lifetime to replace.

#### **POLICY 2.5**

***The council will not remove a tree unless it is dead, dying or dangerous, or causing considerable nuisance (which cannot be significantly alleviated by any alternative method) or it is in the interest of good arboricultural or forestry practice.***

***Where it is safe to do so the council will leave standing dead trees for wildlife habitat.***

### **2.6 PHASED FELLING AND REPLACEMENT**

Over-mature or veteran trees are an important ecological resource within the Chester District, however in an urban environment they can be a potential hazard. To ensure these trees do not become a danger, pro-active maintenance is required. It is therefore important that these trees are identified and regularly inspected to ascertain their condition and carry out any necessary maintenance.

Regular inspections will help us to formulate a long-term strategy on the removal and replacement of these trees where necessary. The re-pollarding of over mature trees to prolong their life may be an option in certain circumstances. We would follow the national guidelines on the management of veteran trees published by English Nature in these cases.

#### **POLICY 2.6**

***The council will:***

***a) identify and regularly inspect all council owned trees that are potentially hazardous***

***b) begin phased removal of inappropriate over-mature trees, from situations where they are unsuitable and replace all the trees removed in accordance with policies in Chapter 3.1.***

### **2.7 EMERGENCY PROCEDURES FOR DANGEROUS TREES**

The 1987 gale highlighted the fact that in bad weather even the healthiest of trees can become hazardous. We need a procedure for prompt action, to ensure that everything possible is done to protect residents and property.

Trees on privately owned land may also become dangerous. Usually, after negotiation with the owner this situation can be resolved. If this is not possible the council has powers to ensure the tree is made safe.

#### **POLICY 2.7**

***The council will:***

***a) remove our trees that are posing a hazard***

***b) use our powers where appropriate to make safe hazardous trees on private land, following the procedures outlined in the Action Plan with regard to the Miscellaneous Provisions Act***

***c) act promptly in emergency situations to make safe trees that are imminently dangerous.***

## **CHAPTER THREE - TREE PLANTING, ESTABLISHMENT AND DESIGN**

Trees have a major influence on environmental quality and the quality of life in general. This is embodied in the council's key aims.

Chester's mature tree population is beginning to decline due to their gradual removal. These removals combined with minimal replanting will begin to leave many areas virtually devoid of tree cover. We need to redress this imbalance through proactive and appropriate tree planting on a strategic basis.



Decisions made today about the planting of trees will shape Chester's landscape in the future. Many problems caused by trees can be avoided by careful design of planting schemes. The aim is to get the right tree in the right place so that urban trees are in harmony with the environment and the community.

The appropriate use of trees can transform the quality and image of an area. With careful consideration at the design stage tree planting schemes can create quality sustainable landscapes.

Inappropriate planting such as large species of tree being planted in close proximity to properties is a prime example of the wrong tree in the wrong place.

Policies in this section are:

- 3.1 Two for One Replacement
- 3.2 Young Tree Care
- 3.3 'The Right Tree'- Species Selection
- 3.4 'The Right Place'- Site Selection
- 3.5 Priority Areas for Planting

### 3.1 TWO FOR ONE TREE REPLACEMENT

From time to time trees have to be felled. However, these trees need to be replaced or the tree population will continue to decline.

Replanting trees is essential to maintain and help the urban tree population grow. Research has shown that as many as 46% of trees planted in an urban situation do not survive more than 5 years. This is due to a number of factors including vandalism, poor after-care and the hostility of the urban environment.

It is important to ensure that for every tree felled, at least one tree is planted in its place and is properly cared for.

The size and scale of replacement planting should reflect both the trees removed and the situation. For example, in a large open space it may be more appropriate to plant 20 feathered trees rather than two larger standard size specimens. By contrast, if a specimen tree that was individually important in the landscape has been felled, replacement with a semi-mature tree may be more appropriate.

Cost consideration should also be made. Smaller trees are cheaper and usually establish better, but have a less instant impact. As a rule the larger a tree is, the more expensive it is to buy and plant but has the instant impact the public expects.

Other policies will look at the ways in which tree survival and life expectancy can be improved.

The cost of planting a replacement tree will add approximately 20% to the cost of felling a mature tree. This additional cost can be accommodated within the overall policy by improving general management and thereby reducing the total numbers of trees that need to be felled over time.

#### ***POLICY 3.1***

***Where a tree on council land is removed, we will endeavour to plant at least two trees of a suitable species and size, at the most appropriate site in the locality, should this not be possible then an alternative site will be sought.***

### 3.2 YOUNG TREE CARE

When trees are first planted they are at their most vulnerable. They are more likely to die within their first 5 years than at any other time in their life. Research indicates that 75% of urban trees are destined to die through malpractice. Twice as many trees die through strangulation by failure to remove tree ties than through vandalism.

