

Policy

The Council is seeking through the Stroud District Local Plan to make policies to safeguard and enhance the trees, woodlands and landscape of the area. The Local Plan will affirm the Council's commitment to protecting the character and environment of the district, placing special emphasis on trees and their role in the towns and villages and rural landscape.

By making TPO's the District Council can ensure the retention of woodlands, copses and individual trees, whilst encouraging good management for the future. The Council will require detailed tree surveys of prospective development sites and, where trees are to be retained in new developments, proposals illustrating that the trees will be suitably protected from damage during construction.

The Council will require landscaping of high standards including both tree and hedge planting on all appropriate developments.

The Council aims to promote good tree management and a greater awareness of trees and the landscape with the support of the general public, land owners, business groups and amenity societies, as well as through the more rigid statutory controls.

Notes to remember

1. The planting and management of trees is a vital factor in maintaining an attractive and natural environment.
2. Your interest and involvement is essential if the Council is to be successful in its aims of retaining and enhancing Stroud District's natural heritage.
3. Many trees in the district are protected. You can check with the District Council to find whether your trees are protected.
4. Failure to obtain authorisation for work to protected trees or failure to give the required notice regarding Trees in Conservation Areas can result in prosecution.
5. Free advice on tree and landscape issues is available from the Council's Arboriculturist or Landscape Architect at:

STROUD DISTRICT COUNCIL
Directorate of Development & Leisure
Council Offices, Ebley Mill, Stroud, Glos. GL5 4UB

Telephone - Direct Line (01453) 754329 or 754332

CONSERVATION in Stroud District

Trees are of vital importance in creating a pleasant and natural environment in which to live and work. In the countryside, managed woodlands, copses, field boundary trees and isolated trees are the most prominent living elements of the landscape.

In towns and villages, trees are a common feature adding significantly to the charm and character of the residential and working landscape.

The importance of trees as a wildlife habitat and as buffers against air and noise pollution is becoming more widely recognised as understanding of the natural environment increases.

Old trees have special importance as a wildlife habitat with over 1,700 species of invertebrate and fungi dependent entirely upon them, many of which are endangered and of national importance. Great Britain has 80% of the oldest trees in Europe and Gloucestershire is one of the most important counties in Britain for old trees.

Trees are known to help air quality by absorbing pollutants and by trapping toxic dust particles. By improving air quality they improve the environment and benefit human health.



Tree Preservation Orders

To afford trees legal protection Central Government regulations were first made within the Town and Country Planning Act (1947) and then in subsequent Acts to provide for Tree Preservation Orders (TPO's).

Making TPO's is the responsibility of the District Council. The Orders are served upon land owners/occupiers making it an offence (with a few exceptions) to prune, wilfully damage or wilfully destroy a tree without written authorisation. Objections to an Order can be made within twenty-eight days of being served and are considered by the relevant Council Committee prior to the confirmation of the Order. TPO's can cover single trees, groups of trees, areas of land and woodlands and once made are permanent. When the property is sold the Order is transferred to the new owner. A TPO does not change the ownership or the owner's responsibility for the safety of a tree.

If a preserved tree dies of natural causes, has to be felled due to its dangerous condition or is destroyed illegally, a replacement tree is a statutory requirement by law at the discretion of the Council.

It is accepted that trees may require attention to ensure their safety and minimise inconvenience to owners. As long as this work is carried out professionally and in a fashion which does not harm or disfigure the tree, authorisation will be readily granted. Applications must be submitted before any work is carried out.

Expert advice on all aspects of tree work is available from the Council's Arboriculturist or Landscape Architect.

Failure to obtain authorisation for work to preserved trees can lead to prosecution by the Council and conviction can lead to a heavy fine. (The current maximum in a Magistrates Court is £20,000).

If the Council objects to any proposed works, it will issue a refusal notice. An appeal against such a decision can be made to the Secretary of State for the Environment.

To obtain authorisation for works write to the Director of Development and Leisure at Ebley Mill, Stroud, giving the following information:

- (a) Details of the tree species and a sketch showing its location
- (b) Details of proposed works and reasons

If you feel the work needs to be done urgently as a matter of safety or because the tree may be dead or dying, you should contact the Council's Arboriculturist or Landscape Architect who will advise on the correct procedure (see contact address provided).

If you think any trees in your area are worthy of a Tree Preservation Order, please contact us and do not hesitate to call if you think a protected tree is being cut without permission.

Trees in Conservation Areas

In addition to TPO's, trees which are growing in Conservation Areas designated by the Local Authority are protected under Section 211 of the Town and Country Planning Act (1990). Anyone proposing to carry out any works to a tree in a Conservation Area is required to give the District Council six weeks written notice of their intention prior to the work being started. This does not apply to saplings under 7.5cms diameter in the trunk measured at 1.5 metres above ground level.

Except where the Council has consented to the proposals, if work is begun without due notice, the person(s) concerned can be liable to penalties similar to those for a contravention of a TPO and to a similar duty to replace (where applicable).

The Council is required by law to keep a public register detailing all such notices. The notices last for two years after which time if the work has not been carried out a new notice would be required.

The purpose of the requirement to give notice is to enable the Council to make a TPO where appropriate, in order to protect the trees. The provisions of the requirement do not apply to trees growing in a Conservation Area which are already protected by a TPO.

There are currently (April 2001) forty-three Conservation Areas designated within Stroud District with proposals for several more in the near future. They generally protect areas such as village and town centres but can include large areas of historical importance such as the Industrial Heritage Conservation Area which runs from Chalford in the east to Saul in the west and Nailsworth in the south east.

If you are in any doubt as to whether your trees are in a Conservation Area then please do not hesitate to contact the Council's Arboriculturist or Landscape Architect.

