

Guidance for the Completion of Protected Tree Works Application to Flintshire County Council

Introduction

This guidance has been produced to assist tree owners and their agents with submitting tree work applications to the Local Planning Authority, which is the part of the council which oversees the protection of trees.

The guidance incorporates the [Help Text](#)¹ provided by the Welsh Government for making tree work applications and the arboricultural industry's best practice guidance contained in BS3998:2010 Tree Work – Recommendations.

The Welsh Government has a 1 APP form which must be used to submit various types of application for development. It is also a requirement that the 1 APP form is used to submit an application for consent to carry out works to a tree subject to a **Tree Preservation Order (TPO)**.

When applying for consent to carry out works to a tree subject to a TPO it is also necessary to provide certain details for your application to be made valid. The details are national requirements in Wales and England and the minimum necessary.



The same form is used to submit a **Conservation Area** notification (Under Section 211 of the Town and County Planning Act 1990) to carry out works to a tree inside a conservation area and of sufficient size to be subject to the controls.

You can find out if a tree is protected by a Tree Preservation Order or within a designated Conservation Area [here](#).

¹ Application for Tree Works (Version Sc31 V1.1 Wales)

Applications can be completed and submitted online at the Welsh Government's [website](#).

Alternatively, the tree works form can be [downloaded](#) from the Welsh Government's website, completed offline and posted, along with supporting documents, to the planning department at the address on the bottom of the form.

The online and downloadable forms are set out differently but require the same amount of tree information to be submitted.

When completing an application online you may find it useful to open the pdf version of this document in a separate window so that it can be referred to as you complete the form.

General information about protected trees can also be found on Flintshire County Council's website [here](#).

Protecting Trees for Visual Amenity and Other Benefits

As well as providing visual amenity, trees deliver many other and varied benefits to society, irrespective of ownership. Trees improve air quality, moderate air temperatures, reduce flooding, lock up carbon, absorb pollution and increase biodiversity, particularly in our towns.

A Wrexham study found that the town's urban trees provide £1.44 million of ecosystem benefits each year². Research in Canada found that in high income residential areas property prices were 10-15% higher where there were mature trees compared to the same areas without mature trees³.

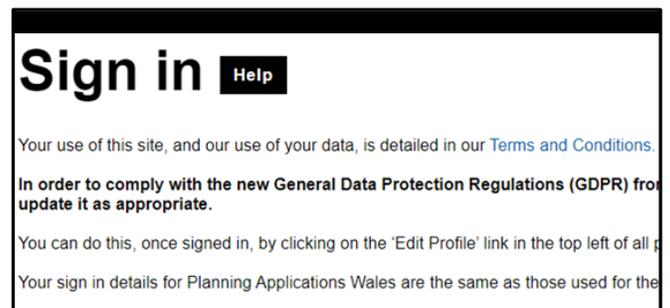
In recognition of the benefits trees provide Flintshire County Council has an [Urban Tree and Woodland Plan](#) which has a target of increasing urban tree cover. The plan also sets out the council's approach to the management of trees on its own land and other land through the implementation of national and local planning policies.

Online Applications

You can start an online application by signing up to the web site, providing an email address and creating a password. This allows your application to be saved as a draft and edited before being submitted.

Tree Location

This should be where the base of the trunk is situated. A tree may overhang a garden but grow from another property. If the trunk straddles a boundary between two properties the details of both properties should be provided. There is space to provide these details in the Description box at the bottom of the question.



Sign in Help

Your use of this site, and our use of your data, is detailed in our [Terms and Conditions](#).

In order to comply with the new General Data Protection Regulations (GDPR) from update it as appropriate.

You can do this, once signed in, by clicking on the 'Edit Profile' link in the top left of all p

Your sign in details for Planning Applications Wales are the same as those used for the



Trees Location

Please provide the address of the site where the tree(s) stands (full address if possible)

Number Suffix

Property name

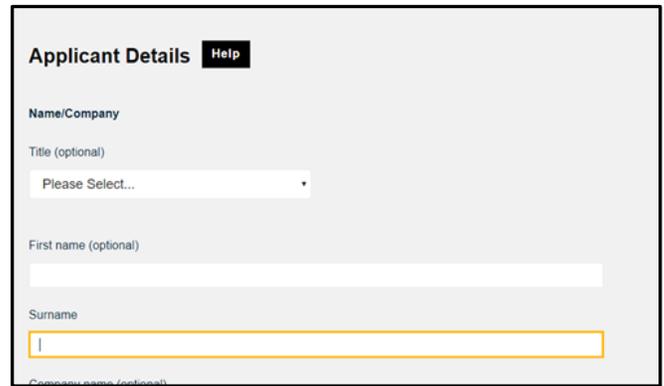
² Cyfoeth Naturiol Cymru/Natural Resources Wales, 2016. Wrexham's Urban Trees – an amazing resource benefiting us all

³ The Impact of Mature Trees on House Values and on Residential Choices in Quebec City

Applicant's and Agent's Details

The applicant is usually the owner of the tree, or at least the person wanting to undertake the tree work. You do not have to be the tree owner to apply.