Care and maintenance of young trees is vital. Care taken in the early stages can avoid expensive maintenance at a later date. It will also increase the number of trees that we can expect to survive to maturity.

### **POLICY 3.2**

***The council will seek to ensure that trees planted on or comply with a statutory requirement are given the best possible chance of surviving to maturity by requiring:***

***a) high standards of planting and young tree maintenance, as prescribed in the current Arboricultural Specification***

***b) appropriate measures are taken to reduce vandalism.***

## **3.3 'THE RIGHT TREE' SPECIES SELECTION**

Careful selection of tree species can ensure that some of the common problems caused by trees are avoided. Particular consideration needs to be given to the ultimate size of the tree planted, but other characteristics of a tree species also need to be considered. For example, trees with vigorous root growth, which may lift paving should not be planted near footpaths. Similarly, when planting trees with dense foliage consideration should be given to the shade they will cast.

With hundreds of species of tree to choose from, finding a suitable variety for most locations should be possible. There are only 33 trees native to the British Isles and these are the trees with the greatest wildlife value; these species should be planted where conservation and biodiversity are a priority. However, within built up areas the planting of exotic as well as native trees increases the chance of selecting the most appropriate tree for the site.

If a single species of tree predominates in an area it may become prone to introduce disease and the effect can be devastating. This happened in the past with Dutch Elm disease. A greater diversity of tree species helps avoid the environmental danger of disease.

However, some species of trees are characteristic of certain areas of Chester; for example the species dominating Curzon Park is mostly Horse Chestnut and the dominant species of the city is Lime.

Careful consideration should be given to the selection of species when planting near to structures and low rise buildings in order to alleviate risk of future subsidence damage.

Judicious species selection should aim to select a tree which will give the greatest long term amenity and environmental benefit, while requiring minimal maintenance.

### **POLICY 3.3**

***The council will seek to create a diverse and appropriate tree population by:***

***a) giving careful consideration to the selection of suitable tree species depending on site, locality and characteristic of the area***

***b) aiming to increase the diversity of tree species in planting schemes***

***c) produce guidance on species selection for certain areas of Chester.***

## **3.4 'THE RIGHT PLACE' SITE SELECTION**

The 'right tree for the right place' will minimise conflict and maintenance in the future. For example, a cherry tree with a wide crown may not cause any problems in a small open space. However, if planted in a narrow grass verge it will cause obstruction and will require regular maintenance to remove low branches.

Not only does an inappropriate tree have a less beneficial effect on the landscape, but it also leads to more complaints and costs more to maintain.

### **POLICY 3.4**

***Tree planting sites will be selected, where possible, which avoid conflict with other elements in the urban environment using any relevant guidance available as stated in Policy 2.1.***

## **3.5 PRIORITY AREAS FOR PLANTING.**

There are areas within Chester that would benefit greatly from tree planting. Some require large scale planting to ensure an impact; others may only require 3 or 4 strategically placed trees.

Suitable sites need to be identified by a district-wide survey and agreed with nearby residents, ward members, parish councils and other

relevant organisations. They should be prioritised and the available resources directed to these areas.

The areas, which should have priority for planting, should be:

- Where there are few trees
- Those in the heart of the urban areas
- Large areas of open space where conflict with other urban uses will be minimal
- Where a number of mature trees have been or are about to be removed

### ***POLICY 3.5***

***Areas of Chester that would benefit the most from tree planting will be identified and prioritised to ensure that resources available for tree planting are directed to the most appropriate areas.***

## **CHAPTER FOUR - AMENITY TREES**

The way that mature trees are managed and the amount and type of attention that they require depend considerably on their situation. Chester City Council is responsible for many trees within urban and rural areas.

The following policies are designed to provide a planned approach to dealing with these trees:

- 4.1 Trees in Residential Areas**
- 4.2 Highway Trees**
- 4.3 Trees in Open Spaces**
- 4.4 Woodlands**

### **LINKS TO OTHER POLICIES**

'Trees in Towns' (ODPM) identifies the different opportunities and challenges various areas of towns provide for tree planting and management. This chapter looks at these different areas in Chester.

#### **4.1 TREES IN RESIDENTIAL AREAS**

Trees around housing give a sense of place and character and have an impact on the living environment. For example, retaining mature trees on new housing developments can give an estate a sense of history and an established

feel. Mature tree-scapes are usually associated with desirable residential areas and can increase property values.

On the other hand, trees close to housing can sometimes cause conflicts. These are discussed in Chapter 2. Most of these problems can be solved in the short term by good pruning and in the long term by giving more consideration to appropriate species choice as discussed in Chapter 3.

'Trees in Towns' identified that in areas where property is tenanted, or the population is largely transient, it is difficult to gain commitment from residents to care for trees in their areas. Therefore:

***'Local authorities may need to take positive action themselves to plan and maintain trees in streets and open spaces within such areas'***

Although the council maintains many trees within the urban area, nationally around 80% of urban trees are privately owned and many are in private gardens. These trees are equally important in contributing to the residential environment.

