

NOTES OF A MEETING WITH THE TREE WARDENS OF ASHTEAD, BOOKHAM, FETCHAM AND LEATHERHEAD.

19TH April 2017.

Present:

Tree Wardens

Roy Guy and Hilary Livesy – Ashtead
Jenny Wilson – Bookham
Mike Nash – Fetcham
Cheryl Allen – Leatherhead

MVDC

Lesley Westphal – Asst. Dev. Manager
Ron Howe – Tree Officer
Jack Straw – Acting Head of Planning

MVDC's role in preserving trees.

Making Tree Preservation Orders (TPOs)

Orders are used to protect trees if their removal would have a significant negative impact on the local environment and its enjoyment by the public. The criteria used to consider whether trees should be protected by an Order include the extent to which they can be seen by the public and their individual, collective or wider impact. Other issues on their own such as contribution to biodiversity or carbon capture are not sufficient to justify a TPO.

Considering applications to carry out works to protected trees

Applications to fell or carry out more than minor work to a protected tree are included in the weekly list of planning applications. MVDC has eight weeks in which to determine the application.

Considering applications to carry out works to trees in Conservation Areas.

Anyone wishing to carry out works to a tree in a Conservation Area is required to give MVDC 42 days notice. This is to give time to consider whether it is appropriate to serve a TPO on the trees to which work is proposed.

Planning applications and pre-planning application advice

MVDC provides a pre-planning application service. This helps a potential developer understand the planning issues the proposal raises and what issues will be taken into consideration in the event of a planning application. If the proposal involves trees of public amenity value that are likely to be prejudiced by the proposal and they are not protected, the Tree Officer will be alerted and requested to provide the planning officer with advice and decide whether an order should be placed on the tree(s).

In considering applications for planning permission on sites where there are trees – whether or not they are protected – the views of the Tree Officer are provided and taken into consideration as part of the process of determining the planning application.

MVDC has one Tree Officer covering all the above activities and related tree matters. Priority is given to the determination of applications to carry out works to protected trees, provide arboricultural

advice on planning applications where trees are likely to be affected and serve TPOs where trees of public amenity value are under threat.

The Tree Wardens.

Fetcham RA has a Tree Coordinator who sits on the FRA Committee and two Tree Wardens. Their remit covers “anything to do with trees in Fetcham”. This includes tree planting, identifying dangerous trees on highway verges and commenting on applications to carry out works to protected trees. The Wardens are provided with training and have a good deal of expertise. They liaise with Paul Manwaring at SCC Highways about planting on the highway verge.

There are five Tree Wardens in Bookham, one of whom is on the BRA Committee. They are members of the Surrey Tree Wardens Network which is run under the auspices of the Tree Council. The Network is a useful source of information and advice for Tree Wardens. The Wardens carry out tree planting and maintenance and seek to raise the profile of trees in the community. They too liaise with Paul Manwaring.

The Leatherhead RA currently does not have a Tree Warden but are looking to recruit one. The LRA’s Environment Committee is active in commenting on planning applications where trees are involved.

Five of the Ashted Tree Wardens have formed a Committee and there are a further five wardens who play a more hands on role. The Wardens’ objective is to protect the best trees in Ashted and to plant new trees in public spaces. They also look to roll out an education programme to help youngsters appreciate the value of trees in their community. The Wardens fed their views to the ARA’s Planning Committee so they can be taken into consideration when the Association is sending its views to MVDC on planning applications.

Working together to protect trees.

(a) Applications to carry out works to protected trees

Although there is no requirement on local planning authorities to invite views on applications to carry out works to protected trees, MVDC does include applications to carry out major works to protected trees in the weekly list of planning applications which appear on the MVDC web site. It would assist the Tree Officer if comments on the proposed works are submitted to him within 21 days of the date of the weekly list. In some circumstances an application may need to be determined sooner, so the earlier the Tree Wardens’ comments are received the better to avoid the possibility that are not taken into account. Comments should focus on the impact of the proposed works on public amenity.

Applications for minor works to protected trees are considered by the Tree Officer under a fast track system. This process has been in operation for since 2012 to expedite decisions on minor works which do not have public amenity consequences, including for example pruning and minor crown reduction. These proposals do not appear on the weekly list until they have been determined.

(b) Reporting works to trees

The Tree Officer is not able to monitor all tree works. The Tree Wardens can assist the Tree Officer by notifying him of unauthorised works to protected trees but should check beforehand via the

MVDC website that the trees are protected, whether consent to carry out the works has been granted and if so whether they were subject to conditions . Non compliance with replanting requirements can be reported by the Tree Wardens to the Tree Officer who will then send out a written reminder.

(c) Priority Trees

The Bookham and Fetcham Tree Wardens had each previously submitted an extensive list of trees in their communities which they felt were worthy of TPOs. While MVDC appreciates the work that had gone into compiling the lists and the enthusiasm for seeing the protection of the trees, it would be a significant undertaking to review the lists, consider the merits of the trees and serve TPOs. The resources to do all this work are not available.

MVDC will refer to the lists in the event of the receipt of development proposals affecting Bookham and Fetcham and consider whether a TPO would be appropriate.

It was agreed that the Tree Wardens would review their lists and prioritise the trees in terms of their contribution to public amenity. MVDC will then reconsider whether there is a case and resources for protecting some of the “champion trees”. Where a “champion tree” is not under threat, the Tree Officer will have to engage with the tree’s owner and explain why a TPO is considered necessary and that it would become a charge on the property.

It also has to be borne in mind that a TPO does not necessarily guarantee that a tree will not be lost or that works to it will not be undertaken. What it does is to bring works to a tree under the control of the local planning authority. Importantly, a TPO enables the local planning authority to require the planting of a replacement tree for the benefit of future public amenity.

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- (a) The process for investigating unauthorised works to protected trees and the subsequent sanctions was explained. This can include prosecution through the Courts.
- (b) It was confirmed that there is a general requirement to replace a protected tree that is removed for whatever reason.
- (c) The availability of further information about the protection of trees in Mole Valley on the MVDC web site was explained. It can be accessed at <http://www.molevalley.gov.uk/index.cfm?articleid=17260>
- (d) The Government advice on Tree Preservation Orders and trees in Conservation Areas can be seen at <https://www.gov.uk/guidance/tree-preservation-orders-and-trees-in-conservation-areas>
- (e) It was agreed to meet again in twelve months on Thursday 19th April 2018