The agent is the person appointed by the applicant to make the application on their behalf. It is not necessary to use an agent and the Agent Details should be left blank if one is not appointed. If the Agent's Details are completed all correspondence including the decision notice will be sent to that address and not the applicant's.



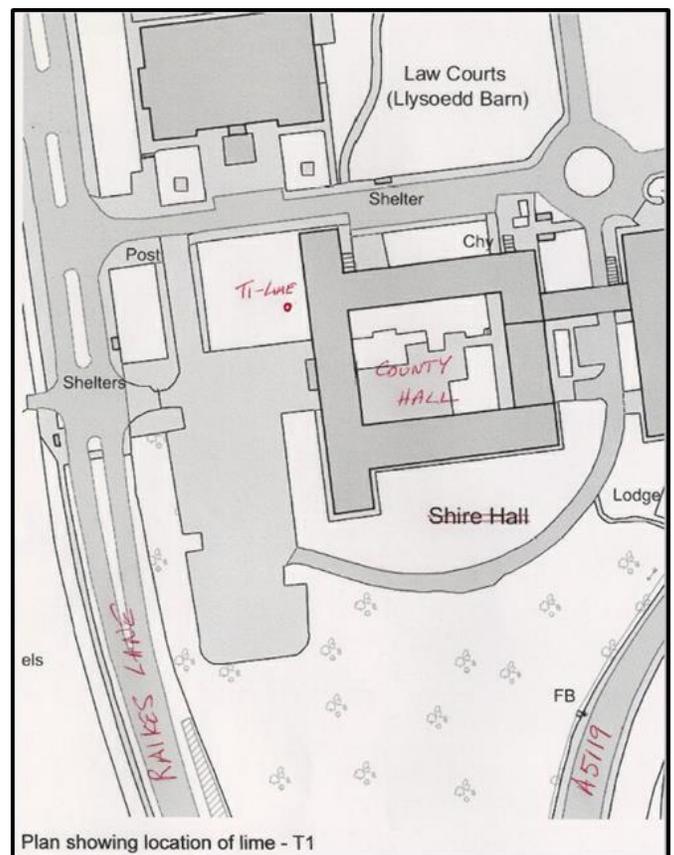
An applicant may instruct a tree contractor to submit an application on their behalf. The tree contractor would then complete the "Agent Details" and receive all correspondence relating to the application. (N.B. An applicant should not insert the contractor's details in the Agent's Details if they only intend to have the physical tree work carried out by their contractor).

Identification of Tree(s)

It is necessary to provide a clear plan (see right) when making an application to carry out works to a tree subject of a TPO. The plan should show the precise location of the tree/s in relation to the property's features, such as boundaries, buildings, garages, public highway and neighbouring properties.

The road or street name should be marked along with the house number or name, where relevant. The tree/s on the plan should be labelled and clearly relate to the details provided in the Description of Works. This is particularly important where work is proposed to more than one tree. The trunk of a tree can be marked with paint, barrier tape or a tag if it forms part of a group of trees which could make it difficult to identify on a plan.

The TPO plan can be used if it is sufficient to clearly identify the tree/s subject to the proposed work. Where appropriate the tree numbers on the plan should reflect the tree numbers in the TPO (e.g. T1, T2, T3) or, alternatively, further annotated, to identify the tree/s subject to the proposed work within the alternative TPO designations on the plan (e.g. G1, G2, W3).



A plan should also be provided in support of a notification to carry out tree works within a Conservation Area.

.....and Description of Works

It is recommended that tree owners seek the advice of a tree contractor before submitting a tree works application so that the various options for pruning or felling can be considered. Proposed pruning should be sympathetic, respecting the tree's shape, species characteristics and take into account past management.

Tree pruning must be accurately specified in the Description of Works and general terms such as prune, cut back and lop are not specific enough on their own. TPO applications that are poorly specified may result in a decision being delayed or in some cases being refused due to lack of information.

Poorly specified tree works may also delay the determination of Conservation Area notifications within the six week period and result in the service of a TPO, to prevent the tree works outlined from going ahead.



Example Specifications

Reduce crown towards rear of dwelling up to 2.5m to provide a minimum clearance of 4.5m from the brickwork leaving a natural crown shape, as shown by red line in photograph taken from the road.

Crown lift over garden to 4.5m by removing the low secondary branches.

Shorten long ponderous branch, which forks from trunk at approximately 7m above ground level and is approximately 250mm diameter at this point, by 3m back to main part of crown.