Therefore, encouragement to land owners to plant and care for trees is as necessary as the maintenance of our own trees.

### ***POLICY 4.1***

***The council will create and maintain an appropriate tree-scape in residential areas by:***

***a) retaining mature trees and planting new ones within existing and new residential areas to contribute to the quality of the residential environment***

***b) developing a system of regular inspections to assess the need for tree work on council owned trees in residential areas***

***c) encouraging the planting of suitable trees in private gardens by distributing relevant literature produced by the Arboricultural Association and other relevant organisations as well as providing information on species (native and non-native), which are typical of the locality.***

## 4.2 HIGHWAY TREES.

Street trees are a very important landscape feature. They are also important as they reduce the dust, fumes and noise from cars. Chester is committed to the principle of street tree planting to improve environmental quality and image.



However, they may need a great deal of maintenance, especially if the wrong species is planted or when little attention has been given to their placement. Consideration should be given in relation to roads, windows at the front of properties, overhead telephone wires, underground services and sight lines. The roots of trees can cause problems with footpath surfaces adjacent walls and structures. Species selection is therefore very important, as outlined in policy 3.3.

Despite these problems there are still opportunities to plant large growing species of trees. These can create a bold effect, for example along primary routes or in industrial and business areas where there is appropriate space and scale.

Digging trenches for cable television and the possible adverse effect this can have on street trees has previously received high profile media coverage in certain areas. This has also drawn attention to the effect that other utilities may have on street trees during their excavations. If trenches are dug with no consideration for tree roots, a tree can be damaged and may become unstable.

There are working methods which leave the tree roots intact and cause a minimum damage. The National Joint Utilities Group (N.J.U.G.), which represents all the statutory undertakers, has guidelines for the planning, installation and maintenance of utility services close to trees.

These are nationally recognised and the D.E.T.R (ODPM) recommends that councils adopt them. A copy of this document is available from our Countryside and Landscape section.

### **POLICY 4.2**

***The council will encourage the Cheshire County Council to incorporate trees into the street scene by:***

***a) giving careful consideration to the species and to the placement of trees so as to minimise conflict with other highway uses***

***b) encourage the County Council to regularly inspect their highway trees***

***c) adopting the N.J.U.G. guidelines for trenching and working near trees in the highway and enforcing their use within the city & district.***

## 4.3 TREES IN OPEN SPACES

Within urban areas, parks are green oases whether they are managed formally or informally. Trees are an essential part of these green spaces. Parks are ideal sites for tree planting because there are relatively few conflicts and species that would be unsuitable elsewhere can be grown here.

Parks and cemeteries in Chester provide an opportunity to develop collections of different varieties of tree both for their aesthetic contribution and as a valuable educational resource.

Many open spaces in Chester are little more than fields of mown grass. These could be enhanced by the planting of trees especially in copses, which in the longer term would reduce the costs of regular mowing.

Other areas considered as open spaces that are important for tree planting include: grass verges adjacent housing and industrial areas, car parks and other hard landscaping. Providing trees in these areas helps to soften the harsh landscaping and adds some character.

'Trees in Towns' suggests that

***“ ..it is important that the ultimate aims of planting are clearly set out and long-term management and maintenance commitments are fully assessed.”***

### **POLICY 4.3**

***We will seek to enhance the value of its parks and open spaces by:***

***a) providing opportunities for the planting and use of trees within public open spaces as an educational, amenity and recreational resource***

***b) developing balanced tree management plans for all the major tree stocked areas.***



## **4.4 WOODLANDS**

Woodlands are an extremely important feature of our landscape and provide many benefits to the community as well as the environment. They provide tranquil places for recreation and absorb harmful greenhouse gasses.

Woodlands' role in protecting biodiversity is especially crucial. Ancient woodland is home to more threatened species than any other habitat in the UK.

Chester City Council is currently responsible for approximately 27.7 hectares of mainly broad-leaved woodland. These areas include: Blacon Escarpment and Dukes Drive, which is also an historic park.

### **POLICY 4.4**

***The council will seek to maintain and enhance its Woodland by***

***a) regularly surveying all wooded areas in order to maintain safety and identify works required in order to conserve their health and structure***

***b) seeking funding through woodland grant schemes to improve and create new woodlands.***

## **CHAPTER FIVE - TREE PRESERVATION ORDERS AND CONSERVATION AREAS**



We have control over trees on privately owned land when they are under a Tree Preservation Order (TPO), or within a Conservation Area (CA), or on an area of land subject to planning permission (the last is discussed in Chapter 6). The Forestry Commission also has control over the removal of trees through Felling Licences, although this only applies where there are a number of mature trees involved containing more than 5 cubic metres of timber by volume.

