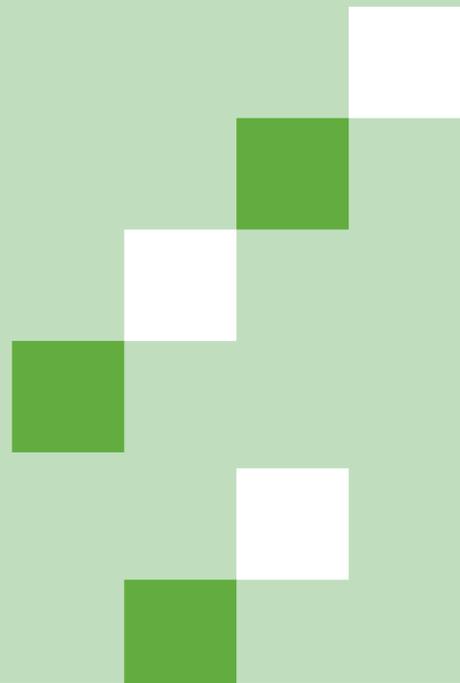
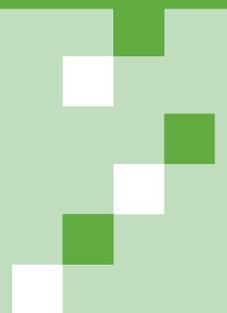


Supplementary Planning Guidance



TREES AND DEVELOPMENT



Approved March 2007



Supplementary Planning Guidance

Trees and Development

(Approved by Council 22nd March 2007)

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1. INTRODUCTION

- 1.1 This draft guidance supplements policies in existing development plans for Cardiff concerning trees and development. It provides guidance on how the Council will assess development proposals that might impact on trees, woodlands and hedgerows.
- 1.2 The guidance has been the subject of consultation as outlined in Appendix H, and Appendix I identifies the main proposed changes and other responses to the comments received. It was approved by the Council on 22nd March 2007.
- 1.3 The Welsh Assembly Government supports the use of supplementary planning guidance (SPG) to set out detailed guidance on the way in which development plan policies will be applied in particular circumstances or areas. SPG must be consistent with development plan policies and national planning policy guidance and may be taken into account as a material consideration in planning decisions.
- 1.4 Existing development plans for Cardiff, to which this draft SPG relates, are identified in Section 2.
- 1.5 The Council placed the Cardiff Unitary Development Plan on deposit in October 2003. However, in May 2005, the Council resolved with the agreement of the Welsh Assembly Government, to cease preparation of the UDP and commence preparation of a Local Development Plan (LDP). The relevance of the UDP to this guidance is addressed in Appendix B.

2. LEGISLATION, GUIDANCE & DEVELOPMENT PLAN POLICIES

Legislation and Assembly Guidance

- 2.1 Section 197 of the **Town and Country Planning Act 1990** places a duty on local planning authorities to ensure, wherever it is appropriate, that in granting planning permission for any development, adequate provision is made by the imposition of conditions, for the preservation or planting of trees. If it appears to a local planning authority that it is expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area, Section 198 of the Act provides the power to make a Tree Preservation Order (TPO) for that purpose. Under Section 211 of the Act, trees in conservation areas are subject to similar controls as trees to which a TPO applies.
- 2.2 The importance of protecting trees, woodlands and hedgerows is outlined in paragraphs 5.2.8 and 5.2.9 of **Planning Policy Wales** (Welsh Assembly Government, March 2002).
- 2.3 Paragraph 5.2.8 states that local planning authorities should seek to protect those trees and woodlands that have natural heritage value or contribute to the character or amenity of a particular locality, and that ancient and semi natural woodlands should be protected from development that would result in significant damage.
- 2.4 It is therefore appropriate for Local Development Plan policies and SPGs to (a) identify which trees and woodlands merit protection: and (b) set out how that protection is to be achieved.
- 2.5 Natural heritage values are addressed in the Biodiversity SPG Parts 1 & 2. Particular cultural and visual amenity issues are dealt with in policies for conservation areas, listed buildings and ancient monuments, in the Archaeologically Sensitive Areas SPG and in the Landscape Study of Cardiff 1999.
- 2.6 This SPG deals with the methodology to be used firstly to assess which trees and woodlands are worthy of retention and secondly how the protection of retained trees and, where suitable the provision of new trees, can be achieved. The methodology is based on that of the current **British Standard for Trees in relation to Construction**. At the time of writing this is **British Standard (BS) 5837:2005 'Trees in relation to construction – Recommendations**. It should be noted that the standard presents recommendations and the Council will adhere closely to these recommendations when considering development proposals that may impact on trees and woodlands.
- 2.7 In addition, paragraph 2.9.4 of **Planning Policy Wales** states that:
- “Good design is essential to ensure that areas, particularly where higher density development takes place, offer high environmental quality, including open and green spaces. Landscape considerations are an integral part of the design process and can make a positive contribution to environmental protection and improvement, for example to biodiversity, air quality and the protection of water resources.”*
- 2.8 **Further guidance is provided in:**
- Planning Guidance (Wales) Technical Advice Note (Wales) 10: Tree Preservation Orders [TAN (W) 10], Welsh Office October 1997
 - The Town and Country Planning (Trees) Regulations 1999

- Protected Trees: A Guide to Tree Preservation Procedures, Welsh Assembly Government 2002.

Development Plan Policies

- 2.9 The existing **South Glamorgan (Cardiff Area) Replacement Structure Plan 1991-2011** (adopted April 1997) contains a number of policies relating to trees, woodlands and hedgerows, which are identified in Appendix A. These include Policy C7 (Woodlands and Hedgerows), which states:

Proposals for the protection, improvement and management of existing woodlands, tree cover and hedgerows will be favoured. The extension of woodland cover, especially of native species, will be particularly favoured where:

- It makes a significant improvement to the landscape, such as on derelict land or to screen intrusive developments, in particular in the vicinity of major roads and quarries; and/or*
- It helps to diversify and extend wildlife habitats; and/or;*
- It makes a contribution in areas of significant visual impact such as the urban fringe, and adjoining major road and rail corridors; and/or*
- It adds to recreational and educational opportunities.*

Development which causes unacceptable damage to woodland sites or hedgerows will not be permitted.

