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Dear Sir/Madam

There have been a few queries lately regarding applications submitted to Wiltshire Council for works to trees, specifically relating to the apparent lack of information that is submitted with applications. As these types of applications have very different requirements from normal planning applications, we thought it would be useful to clarify a few points for you. In this letter, we will briefly explain the differences between the two types of tree works applications, what is required for each one, and the procedure we follow for each application.

There are two types of applications for works to trees:

- Works to trees covered by a Tree Preservation Order (known as a TPO application)
- Works to trees in a conservation area (known as a TCA application). This is officially known as a **Section 211 notice**.

TPO Applications have the following national requirements:

- A standard application form must be completed, including contact details and a signature
- The works must be clearly specified, including a measurement (for example, crown raise to six metres)
- The reasons for the works must be stated
- A sketch plan must be provided, with the trees that the application is concerning clearly marked (this does not have to be to scale)
- Any supporting information with helps to confirm the reasons for the works:
 - o Condition of the tree – arboricultural advice relating to the deterioration of the tree, or the presence of any disease or deadly fungus
 - o Subsidence – survey reports or technical evidence showing any damage to properties

Once an application is received, the support team will confirm that there is a TPO on the trees indicated, and then proceed to validate and register the application. These applications have an **eight week decision deadline** from the date the application is valid. Once the officer receives the application, they will conduct a site visit and request more information from the applicant if they deem it to be necessary. All comments from the parish and from members of the public are of great importance, as they help the officer to confirm the amenity value of the tree(s) in question. No works are able to take place until a decision has been issued, even if it goes beyond the eight week deadline. All documents, include the decision notice, are published on the website.

TCA Applications (section 211 notices) have the following national requirements:

- There is no specific form; as long as the details are provided, we must accept them in any written format, although we encourage applicants and agents to use the standard form wherever possible.
- The works must be clearly specified, including a measurement (for example, crown raise to six metres)
- Sufficient particulars to identify the tree(s) must be provided. A sketch plan is optional, but encouraged (this does not have to be to scale)

There is such a marked difference in what is required on these applications compared to TPO applications because these are officially only a **notice of works**, not an application for works. Members of the public are required to give the Council **six weeks' notice** before commencing any work to trees in a conservation area. The Council then have three options: firstly, to issue a letter of no objections; secondly, to not respond at all; thirdly, to create a new Tree Preservation Order. Unless a tree preservation order is served, the member of the public is free to carry out the works as soon as the six week notice period has ended.

As this is only a notice, our procedure is slightly different. When an application is received, the support team confirm that the trees indicated are in a conservation area, and then proceed to validate and register the notice. As stated above, these applications have a **six week decision deadline** from the date the notice is valid, which is a very strict timeline we must adhere to. As such, we are usually unable to grant time extensions on the consultation period. Parish comments and comments from members of the public are of a particular importance on these applications, as the officers become involved if any objections are received. All documents, include the decision notice, are published on the website.

Please note that as we have such tight deadlines to meet on these applications, we are looking to speed up the process of parishes being notified and therefore being able to respond. As such, we will now only be sending out a copy of the consultation letter via email. All plans and correspondence will be available to view on our website from the following day.

If you have any further comments, please do not hesitate to contact us. The information in this letter has been drawn from the planning guidance notes available on the below link. If you would like to read further into this topic, this is also a good place to start.

<http://planningguidance.planningportal.gov.uk/blog/guidance/tree-preservation-orders/>

Yours faithfully,

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