Local Planning Authorities are given powers under the Town and Country Planning Act, 1990 to place trees under a TPO. These are usually trees, which at some time have been under threat of removal. Also any tree of merit that contributes significantly to the amenity of the area could be worthy of protection. At present the council has over 440 TPOs, ranging from orders on single trees to groups, areas and woodlands.

Trees are normally considered for a TPO through the following:

- Development
- Conservation Area Notices
- Change of Ownership
- TPO Review
- Public Request (a written request is normally required giving details of the tree/s and reasons for protection).

An owner of a protected tree must have written permission from the Local Planning Authority before doing any work to the tree. Any breach of this legislation could result in an unlimited fine.

Before felling or pruning a tree within a Conservation Area, the owner must give 6 weeks notice to the Local Planning Authority. During this time the tree may be placed under a TPO, if it is desirable to retain the tree or restrict the type of work that can be done. Again, any breach of this legislation can lead to a fine.

We will make the most effective use of these powers by implementing the following policies:

- 5.1 Management of Protected Trees
- 5.2 Enforcement
- 5.3 Positive Tree Management
- 5.4 Replacement Trees
- 5.5 Management of Protected Woodlands

## LINKS TO OTHER POLICIES

Policies in this chapter support the Local Plan, which states:

***The council will protect significant healthy trees and woodlands within the built environment and the countryside where they are under threat from development.***

### 5.1 MANAGEMENT OF PROTECTED TREES

The first TPO made in the Chester District was in 1951. Since then many changes have taken place. Trees have been felled and others planted. All TPOs are undergoing a review to ensure that all the trees worthy of protection are covered and those already covered are still suitable for inclusion. This needs to be followed up by regular reviews, to update the TPO where necessary and ensure that unauthorised tree work is identified and appropriate action taken.

There are also many trees worthy of a TPO. These need to be identified and protected wherever possible, rather than waiting until they are under immediate threat of removal. The main routes into the city will be a good place to start in identifying such trees.

An action plan covering effective administration of TPOs will be developed. These procedures

include processes for dealing with applications and aim to provide amenity valuations to justify the worthiness of new TPOs. Where necessary Tree Hazard Evaluations may be carried out.

### **POLICY 5.1**

***The council will use its powers under the Town and Country Planning Act 1990 to protect and manage important trees within Chester District by:***

- a) keeping an accurate, up-to date & publicly available record of protected trees***
- b) ensuring that each application for work on or removal of a protected tree or a tree in a conservation area will be assessed by a competent Arboriculturalist***
- c) administering the system by following written procedures***
- d) complete the review and where necessary make revisions to existing TPOs to ensure that they are appropriate and up to date***
- e) set up a revolving five year review of all Tree Preservation Orders***
- f) ensuring where possible that all trees worthy of the status are covered by a TPO.***

### 5.2 ENFORCEMENT

Damage can be done to trees in many ways. It can be as obvious as unauthorised felling or unprofessional pruning, which can disfigure a tree and cause the tree to become hazardous. Sometimes less obvious damage of equal proportion can be root severance and compaction leading to the decline and ultimately the death of a tree.

In these situations we will consider legal action to ensure replacement trees are planted and where appropriate we will prosecute offenders.

Where trees on private land are felled, but are not protected by a Tree Preservation Order or within a Conservation Area, permission may still be needed if they need to be retained under conditions of planning approval or they constitute a large volume of timber.

The Forestry Commission controls the felling of trees by requiring a felling licence for more than 5 cubic metres of timber. If a licence has not

been granted the Forestry Commission may prosecute.

#### **POLICY 5.2**

***The council will be prepared to use its enforcement powers under the Town and Country Planning Act 1990, for the protection of trees to their full potential, where it is appropriate.***

### **5.3 POSITIVE TREE MANAGEMENT**

Just because a tree is covered by a TPO it does not mean that it can never be pruned or felled. It merely allows us to ensure that the trees are managed in such a way that the amenity and health of the tree are not unnecessarily destroyed or diminished. Trees covered by Tree Preservation Orders that are on development sites are considered in Chapter 6.

When an application to do work is received, the Trees and Woodlands Officer will assess the tree and the proposed work. The inspection will ensure that the proposals will not be detrimental to the health of the tree or severely affect its amenity. A recorded assessment will be carried out to ensure that the work is necessary and that the most appropriate solution to the problem is found. If the work is inappropriate, the Trees and Woodlands Officer will advise the owner of what would be considered suitable. This approach is not meant to be restrictive, but intends to raise awareness and understanding of good tree care.

#### **POLICY 5.3**

***The council will encourage a high standard of arboricultural work for protected trees and seek ways in which to raise the understanding of tree care amongst tree owners.***

### **5.4 REPLACEMENT TREES**

Where consent is given to fell trees under a TPO, we will normally require replacements of a suitable size to be planted within 12 months of removal. This is usually a condition of the consent to fell and is enforceable under the Tree Preservation Order Regulations. In some cases, such as changes in surroundings or trees within groups and woodlands, it may be inappropriate to plant a replacement tree.