- 2.10 Other relevant policies of the South Glamorgan (Cardiff Area) Replacement Structure Plan, as well as relevant policies of the **Mid Glamorgan County Structure Plan (Incorporating Proposed Alterations No.1)** (approved September 1989), which apply to the Pentyrch-Creigiau area, are included in Appendix A.

- 2.11 **The City of Cardiff Local Plan (adopted January 1996)** contains a number of policies that are generally relevant to trees, woodlands or hedgerows or may be relevant in particular circumstances. These are listed in Appendix A and include Policy 11 (Design and Aesthetic Quality), which states:

All new development should be of a good design which has proper regard to the scale and character of the surrounding environment and does not adversely affect the aesthetic quality of the area.

3. GENERAL AIMS AND PRINCIPLES

- 3.1 The Council aims to promote the benefits of trees, to encourage their sustainable management and to enhance the level and quality of tree cover throughout the county through the use of its planning powers and negotiation.
- 3.2 Trees can enhance the attractiveness of new development, its character, sense of maturity and overall quality. They bring nature to the urban environment and with their changing colours through the seasons, add to the quality of life for city dwellers. Trees can also help protect buildings from the elements, enhance views, provide shade and assist in energy conservation. They act as dust filters and noise barriers, improving the climate and air quality. Their positive effect on the environment helps to attract business and visitors to an area, thereby boosting the economy.
- 3.3 It takes several decades for new planting to mature; therefore it is important to ensure that the best existing trees are kept in a healthy state, to enhance new development from the outset. Recent advances in arboriculture have stressed the need for a more organised, systematic and coordinated approach to ensure the effective integration of trees within the design of new development.
- 3.4 The presence of significant trees on small or restricted sites may preclude development or extension of existing developments, where such development would have a detrimental impact on the health or amenity value of those trees.
- 3.5 Whilst existing trees may preclude development on some sites, in most cases, with careful planning they can be successfully integrated into new development. However, trees are living organisms that are sensitive to changes in their environment and they can be easily damaged or destroyed by construction operations. Their successful integration into a new development depends on the selection of appropriate trees for retention, informed layout design and careful implementation. As part of this process, it is necessary to consider the value of the trees within the context of the existing landscape character. In some cases the layout of development may be such that existing and newly planted trees are located in areas that are adopted into the public realm.
- 3.6 Where trees are identified in a **Tree Survey** as being suitable for retention under the criteria contained in the current BS 5837 (trees in categories A, B & C), the Council will normally expect them to be retained. If a developer proposes their removal, they will need to demonstrate how the removal of such trees will enable or enhance their overall design concept and how mitigation measures such as new tree planting and landscaping can compensate for losses. Consequently the purpose of such removals and mitigation measures must be understood from the start of the design process. It is not usually acceptable for new tree planting and landscaping to be considered after the layout has been designed. Areas for future tree planting should be plotted on a **Tree Constraints Plan** and will require protection during the construction process. It may also be necessary to include a post development maintenance schedule for new tree planting and landscaping.
- 3.7 Planning permission will not normally be granted for development that:
- Directly or indirectly causes unacceptable harm to trees or woodlands that have been identified as having significant amenity value. The methodology and recommendations set out in the current BS 5837 will be used to assess the threat of harm.

- Includes inadequate or inappropriate landscape proposals that fail to provide measures to conserve or, where appropriate, enhance the character of the landscape.
- 3.8 This guidance sets out procedures and design criteria aimed at ensuring the successful integration of existing and newly planted trees within development. Its purpose is to ensure that sufficient information is submitted to enable the Council to determine the potential long-term effects of new development on trees. Provision of the required information at the outset, as set out in this guidance, should help avoid delays and facilitate the decision making process.
- 3.9 Where trees are identified within or adjoining a proposed development site, it will usually be necessary for the developer to employ a professional arboriculturist to gather information about the trees, identifying those trees that should be retained and advising on how the development may be designed to secure the retention of those trees. It is important that the arboriculturist is involved at every stage of the design process, preparing Tree Surveys, Tree Constraints Plans, Arboricultural Implications Assessments, Arboricultural Method Statements and Tree Protection Plans.
- 3.10 In addition to considering direct development proposals, the Council will also take into account the potential impact on trees and woodlands where planning applications are received for a change of use to a site.
- 3.11 Pre-application discussion with the Council will often help resolve potential conflicts and developers are encouraged to consult the Tree Preservation Officers within the Strategic Planning Section prior to submitting planning applications.

4. SITE APPRAISAL AND PLANNING

- 4.1 This section provides guidance on the work that needs to be undertaken in preparing development proposals and planning applications that could have an impact on trees, hedgerows or woodlands, on or adjacent to the site. This includes:
- The information to be supplied with planning applications.
 - Site planning considerations.