Reduce crown to east and west by 1.5m to leave a branch spread of 7m. Also reduce height of crown by 1.5m to leave an overall tree of height of 17m.

Proposed tree work that would significantly reduce a tree's amenity value is unlikely to be allowed unless there is an overriding reason (e.g. health or safety, building subsidence) along with supporting documentation.

In accordance with the current industry standard (BS3998:2010 Tree Work – Recommendations) applications for tree works should **not** specify crown reductions as a percentage of the crown because they are inaccurate.

A proposed crown reduction should instead specify, by reference to a length or height, what is to remain or the clearance from a structure that the pruning is to achieve. To assist with the works implementation the crown reduction may also specify the length of branches to be removed. Where it helps with describing the proposed tree works, annotated photographs can be used but they should not be used, on their own, to indicate the extent of a proposed crown reduction because they are only two dimensional.

Where it is proposed to remove a particular branch the specification should clearly describe where the branch is located within the crown so there is no ambiguity. Reference photographs can be used for this purpose. The height, direction and/or diameter of the branch can also be stated.

The Arboricultural Association has the following page explaining common tree work terminology and definitions.

<https://www.trees.org.uk/Help-Advice/Public/A-brief-guide-to-tree-work-terminology-and-definit>

Reason for Work

It is a mandatory requirement to state the reason/s when proposing to carry out work to a tree subject to a TPO⁴. This section is optional when submitting a Conservation Area notification. However, if completed, it will assist the Local Planning Authority in understanding why the work is proposed.

Where it is stated that the reason for carrying out the proposed tree work is for health or safety, a report by a tree professional (arboriculturist) must be provided **before** a TPO application can be accepted as valid. Similarly, if the reason for carrying out the proposed tree work relates to alleged subsidence it is necessary to provide a full report by an engineer or surveyor, together with a report from a tree professional **before** a TPO application can be accepted as valid. A fee maybe charged to provide a report.

Reports can be uploaded to the website as supporting documents on Your Application homepage.

Applicants are advised to carefully consider the reasons for the work when completing the form.

Additional Information

There is the opportunity to type additional information in this section of the form.

Tree Ownership

If the owner of the tree is different to the address where the tree is located the details should be provided. A person who is applying to carry out work to someone else's tree is strongly advised to contact them and discuss the work before making an application. Where it is stated that the tree is owned by another party the local planning authority will normally use the ownership details to consult the party so that they have the opportunity to comment on the proposal. It may be useful for the applicant to submit a letter from the owner of the tree stating that they agree to the work being carried out. The tree work specification should be written down in the letter from the tree owner to avoid any ambiguity.

If the applicant does not provide tree ownership details the local planning authority can still determine the application based on the information submitted. The local planning authority will **not** establish who owns the tree as part of the application process.

There are sources of information online which may establish the ownership of land on which a tree is situated. The [Land Registry](#) and Flintshire's planning application [database](#) can be used. An alternative source of information is from people who live or work in the area.

It is important to note that TPO applications and Conservation Area notifications are determinations made under the Town and Country Planning Act 1990 and therefore cannot give a right of access to undertake work on another person's land without their permission.

⁴ List 10 of A guide to the standard application form (1 App) and validation of applications, Welsh Government

Tree Preservation Order or Conservation Area Details

The title and reference number for the TPO should be completed as required (e.g. *Land at Ffordd Derwen, Sychdyn No.245 (2004)*)

Or details of the Conservation Area's name completed (e.g. *Nannerch*)

Where a tree is subject to a TPO **and** within a designated Conservation Area the form should be completed as an application to carry out works to a tree that is only subject to a TPO⁵.

You can find out if a tree is protected by a Tree Preservation Order or within a designated Conservation Area [here](#).

Authority Employee/Member

This part of the online form is mandatory and should be completed in accordance with the guidance in the Help window.

Declaration

Complete as required.

Supporting Documents

The location plan for the trees should be uploaded together with any reports that are required in support of the tree work application. Alternatively, supporting documents can be posted to the local planning authority (N.B. The Welsh Government website may require you to upload **three documents** even when there is no requirement. If this is the case you are advised to upload the tree plan more than once or attach photographs of the tree).

Fees and Payment

There is no fee to submit a Tree Preservation Order application or submit a Conservation Area notification. This needs to be confirmed in the Fees and Payment screen.

Submit Application

Before submitting your TPO application or Conservation Area notification ensure that the form has been completed correctly and the relevant documents have been attached.

Once you have formally submitted the application for tree works the details will be displayed in the web browser and will include a Planning Portal reference number (e.g. PP-08644636). This reference number should be used in any correspondence you have with the Local Planning Authority.

You should also receive a confirmation email containing the same Planning Portal reference number.

Further Information

The [Arboricultural Association](#) and [International Society of Arboriculture](#) are the two main tree contracting trade bodies

⁵ Section 211 (2) Town and County Planning Act 1990