#### **POLICY 5.4**

***The council will normally require a healthy tree of an agreed size and species to be planted within 12 months of the felling of a protected tree and will strive to make sure that the replacement planting is carried out.***

### **5.5 MANAGEMENT OF PROTECTED WOODLANDS.**

Many existing Tree Preservation Orders are on woodlands in private ownership. Many of these woodlands are not managed. The powers granted to the Local Planning Authority under Tree Preservation Order legislation do not allow the council to enforce management of woodlands or trees. This can be achieved through using Forestry Commission's Woodland Grant Scheme incorporating Woodland Improvement Grants, or by requiring a Planning Agreement where woodland is to be subject to a planning consent.

#### **Policy 5.5**

***The council will support the recommendations of the Forestry Commission when works are undertaken on woodlands protected by Tree Preservation Orders, under The Forestry Commission's Woodland Grant Schemes.***

## **CHAPTER SIX - TREES AND DEVELOPMENT**

Mature trees can be an asset to a new development. They give a place a sense of character, as well as providing a ready-made landscape. The CABE Space (Commission for Architecture and the Built Environment) publication: 'Does money grow on trees?' (March 05) looks at how well planned and managed parks, gardens and squares can have a positive impact on the value of nearby properties and can attract inward investment and people to an area. The results showed that people were willing to pay a substantial premium to live in a leafy neighbourhood, as much as 34% in one area.

Retaining trees is always desirable, though many trees are lost each year because of development. Some are removed due to their condition or because they are directly in the way of development. However, many are lost due to unsuitable protection during the construction phase. Often, inadequate consideration is given to how they can be best integrated into the development.

Frequently, trees are retained within new developments but fail to survive more than a few years. This is due either to problems during the construction phase or the lack of space to incorporate adequate root and crown spread for the trees.

Activities that kill or harm trees on construction sites include:

- root severance
- compaction of soil around roots
- flooding
- raising water tables
- changing soil levels
- fires
- damage from machinery
- harmful substances, e.g. petrol and cement.

All of these are common occurrences or hazards on development sites. It is essential that none of these activities occurs within the main root spread of a tree. The area that needs to be protected is defined in BS5837 (2005) "Trees in Relation to Construction - Recommendations", which at present is the accepted standard. This area is known as an **exclusion zone** and should be marked by a sturdy fence. The distance from the tree to the fence line will depend on the type of tree, its age, size and condition. This standard also outlines other aspects of trees and construction including recommended planting adjacent to new buildings.

The following policies are designed to ensure that as many trees as possible are retained and appropriate tree planting takes place:

### 6.1 Retention of Trees

### 6.2 Protection of Trees to be Retained

### 6.3 Tree Planting on Development Sites

## LINKS WITH OTHER POLICIES

Policies in this chapter seek to expand on the following Local Plan Policies:

### **ENV 21 (formerly DENV 22)**

***Developers will be expected to integrate all significant healthy trees and woodlands and important hedgerows within their development proposals exceptionally where the approval of a development involves the felling of such trees the council will require replacement trees to be planted as part of an***

***overall landscape scheme.***

***ENV 22 (formerly DENV 23)***

***A high quality of design and implementation of hard and soft landscape works will be required in new development.***

## 6.1 RETENTION OF TREES

When a planning application is received for a site that contains trees, the Trees and Woodlands Officer should be consulted. We can then assess which trees are worth retaining. In general, these will be trees that are healthy, with a long life expectancy and contribute to the amenity of the area (as outlined in BS 5837), particularly where they will help to screen or break up the hard lines of a new development.

On sites with clear tree issues a tree survey is normally required from the developer in support of an application as stated in the Local Plan:

***When dealing with planning applications which involve trees the council will normally require a tree survey and protective measures for the tree in accordance with BS5837.***

This allows the Tree Officer in consultation with the Planning Officer to make informed judgements on the suitability of trees for retention or removal.

Once the trees to be retained have been identified, their removal can be prohibited by a Tree Preservation Order, planning conditions or a planning agreement. The aim of this policy is to ensure that trees are not unnecessarily lost and that the most suitable ones are retained.

### ***POLICY 6.1***

***The council will use its powers to ensure that where it is conducive with other planning objectives there is maximum retention of trees on new development sites.***

## 6.2 PROTECTION OF TREES TO BE RETAINED

Often, the good intentions of a developer to retain trees on a site are wasted because inadequate precautions are taken during construction to protect the trees. Physical protection of trees within a fenced off **exclusion zone** is necessary to limit the effects of development. It is essential that tree protection is made the subject of a planning condition and that these conditions are enforced throughout the development phase.