The information to be supplied with planning applications

- 4.2 The following paragraphs identify the information that should be submitted with all applications where there are trees, hedgerows or woodlands either on or adjacent to the site.
- 4.3 It is essential that topographical surveys, tree surveys and tree constraints plans are prepared before layout proposals are considered, to ensure that development proposals take full account of any trees, hedgerows or woodlands on or adjacent to the site.
- 4.4 **Topographical surveys** should show:
- Spot heights of ground levels throughout the site.
 - Natural features such as streams, water - courses, banks and ditches.
 - The location of trees, groups of trees and shrub masses.
 - The approximate location of significant trees adjoining the site.
 - Existing buildings and services, both underground and above ground level.
- 4.5 Topographical surveys should meet the requirements of the current **British Standard 5837** and should follow the standard drawing convention within **British Standard 1192 Part 4 (1984) Recommendations for Landscape Drawings**.
- 4.6 **Tree surveys** should be prepared by a professionally qualified arboriculturist and should be made available before any detailed design decisions are made in relation to development proposals. Drawings should be at a scale of at least 1:500 and show existing levels. An example of a Tree Survey is provided in Appendix C.
- 4.7 Tree Surveys should cover all trees on and adjacent to the site. All trees with a stem diameter greater than 7.5 cm, measured at 1.5 metres from ground level, should be recorded, along with their location (to within 0.5 metres). In addition, a note should be made of any areas containing smaller but significant trees. Tree surveys should involve collection of the following information:
- Species.
 - Reference number (to be included on the survey plan).
 - Height to the nearest metre.
 - Trunk diameter to the nearest centimetre (at 1.5 metres above ground level).
 - Crown spread to the nearest metre (north, east, south and west).
 - Height of lowest branches.
 - Relative vigour.
 - Approximate age or age class e.g. young, middle-aged, mature, over-mature, veteran.
 - Condition (this may be by reference to defined categories ranging from trees that are in excellent health, free from defects, and have a long life expectancy,

to trees that are dead or dying); and general comments including, for example, wildlife habitat, special value, rarity and any defects.

- Recommendations for tree surgery or other remedial treatments.
 - Estimated remaining contribution in years.
 - Retention category as defined by the current British Standard 5837.
- 4.8 Where trees are growing as groups, it will often be appropriate to treat these as single entities when deciding what to retain. In such cases, it will generally be acceptable to record them as a group when carrying out the survey. Information should be recorded on:
- The outer crown spread of edge trees; overall height of the group.
 - The position of individual stems.
 - The number of trees in the group and their species.
 - Age range.
 - Condition.
 - Trunk diameters (the average and range will be acceptable e.g. average diameter 45cm, range 15-60 cm).
 - Retention category in accordance with the current BS5837.
- 4.9 Where it is proposed to retain only some of the trees within a group, it may be necessary to record all the trees as individuals.
- 4.10 Where the area to be surveyed includes woodland, its boundaries should be accurately recorded, together with information on the type of woodland (semi-natural or plantation), the main tree species present, their age range and size. As with groups, overall height of the woodland, the outer crown spread and stem diameters of the edge trees should be recorded. Where development is proposed within woodland, all the trees in the area affected will need to be surveyed.
- 4.11 **Surveys of flora and fauna** may be required.. Trees on some sites may support statutorily protected species, form the basis of locally important wildlife habitats or enhance other adjoining valuable habitats. In such cases, qualified ecological advice should be obtained and where appropriate, an evaluation report added to the survey information. Further advice on ecological issues may be obtained from the Council's Strategic Planning Section.
- 4.12 **Hedgerow Surveys** should include those within and bounding the site. Their position should be recorded, along with details of woody species composition, condition, height, width and approximate age. Where hedgerows or lengths of hedgerow are to be removed to facilitate developments, sufficient information should be submitted to allow the Council to assess whether the hedgerows to be removed are 'important' in accordance with the definitions contained within the **Hedgerows Regulations 1997**.
- 4.13 In some cases shrubs may be of sufficient value to merit recording. For example, shrubs of significant ornamental value or those that are providing a valuable habitat for wildlife.
- Arboricultural Implications Assessments and the Tree Constraints Plan**
- 4.14 For applications that involve complex tree issues, even on small sites, it will be necessary to provide an Arboricultural Implications Assessment for the proposed development and a **Tree Constraints Plan** denoting the constraints imposed by trees on any development.

- 4.15 Advice on the form and content of Arboricultural Implications Assessments and Tree Constraints Plans may be obtained from the Council's Strategic Planning Section. An example is provided in appendix D.
- 4.16 As a guide, the issues that need to be addressed include, but are not necessarily restricted to the following:
- The contribution made by the trees to the existing landscape and the way this is effected by the development proposals.
 - The **Root Protection Area (RPA)** for those trees falling into category A, B and C in the tree survey. The root protection area must be calculated in accordance with the current BS 5837 and shown on the Tree Constraints Plan.
 - Surface treatments within the rooting zone of trees.
 - Likely future growth of existing trees and those to be planted.
 - Existing and likely future impacts of trees on the shading of houses and gardens, to be shown on the Tree Constraints Plan.
 - Location of overhead and under ground services in relation to tree growth.
 - The location of roads parking bays, hard surfaces and footpaths in relation to the root protection area.
- 4.17 In addition to the direct impact of development proposals, due consideration should be given to the feasibility of implementing development proposals without causing damage to the trees that are to be retained. For example, there must be sufficient room to allow for the storage of construction materials, location of temporary buildings and working room to construct the development, without infringing on the root protection area around trees.
- 4.18 The provision of appropriate information detailed in this section is important in helping the Council to determine the acceptability of proposals and decide on appropriate planning conditions where permission is to be granted. Failure to submit the required information may prevent the application from being registered, or lead to a delay in determining an application. The Council may request additional information before determining an application.

Tree Protection Plan and Site Planning

- 4.19 Once trees have been categorised according to their desirability for retention and all constraints have been considered and plotted on a **Tree Constraints Plan**, the development potential of the site can be assessed. Site planning should be seen as a process of assessing various options against the tree survey and constraints information, in order to provide the best compromise between tree retention and the development potential of the site. The use of drawings/CAD layers with the trees colour coded according to their retention category, and surrounded by buffer zones, can be a useful aid to site planning.
- 4.20 Two buffer zones are important in successfully integrating trees and development. The first represents the minimum acceptable distance between trees and proposed structures necessary to avoid unreasonable interference with the use of the site, allowing for future growth of the trees. The second represents an exclusion zone — the minimum distance between trees and construction operations necessary to ensure that the trees survive the development process. It will rarely be acceptable for development, other than appropriate types of hard or soft landscaping, to take place

within exclusion zones. Hard surfaces should be kept to a minimum, leaving functional, undisturbed soils to provide optimum rooting conditions for trees.

4.21 British Standard 5837 provides guidance on detailed site planning. The following issues should be given particular attention.

- Retained and new trees should be in character with the area. Other significant landscape features such as important hedgerows should also be incorporated into the layout.
- Layouts should be designed so that trees do not dominate buildings, cause unreasonable reduction in light to habitable buildings, or completely block direct sunlight to gardens. The necessary assessments should be based on the ultimate likely size of a tree, rather than its current size.
- Changes in levels around trees should be avoided, if necessary, by the construction of retaining walls around the periphery of exclusion zones (allowing for future root growth in the case of young trees).
- Existing levels will need to be maintained within the exclusion zone around any trees to be retained.
- Where the site is affected by shrinkable/expandable clay soils, attention should be given to the design of sufficient building foundations, to avoid future problems of soil movement being exacerbated by tree roots.
- Early consideration should be given to the layout of underground and overhead services. It will generally be unacceptable for underground services to be routed through exclusion zones, or for overhead services to be routed where they will interfere with the growth of trees to be retained or planted.
- Soakaways should not be sited where they are liable to become blocked by tree roots.
- In designing soft and hard landscaping around existing trees and tree planting areas, consideration should be given to minimising root disturbance and also to the provision of air, water and essential elements to root systems.
- Particular care is required over final treatment of areas within exclusion zones. Soft landscaping, which does not involve soil cultivation, is preferable but, depending on the circumstances, appropriate hard landscaping treatments may be acceptable. The Council will follow the recommendations of the current BS5837 when determining the acceptability of proposals. Other methods and materials will only be considered where these will not impair the functioning of soils, tree roots or future growth of the tree.
- Care should be taken to avoid conflicts between highways and trees in order to maintain highway safety. For example, layouts should be designed to ensure that trees do not block sight lines.
- As well as ensuring adequate distance between trees and structures, consideration should be given to the space required for construction of the development including parking, stores, offices, site huts, materials, soil stock piles, fuel and chemicals.

- New tree planting and other landscaping should be given proper consideration during the detailed planning stages rather than being treated as an after thought. The choice of species in relation to the site and soil conditions needs careful consideration. Particular attention should be paid to avoiding possible conflicts with services, buildings and highways.
- 4.22 Once full consideration has been given to arboricultural constraints in relation to design proposals through the preparation of a Tree Survey, Arboricultural Implications Assessment and Tree Constraints Plan, a final **Tree Protection Plan** should be produced detailing the positions of protective barriers. In addition, it may be necessary to submit an **Arboricultural Method Statement**, providing specifications for any tree work, special construction techniques, protective barriers and other measures necessary to facilitate construction without damaging retained trees or spaces for tree planting. An example of an Arboricultural Method Statement is provided in Appendix F.

5. PLANNING CONDITIONS, AGREEMENTS AND TREE PRESERVATION ORDERS

5.1 In determining planning applications the Council may:

- Grant planning permission subject to planning conditions relating to tree retention and/or planting.
- Invite applicants to enter into a legal agreement with the Council to secure future management of trees.
- Make Tree Preservation Orders where it is considered appropriate.

Planning Conditions

5.2 For certain proposals, if a method statement for work affecting trees has not already been submitted, then a condition may be attached to a permission requiring one to be submitted and approved prior to commencement of any operations on site. Such a condition will require adherence to this method statement. Where a method statement is not required, specific conditions may relate to protective barriers, storage of materials, access and other operations potentially damaging to trees.

5.3 In assessing whether existing trees on a development site should be retained by planning condition, the Council will have regard to the following factors:

- Health and longevity.
- Particular amenity and/or landscape interest.
- Particular biodiversity, historical or cultural interest.
- Suitability for retention whilst new planting becomes established.
- Relationship with the proposed new development.

5.4 Conditions may also relate to landscaping of the site, including tree planting.

Planning Agreements

5.5 Section 106 agreements can include reference to tree related issues. These may relate to issues of retention, management or enhancement either within the site or within the immediate locality.

Tree Preservation Orders

5.6 A Tree Preservation Order may be made before or after determining a planning application. In the former case, trees may be given protection by virtue of an area order covering all trees within a defined area. In such cases, the purpose of the order will be to constrain site clearance prior to a decision being made, rather than to constrain design. Where planning permission is granted, orders may be replaced or modified in the light of the approved layout.

5.7 In assessing whether to serve a Tree Preservation Order, the Council will have regard to relevant legislation and Assembly guidance (see Section 2) and the following considerations:

(a) **Special Value**

Guidance makes it clear that Tree Preservation Orders may not be used to protect all trees and woodlands. They should be used to protect those that are most important and where a threat is present or anticipated. Therefore the

Council will seek to protect those that it can demonstrate have a special value. The nature of the special value and threat will be identified in the Statement of Reasons attached to the Order. The only exception to this will be when an urgent threat (usually that of development) makes it expedient to protect all the trees on a site using the "Area of Trees" designation. Such action will protect all trees from removal until a proper decision can be made on each, in relation to the future use. The Council may later revoke the Order and may make a new one protecting the most important of the trees to be retained or planted.

(b) **Amenity**

Trees will be deemed as having visual amenity value when the whole or part of the tree, group, area or woodland can be viewed from a public place. This can include a proposed development, road, footpath, school, shopping area, park or public open space. Visual amenity value may also relate to trees that are seen by many people from their homes or work place, where it can be demonstrated that a reasonable level of public benefit will accrue.

(c) **Individual merit**

The Council will assess the tree, group, area or woodland on its individual merits by reference to its size, form and setting and its future potential amenity value. Groups, areas or woodlands will be assessed on their collective impact.