We will consider a Tree Preservation Order on trees that are worthy of retention having regard to central Government advice.



#### **POLICY 6.2**

***The council will seek the successful retention of trees on development sites, where possible, in agreement with the developer, by:-***

- a) placing suitable trees under a Tree Preservation Order once they have been identified***
- b) requiring conditions as part of the planning permission, relating to the physical protection of trees on the development site***
- c) ensuring that the planning conditions or planning agreements are monitored.***

### **6.3 TREE PLANTING ON DEVELOPMENT SITES**

Tree planting on a new development replaces felled trees and enhances the site. The council will require a landscaping scheme to be submitted for approval. This will contain the tree planting proposals. These should be in line with policies 3.3 and 3.4 and be developed in consultation with the Tree Officer.

A two for one replacement of trees to be felled to allow development to go ahead will normally be required. This will ensure that the loss of tree

cover is compensated for and that at least one tree should survive to maturity.



#### **POLICY 6.3**

***The council will ensure that tree planting on development sites is adequate and appropriate by:***

- a) requiring that landscaping schemes submitted as part of a planning application reflect good landscaping and arboricultural practice and tree planting conforms to the policies in Chapter 3***
- b) requiring that any new trees planted which die within 5 years of the development being completed are replaced by the developer***
- c) requiring that the level of tree planting adequately reflects the tree cover removed and the requirements of the development. This will normally mean that at least 2 trees will be planted for each one removed.***

### **CHAPTER SEVEN - HEDGEROWS**

The Hedgerow Regulations 1997 were made under section 97 of the Environment Act 1995 and came into operation on 1st June 1997. They introduced new arrangements for local planning authorities in England and Wales to protect important hedgerows in the countryside by controlling their removal through a notification system.



Hedgerows are distinctive features of the countryside of England and Wales. As the most traditional type of field boundaries in many areas, hedgerows and the field banks on which they often run are often of considerable historic interest. Many date back to the first enclosure of land and may incorporate other historic features such as ancient earthworks, parish or old property boundaries. They contribute positively to the character and interest of the landscape.

Hedgerows, particularly older hedgerows, often contain a great diversity of plant and wildlife species. Their role in conserving and enhancing biological diversity is recognised in the UK Biodiversity Action Plan, which includes a costed habitat action plan for ancient and/or species rich hedgerows. The part played by hedgerows in nature conservation is also reflected in the Conservation (Natural Habitats etc.) Regulations 1994, which acknowledge that such linear features are essential for the migration, dispersal and genetic exchange of wild species.

In England, Planning Policy Guidance Note 9 (Nature Conservation, 1994), and in Wales, Technical Advice Note 5 (Nature Conservation and Planning 1996) encourages management policies for hedgerows.

The council will promote the retention of important hedgerows and the planting of new ones using the following policies:

- 7.1 Administration of the Hedgerow Regulations**
- 7.2 Enforcement**

## 7.3 Hedgerow Awareness

### LINKS TO OTHER POLICIES

Policies in this chapter seek to expand on the following Local Plan Policies:

#### **ENV 21 (formerly DENV 22)**

***Developers will be expected to integrate all significant healthy trees and woodlands and important hedgerows within their development proposals exceptionally where the approval of a development involves the felling of such trees the council will require replacement trees to be planted as part of an overall landscape scheme.***

Chester's Environmental Policy states:

***5. Amenities and Landscape. Chester wishes to protect, enhance and increase the public's awareness of the local environment, including public open space, countryside and wildlife habitats.***

### 7.1 ADMINISTRATION OF THE HEDGEROW REGULATIONS

Hedgerows are a common local landscape feature. On average Chester City Council receives two (2) Hedgerow Removal Notices a year and so far we have served four (4) Hedgerow Retention Notices.

#### **POLICY 7.1**

***The council will use its powers under the Environment Act 1995 to retain important hedgerows within the Chester District by:***

- a) ensuring that a careful procedure is followed in order to properly administer the process and assess Hedgerow Removal Notices***
- b) ensuring that all hedgerows are properly assessed under the criteria of the Regulations and all assessments carried out by competent professionals***
- c) keeping accurate records of all Hedgerow Removal Notices and Retained Hedges.***

### 7.2 ENFORCEMENT

Removing a hedgerow in contravention of the Regulations is a criminal offence, punishable by a maximum fine of £5,000 in the Magistrates Court or an unlimited fine in the Crown Court.

### **POLICY 7.2**

***The council will be prepared to use its enforcement powers under the Environment Act 1995, for the retention of hedges to their full potential, where it is appropriate.***

***In most cases the unlawful removal of part or all of an important hedge will result in the offender planting a replacement hedge.***

## **7.3 HEDGEROW AWARENESS**

Loss of hedgerows from the countryside is a continuing cause for concern. In particular the report by the Institute of Terrestrial Ecology (ITE) on hedgerow changes in Great Britain between 1984 and 1990 revealed that the total hedgerow length in England had fallen in the period by over 20% and in Wales by 25%.