(d) **Wider merit**

As part of the assessment the Council will consider how trees integrate and contribute to the setting and that of the wider landscape. This is especially the case when sky lined, viewed on rising ground or overlooked from higher areas.

(e) **Special Factors**

Although visual amenity is the primary reason for serving a Tree Preservation Order, other factors may also weigh in favour. These include:

- Wildlife value.
- Species rarity.
- Landscape function e.g. Screening an eyesore or punctuating a particular feature.
- Ancient trees and those that have significant historical, cultural or biological interest.
- Trees that are local historical landscape features that predate the current land use.

(f) **Surroundings**

The value of a tree or woodland relates to its surroundings. Where trees are plentiful, the loss of a tree may be less significant than where they were scarce. Conversely, in areas that are generally lacking in trees, it may be appropriate to protect trees more stringently. The test is whether the removal of the tree would have a significant impact on the local environment, and its enjoyment by the public

(g) **Expediency**

The Council recognises that a Tree Preservation Order constitutes a considerable imposition on the owner of the land to which it relates. Therefore, Orders will only be served where it expedient to do so. When assessing expediency the Council will consider:

- The present TPO coverage in the area and its appropriateness.
- The level of tree cover both within the site and within the local environment.
- The level of actual or perceived threat both at the time of the assessment and in the foreseeable future. This may be an actual threat from an individual, an operation or change of use or, generally, in the form of local development pressure or change of ownership.

5.8 Trees are living things that grow very large and live for a very long time. They are often the largest and most permanent elements of the landscape. Their continuing health is dependent on them having sufficient space to reach their natural potential in a stable environment. In the context of a developing capital city, increasing rates of redevelopment, rising land values and changing lifestyles, most trees are likely to be at risk at some time in their long lives. The Council will therefore have regard to these general threats over time, even when the present owners have only good intentions towards their trees.

6. ENFORCEMENT

- 6.1 Where trees are threatened by a contravention of planning control, the Council will take appropriate enforcement action. Its options in this respect are:
- To serve an Enforcement Notice, a Breach of Condition Notice or a Stop Notice.
 - To seek a High Court or County Court Injunction.
- 6.2 An **Enforcement Notice** may be served to remedy a breach of planning control, or any detrimental effect on amenity caused by such a breach. The notice will specify either the steps that the Council requires to be undertaken or the activities it requires to cease. Failure to comply with an enforcement notice may result in a fine of up to £20,000, or imprisonment.
- 6.3 A **Breach of Condition Notice** will specify the steps that need to be taken in order to comply with the condition in question. A time limit of not less than 28 days will be given. Failure to comply within this period may result, on summary conviction, in a fine of up to £400. There is no right of appeal against a Breach of Condition Notice.
- 6.4 **Stop Notices** requiring cessation of activities may be served in addition to an Enforcement Notice. These have a special role in enforcing tree-related planning conditions because of the irreversible damage that construction operations can cause to trees. A Stop Notice may come into effect on the day of issue. Failure to comply may result in a fine of up to £20,000, or imprisonment.
- 6.5 In certain cases, the Council may also apply to the High Court or the County Court for an **injunction** to restrain a breach of planning control. There is no right of appeal against an injunction per se, although representations can be made to the court that the injunction is not necessary. An injunction takes immediate effect and failure to comply constitutes a Contempt of Court and can be subject to an unlimited fine or two years' imprisonment.
- 6.6 In all cases, the Council will seek to work in partnership with developers and will offer advice prior to commencement of work.
- 6.7 In January 2001, the Council adopted a corporate Enforcement Policy to meet the requirements of the Enforcement Concordat, a guide for central and local government enforcement functions published by the Cabinet Office and Local Government Association. The corporate policy is designed to allow it to be supplemented by more detailed policies for specific services. An Enforcement Policy for Protected Trees and Hedgerows has been prepared which outlines:
- How such enforcement cases will be considered.
 - Enforcement options open to the Council.
 - How enforcement options will be implemented in a fair and transparent manner.

APPENDIX A: RELEVANT DEVELOPMENT PLAN POLICIES

Policies relating or relevant to trees, woodlands and hedgerows are contained in the:

- City of Cardiff Local Plan (adopted 1996).
- South Glamorgan Replacement Structure Plan 1991- 2011 (adopted 1997).
- Mid Glamorgan County Structure Plan (Approved Plan incorporating Proposed Alterations No.1 September 1989).

CITY OF CARDIFF LOCAL PLAN

Policy 1

Ancient Monuments and other Nationally Important Archaeological Remains

There will be a presumption against development proposals which would cause harm to ancient monuments or other nationally important archaeological remains, whether scheduled or not, or which would have an adverse impact on their setting.

Policy 3

Development in Conservation Areas

Development proposals within conservation areas will only be permitted if they preserve or enhance the character and appearance of the area.

Policy 4

Historic Gardens, Parks and Landscapes

Development proposals within or which may affect historic gardens, parks and landscapes will be required to respect the character, setting and historic value of such areas.

Policy 5

The Countryside including the Urban Fringe

The countryside including the urban fringe will be conserved for agriculture, forestry, recreation and other uses appropriate within a rural area. Planning permission will only be granted for development in the countryside which would be in harmony with and not cause unacceptable harm to the character, amenity, landscape and nature conservation value of the area.

Policy 11

Design and Aesthetic Quality

All new development should be of a good design which has proper regard to the scale and character of the surrounding environment and does not adversely affect the aesthetic quality of the area.

Policy 12

Energy Efficient Design

Development will be expected to incorporate energy efficient design, through building design, layout and orientation.

SOUTH GLAMORGAN REPLACEMENT STRUCTURE PLAN

Woodland and Hedgerows

C7. Proposals for the protection, improvement and management of existing woodlands, tree cover and hedgerows will be favoured. The extension of woodland cover, especially of native species, will be particularly favoured where:

- i. It makes a significant improvement to the landscape, such as on derelict land or to screen intrusive developments, in particular in the vicinity of major roads and quarries; and/or
- ii. It helps to diversify and extend wildlife habitats; and/or;
- iii. It makes a contribution in areas of significant visual impact such as the urban fringe, and adjoining major road and rail corridors; and/or
- iv. It adds to recreational and educational opportunities.

Development which causes unacceptable damage to woodland sites or hedgerows will not be permitted.

Conservation of the Built Environment

B1. The best environmental qualities of the built and historic environment will be protected and enhanced. Particular protection will be given to:

- i. Buildings or groups of buildings of architectural or historic interest (including listed buildings and buildings in conservation areas) and their settings;
- ii. Scheduled ancient monuments and sites of archaeological and/or historic interest, and their settings; and
- iii. Significant urban open space such as historic gardens, parks and landscapes.

Development which would be incompatible with the special character of a building or area, or detrimental to its amenity or function, will not be favoured.

General Countryside Protection

C1. The countryside, its resources, landscape, features, wildlife habitats and species, will be protected from inappropriate or harmful development. Particular protection will be afforded to:

- i. Urban fringe and other areas which contribute to and preserve the setting of Cardiff;
- ii. Areas designated for their landscape, wildlife or historic interest;
- iii. Areas which form a vital amenity and recreational resource for people in the urban area.

Development in the countryside will not be permitted unless it is essential for agricultural, forestry, minerals, or appropriate recreation and tourism uses.

MID GLAMORGAN COUNTY STRUCTURE PLAN

LC10 The County Council proposes that existing natural woodlands should be protected and effectively maintained and that the current stock of hardwood trees in the county should be increased.

APPENDIX B: CARDIFF UNITARY DEVELOPMENT PLAN

The Cardiff Unitary Development Plan was placed on deposit in October 2003. Following introduction of the European SEA (Strategic Environmental Assessment) Directive in 2004 and subsequent up-dated guidance from the Welsh Assembly Government on development planning, in May 2005 the Council resolved, with the agreement of the Welsh Assembly Government, to cease preparation of the UDP and commence preparation of a Local Development Plan (LDP).

Guidance issued by the Welsh Assembly Government in respect of LDPs indicates that where a UDP has been put on deposit it may remain a consideration in development control decisions until such time as an LDP has been placed on deposit. Generally, the weight to be attached to policies in emerging UDP's depends on the stage of plan preparation, the degree of any conflict with adopted plans, and the number and nature of any objections and/or representations in support of the policy.

The following policies of the deposited Cardiff UDP have some relevance to this SPG:

Policy 2.45: Trees, Woodlands and Hedgerows

Development will not be permitted that would cause unacceptable harm to trees, woodlands or hedgerows.

Policy 2.43: General Landscape Protection

Development will not be permitted that would cause unacceptable harm to the character and quality of the landscape.

Policy 2.20: Good Design

All development will be required to demonstrate good design by:

- a). Satisfactorily responding to local character and context.
- b). Achieving a legible development that relates well to adjoining spaces and the public realm.
- c). Providing a safe and accessible environment for everyone who might use or visit it.
- d). Providing for the efficient use of resources and adaptability to changing requirements.
- e). Satisfactorily addressing issues of layout, density, scale, massing, height, detailing and landscaping.

Policy 2.48: Biodiversity

Development will not be permitted that would cause unacceptable harm to habitats or other features of the landscape identified as priorities in the UK or Local Biodiversity Action Plan, or otherwise of major importance for wildlife. Where development is permitted, the management and enhancement of such habitats and features will be encouraged.

Policy 2.53: Conservation Areas

Development within, or that would affect the setting of a Conservation Area will only be permitted if it will preserve or enhance the character and appearance of the area.

Policy 2.54: Historic Gardens and Parks

Development will not be permitted that would unacceptably harm the character, setting or historic value of an historic garden or park.

Policy 2.51: Statutory Listed Buildings

Development will not be permitted that would harm the character or appearance of a statutory listed building, its features of architectural or historic interest, or setting.

Policy 2.52: Locally Listed Buildings

Development will not be permitted that would harm the character or appearance of a locally listed building, its features of architectural or historic interest, or setting.

Objections were received at deposit to all policies listed above.

APPENDIX C: EXAMPLE TREE SURVEY

Survey Methodology

- The following tree survey data was collected on..... by ground-level inspection only.
- All height measurements were made using a pocket clinometer and tape measure unless otherwise stated in survey comments.
- The position of each tree was recorded and these are shown on drawing as one group and six individuals.
- Relative vigour was assessed from shoot extension growth. This is indicated as N for normal or L for low.
- Age groups were recorded as young, middle-aged or mature and are indicated using the abbreviations Y, MA and M.
- Trees have been ascribed categories according to their suitability for retention within housing development. These are as follows:
 - Trees of high quality and amenity value with a potential remaining 'safe, useful' lifespan of at least 40 years.
 - Trees of moderate quality and amenity value with an estimated remaining contribution of at least 20 years.
 - Trees of low quality and value, currently in adequate condition and with a remaining contribution of at least 10 years. Also includes young trees with a stem diameter below 150mm.
 - Trees in such a condition that any existing value would be lost within 10 years and that should be removed for reasons of sound arboricultural management.