A further survey into hedgerow changes for the years 1990 to 1993 compared the results with those obtained from the previous survey. It showed that the rate of hedgerow removal had more than halved from 9,500km to approximately 3,600 km a year. In addition, the rate of gains from new planting had increased from 1,900 to 4,400 km a year, more than outweighing the losses from removal in numerical terms.

### **POLICY 7.3**

***The council will promote and encourage the planting and maintenance of hedgerows through existing policies and strategies and raise awareness of the hedgerow regulations through the distribution of existing literature.***

## **CHAPTER EIGHT - HIGH HEDGES**

Due to the rising number of national complaints from people affected by the height of hedges on private land, the Government has given councils in England powers to deal with high hedges under Part 8 of the Anti Social Behaviour Act 2003.

Regulations and advice from the Office of the Deputy Prime Minister were released on 1st June 2005. These describe how Chester City Council will adjudicate in these disputes.



A high hedge is defined in the Act as a barrier to light or access as is formed wholly or predominantly by a line of two or more evergreen or semi-evergreen trees or shrubs and rises to a height of more than 2 metres above ground level. However the Act will only offer control over hedges that affect homes, which are defined as a dwelling or any associated garden or yard.

Where people cannot agree a solution, they may ask the council to review their case, acting as an independent and impartial third party. Should the council feel the complaint is justified they may order the hedge owner to reduce the height of the hedge and keep it at a lower level.

The council will deal with this legislation using the following policies:

- 8.1 Administration of the High Hedges Regulations**
- 8.2 Enforcement**
- 8.3 Advice on Hedges**

### **8.1 ADMINISTRATION OF THE HIGH HEDGES REGULATIONS**

We have adopted a clear, fair, reasonable and impartial procedure in order to deal with these new powers. The ODPM has provided Model Forms, Letters and Explanatory Leaflets to guide Local Authorities on the format for administering high hedges complaints.

There are no strict guidelines for determining high hedge complaints. The guidance provides certain factors that should be considered. However, guidance prepared by the Building Research Establishment (BRE) titled 'Hedge height and light loss' does provide a system of

calculation to determine the loss of light to homes and gardens. This guidance appears to be the only practical and fact based document available to determine problem hedges.

### **POLICY 8.1**

***The council will use its powers under the Anti Social Behaviour Act 2003 to deal with High Hedge complaints by:***

***a) ensuring that a careful procedure is followed using government guidance***

***b) adopting guidance prepared by the Building Research Establishment (BRE) entitled 'Hedge height and light loss'***

***c) issuing remedial notices where appropriate.***

## **8.2 ENFORCEMENT**

Failure to comply with the council's decision is an offence punishable, in the Magistrates Court to a level 3 fine (presently up to £1,000 maximum).

As an alternative to the above, or in addition, the council will have powers to enter the land and carry out the work and recover the costs from the land owner.

### **POLICY 8.2**

***The council will be prepared to use its powers under the Anti Social Behaviour Act 2003, to ensure that remedial notices are carried out.***

## **8.3 ADVICE ON HEDGES**

It is quite clear from the guidance that councils don't have to mediate in all hedge disputes, but are to be the deciding authority where communication has broken down and a complaint is taken on.

However, before a formal complaint is made it may be appropriate to offer advice on how the situation may be resolved.

Various literature is available from the Government on the subject of hedges including:

- The Right Hedge For You
- Over the Garden Hedge
- Hedge Height and Light Loss.

### **POLICY 8.3**

***The council will offer advice where possible on the subject of hedges in order to reduce the amount of formal complaints regarding High Hedges.***

## **CHAPTER NINE -TREES AND THE COMMUNITY**

The primary aim of managing trees within the urban area is to provide an attractive, healthy and safe environment. The wrong tree in the wrong place may cause a nuisance and contribute to a resident's or visitor's diminished perception of the environment. However, appropriate trees in appropriate places can benefit the environment and the amenity of an area considerably.

It is possible that a tree may be considered an intolerable nuisance by one person and a positive asset by another. It is our role to balance these views when managing our own trees or controlling trees that are protected. To do this effectively we must consider the views of the community wherever possible by consulting residents, parish councils, ward members and other community groups.

Generally, we only receive tree complaints. People rarely make it known that they are happy with the trees in their locality although they do complain when they see trees being felled or removed. We need to remember this silent majority to gain a balanced view. We need to develop channels to get all points of view. Continuous consultation and education will give people more opportunity to influence their environment.

We have developed the following policies to achieve this.

- 9.1 Trees in Schools**
- 9.2 Tree Awareness**
- 9.3 Empowering the Community**
- 9.4 Vandalism and Damage to Council Trees**

### **9.1 TREES IN SCHOOLS**

Trees in school grounds provide an attractive environment and an educational resource. This is particularly so now that environmental awareness is becoming more prominent within the curriculum.