Tree No	01	02	03	04	05	06	07	08	G1
Species	Common Laburnum <i>Laburnum anagyroides</i>	Common Laburnum <i>Laburnum anagyroides</i>	Norway Maple <i>Acer platanoides</i>	Silver Birch <i>Betula pendula</i>	Paper-Bark Maple <i>Acer griseum</i>	Beech <i>Fagus sylvatica</i>	Ash <i>Fraxinus excelsior</i>	Swedish Whitebeam <i>Sorbus intermedia</i>	Common Lime <i>Tilia x europaea</i>
Height (m)	5	5	17	12	8	20	19	3	18 mean r 17-18
T/dia (cm)	32	30	65	30	28	68	80 (est.)	15	83 mean r 78-92
Crown Spread (m)	N6 E7 S7 W7	N4 E7 S8 W6	N8 E6 S5 W6	N5 E6 S4 W4	N4 E5 S5 W4	N10 E8 S8 W8	N9 E7 S10 W9	N0 E5 S6 W5	N6 E5 S6 W5
H of L Branch (m)	1.5	1.5	4	3	2	7	4(est.)	1	5
Relative Vigour	L	L	N	N	M	N	N	N	N
Age Class	M	M	M	M	MA	M	M	M	M
Condition/Comments	Severe basal wounds; limited useful life expectancy.	Severe basal wounds; limited useful life expectancy.	Forked at approximately 4 metres-weak included union; dominant leader girdled by squirrel damage.	Good shape and form.	Maturing tree; bark provides additional interest.	Appears to have been crown raised periodically leaving a clean bole; prominent tree; major deadwood throughout crown.	Tree growing on adjacent land. Unable to gain access to land so measurements are estimated.	Fully established young tree; potential value for retention, but not considered worthy of transplanting.	Row of lime trees that form a significant feature along the southern boundary of the site. Potential screening value for any development
Retention Category	C	C	R	B	A	A	A	C	C

APPENDIX D: EXAMPLE ARBORICULTURAL IMPLICATIONS ASSESSMENT

1. General Description of site and Surroundings

- 1.1 The site is located within the policy boundary of Grangetown. It is a brown field site and has been disused for approximately 10 years. There are no buildings on the part of the site to which the application relates.
- 1.2 The site contains 7 individual trees and a row of 9 mature limes that define the southern boundary. In addition, there is a mature ash on adjoining land approximately 6 metres from the western boundary. The trees are mostly non-native ornamental species that are suited to the urban character of the local area.
- 1.3 Of particular note is a row of lime trees that provide visual separation of the site from the main road to the south. These are of no known historic importance, but are considered to be an important feature of the existing landscape.
- 1.4 Also of note is a mature beech (6) that is prominent within the site and highly visible from adjoining land to the north - east and west.

2. Description of Proposed Development

- 2.1 It is proposed to build 5 detached 3 / 4 bedroom detached dwellings. An indicative layout is shown in drawing DRWattached to this document.

3. Designations Relating to Trees.

- 3.1 The site is not situated within a Conservation Area. The row of limes situated along the southern boundary is forms Group 1 of the City of Cardiff (.....) Tree Preservation Order 2002.

4. Implications of the proposed Development

4.1 Direct loss of trees

- 4.1.1 It is proposed to remove 3 trees to allow the development of the site. These are trees 1, 2 and 3. Trees 1 and 2 are common laburnums (*Laburnum anagyroides*). These are assessed as having a useful life expectancy of less than 10 years.
- 4.1.2 Tree 3 is a mature Norway maple (*Acer platanoides*) that is in poor condition due to extensive basal decay and a damaged leader.
- 4.1.3 It is considered that the impact from loss of trees will be low and that new planting will mitigate against tree loss.

5. Direct impacts

5.1 Changes in ground Level

- 5.1.1 Existing ground levels around tree 6 are approximately half a metre higher than the finished levels to the south. Retention of this tree will require existing ground levels to be maintained within the exclusion zone. It is proposed to avoid any changes in levels by means of a retaining wall as shown in DRW.....
- 5.1.2 No significant changes in ground levels are proposed around the other trees and existing levels can be retained within the exclusion zones without the need for special

measures.

5.1.3 Exclusion zones are shown on drawings

5.2 **Changes in ground surface within exclusion zones.**

5.2.1 The full extent of the exclusion zones will be surfaced with grass. An appropriate method of establishment will be necessary to avoid damage to trees.

5.3 **Structures within the exclusion zone**

5.3.1 The only structures that are proposed within the exclusion zone are fences. It is proposed to route these through the exclusion zone of trees 4, 5 and 6. Particular attention to materials and methods of installation will be required to avoid damage to the trees.

5.4 **Services**

5.4.1 No underground services are to be routed through exclusion zones.

5.4.2 No overhead services are proposed.

6. **Change in Site Use and Tree Management Implications**

6.1 **General**

6.1.1 The trees on the site are all species that appear to have been planted for ornament and there is evidence that the trees have been regularly managed in the past with only a recent, short period of neglect. Future management requirements resulting from the proposed development will be little more than a reinstatement of past management and will not, therefore, have a negative impact on the character of the tree population.

6.2 **Roads, Footpaths and Parking Bays.**

6.2.1 None of the trees fall within highway visibility splays. Tree 4 may require occasional pruning to prevent low branches from interfering with road users.

6.3 **Potential Root Damage to Infrastructure**

6.3.1 Site investigations (see appended report) indicate that the site is not affected by shrinkable / expandable clay soil and therefore no problem with tree root related subsidence is anticipated.

6.3.2 Sufficient distance between trees and structures has been provided to prevent direct damage from tree roots.

6.4 **Potential Nuisance**

6.4.1 The layout provides good separation between trees and dwellings and conflicts should therefore be minimised. In particular, the lime trees, which are noted for honeydew problems, have been kept on the opposite side of the access drive to the houses that will prevent conflicts with parking bays etc.

6.4.2 Any problems of shading caused by the row of lime trees will be minimised by their distance from dwellings and being deciduous, light penetration will increase in the winter when the sun is lowest. The remaining trees are to the north and, therefore,

interference with direct sunlight is not an issue. It is considered that the trees are a sufficient distance from proposed dwellings to allow sufficient skylight to reach windows.

6.5 Construction / Implementation

- 6.5.1 Buildings, roads and installation or services can all be carried out without entering exclusion zones. However, general precautions in storage or mixing of materials that may be injurious to trees will need to be taken.
- 6.5.2 Special arrangements will be required for installation of fencing and landscaping within exclusion zones.