Trees in schools may be specimen trees, part of a wildlife area or small woodland. In whatever context, trees do not live alone. They have many other forms of wildlife associated with them including birds, fungi and insects, therefore providing a diverse resource for nature study.

Tree planting in schools has many benefits. Children participating in the planting of trees and design of wildlife or woodland areas can influence part of their environment. Tree planting is also an ideal way to increase awareness of the importance of trees. This should help reduce vandalism. There is also the long-term benefit of mature trees to be enjoyed by future generations of pupils.



**POLICY 9.1**  
***The council will liaise with the County Council and head teachers in order to promote and encourage tree planting and other tree-related educational projects in schools.***

## 9.2 TREE AWARENESS

All trees within the Chester District contribute to the environment. Most of these are on private land. Unless they are covered by a Tree Preservation Order or within a Conservation Area, they are beyond our control.

Many people can influence the tree resource in Chester, including developers, private landowners and residents. The opportunities that arise to inform and educate these groups on tree issues should be taken wherever possible.

There are many commonly held myths about the way that trees grow and the damage that they can cause. Accurate information and expert advice about trees is necessary to raise

people's awareness and understanding. This will contribute to a healthy and well cared for tree population.

## **POLICY 9.2**

***The council will seek to raise the understanding and awareness of trees to benefit the health of the tree population as a whole throughout the District by:***

***a) promoting and encouraging good arboricultural practices and woodland management***

***b) providing up to date information on tree issues***

***c) raising awareness of tree issues where possible and appropriate.***

## 9.3 EMPOWERING THE COMMUNITY

Communicating empowers the community. This can be done through consultation on individual proposed tree maintenance schemes or on a more routine basis through a voluntary tree warden, working in a particular locality. It is important that information can flow freely both ways, so residents are able to make their views known to the council so we can provide information on tree related issues.

The tree warden scheme is an initiative co-ordinated by the Cheshire Landscape Trust and currently has 165 Tree Wardens in 138 parishes in Cheshire. Tree wardens are people who have an interest and concern for trees, woodlands and hedgerows in their area. They come from a wide variety of backgrounds and do not necessarily have any prior knowledge of trees. All give a little of their spare time to work as volunteers to help protect and enhance their environment. They receive regular newsletters, the opportunity to attend training events and 25 free trees a year to plant in their local community.

One annual project we support is The Chester and District Festival of Trees. This local organisation was established in 1995 with a desire to raise awareness about very serious environmental issues while offering people an opportunity to celebrate and improve their local environment. For a fortnight each year covering National Tree Week and Tree Dressing Day, people get involved in planting new trees and dressing or decorating more mature ones. Local environmental workers and artists join forces

with community groups, clubs, schools, families and interested individuals to enhance their environment, learn conservation and art skills.

Other community led projects we run include improving our open spaces through commuted sum payments and grant schemes. These provide good quality tree planting schemes.

Responsive management doesn't help the consultation process as much as planned management. This is because current work tends to be on individual trees rather than on groups of trees within a particular locality. As the council moves towards a more co-ordinated way of maintaining its trees, working on distinct areas of trees at a time, it will be possible to notify residents of planned works and provide an opportunity for them to comment.

### **POLICY 9.3**

***The council will endeavour to involve the community by:***

***a) consulting residents and/or community groups on proposed large scale tree works, where it is practical, allowing time for the comments to be received and take these into consideration where they are conducive to good tree care and do not hinder the abatement of a hazard or severe nuisance***

***b) establishing schemes which involve the public more directly with the trees in their neighbourhood***

***c) giving support where possible to community initiatives that promote the planting and care of trees.***

## **9.4 VANDALISM AND DAMAGE TO COUNCIL TREES**

Vandalism is an increasing pressure on trees. Usually it is the young newly planted trees that are damaged; however, mature trees are often damaged too. There are various ways in which vandalism can be counteracted, but none of these is 100% effective against determined attack.

The main methods of deterring vandals are to plant large numbers of very young trees, known as whips, or to plant larger robust trees depending on the site. Another method is to put guards or fencing around trees, but these have to be large enough and strong enough to offer

real protection. This latter approach tends to be the most expensive method and only appropriate in very high profile positions. In the long run, increasing environmental awareness within schools and communities should help reduce vandalism.

There are cases where trees we own have been irrevocably damaged or removed without permission. There is legislation available to deal with this (for example the Criminal Damages Act, 1971.) Successful actions should be publicised to deter further offences.

### **POLICY 9.4**

***The council will seek to deter damage to its tree stock by:***

***a) investigating and testing initiatives to reduce vandalism to trees***

***b) where council trees have been damaged the Council will seek to recoup the cost of restoration or replacement and where appropriate report criminal damage.***

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