APPENDIX E: SPECIFICATION FOR PROTECTIVE BARRIERS

Protective barriers will be installed in the location shown on layout plan Dwr.....

Barriers will consist of:

- 2.1m high weld mesh panels supported on a fully braced scaffold framework of vertical and horizontal tubes. Vertical tubes should be spaced at a maximum interval of 3m. The panels will be clamped or wired in position so that they cannot be readily removed.

The protective barrier will be maintained until all site works are complete and final landscaping is to be undertaken.

Printed signs will be attached to the barrier informing site operatives of the purpose of the exclusion zone. These signs will indicate the relevant officer who should be consulted prior to access being obtained or barriers being removed.

APPENDIX F: EXAMPLE METHOD STATEMENT

1. Contacts

Contact Details
Developer [Name, Address of relevant office, telephone number, fax, e-mail etc.]
Arboricultural Consultant [Name, Address of relevant office, telephone number, fax, e-mail etc.]
Grounds Works Contractor [Name, Address of relevant office, telephone number, fax, e-mail etc.]
Site Agent [Name, Address of relevant office, telephone number, fax, e-mail etc.]
Local Authority Case Officer [Name, Address of relevant office, telephone number, fax, e-mail etc.]
Local Authority Compliance Officer [Name, Address of relevant office, telephone number, fax, e-mail etc.]
Local Authority Tree Officer [Name, Address of relevant office, telephone number, fax, e-mail etc.]

2. Arboricultural Planning Conditions

- 2.1 Condition 3: "No development shall take place on site until a method statement for works affecting trees has been submitted to and approved in writing by the Local Planning Authority."
- 2.2 This method statement has been prepared for submission to Cardiff Council for approval.

3. General

- 3.1 This document sets out the methodology for all proposed works that affect trees on and adjacent to the site.
- 3.2 Compliance with this method statement will be a requirement of all relevant contracts associated with the development proposals.
- 3.3 Copies of this document will be available for inspection on site.
- 3.4 Trees and Development.
- 3.5 The developer will inform the local planning authority within twenty-four hours if the arboricultural consultant is replaced.

4. Protective Barriers

- 4.1 Before the commencement of any works on site (other than those set out in the schedule of tree works contained in this document), protective barriers will be erected in the positions shown on drawing Drw.570 (appended to this document). The local planning authority will be notified in writing once the barriers are in place.
- 4.2 The barriers will comprise a 2.4m high, fully braced scaffold framework supporting exterior grade plywood with a minimum thickness of 20mm or weld mesh panels.
- 4.3 The barriers will remain in place until completion of the main construction phase and then only removed with the consent of the local planning authority to permit completion of the scheme.
- 4.4 Other than works detailed within this method statement or approved in writing by the local planning authority, no works including storage or dumping of materials shall take place within the exclusion zones defined by the protective barriers.

5. General Precautions

- 5.1 No materials that are likely to have an adverse effect on tree health such as oil, bitumen or cement will be stored or discharged within 10m of the trunk of a tree that is to be retained.
- 5.2 No fires will be lit within 20m of the trunk of any tree that is to be retained.

6. Soft Landscaping within Exclusion Zones

- 6.1 Preparation of ground in these areas will be carried out under the supervision of the arboricultural consultant. Protective barriers must not be removed without prior consent from the local planning authority Tree Preservation Officers. A temporary path/access may be required within the exclusion zone and its construction should only proceed following consultation with the local planning authority Tree Preservation Officers.

7. Erection of Garden Fences within Exclusion Zones

- 7.1 Excavation for upright posts will be carried out under the supervision of the arboricultural consultant in order to minimise disturbance to roots. Protective barriers must not be removed without prior consent from the local authority Tree Preservation Officers.

8. Arboricultural Works

- 8.1 The following schedule sets out the proposed works to trees on the site. These will be carried out before commencement of other site operations including erection of protective barriers.
- No vehicles will be allowed to enter areas to be protected by barriers.
 - All works will be carried out in accordance with the BS3998: 1989 Recommendations for Tree Work.

9. Schedule of Arboricultural Works

Tree No.	Species	Schedule of Works
01	Common Laburnum	Fell
02	Common Laburnum	Fell
03	Norway Maple	Fell
06	Beech	Remove major deadwood
G1	Common Lime	Remove epicormic growth up to a height of 5m and clean out crown

10. Supervision and Monitoring

- 10.1 The arboricultural consultant will be responsible for monitoring of all arboricultural works and issue a certificate of practical completion. In addition the arboricultural consultant will inspect the protective barriers and monitor any works within the exclusion zone.
- 10.2 A record of site visits will be maintained for inspection on site and copies forwarded to the developer, agent and Local Planning Authority

APPENDIX G: RELEVANT PUBLICATIONS

BSI Publications

British Standards Institute (2005)

BS5837:2005 Trees in relation to construction - Recommendations

British Standards Institute (1991)

BS 5837: 1991 Guide For Trees in Relation to Construction 1991

Milton Keynes

British Standards Institute (1989)

BS 3998: Recommendations for Tree Work 1989.

Milton Keynes

British Standards Institute (1984)

BS 1192 Recommendations for Landscape Drawings Part 4. 1994

Milton Keynes

British Standards Institute (1989)

BS 4428: Code of Practice for General Landscape Operations (Excluding Hard Surfaces)
1989

Milton Keynes

British Standards Institute (1989)

BS. 4043 Recommendations for Planting Root Balled Trees 1989

Milton Keynes

British Standard Institute (1992)

BS. 3936: Nursery Stock, Part 1: Specification for Trees and Shrubs 1992

Milton Keynes

British Standards Institute (1986)

BS 8103. Code of Practice for Stability . Site investigations, Foundations and Ground Floor
Slabs for Housing. 1986

Milton Keynes

British Standards Institute (1986)

BS 8004: 1986 Code of Practice for Foundations 1986

Milton Keynes

British Standards Institute (1986)

BS 1722:Fences part 1 Specification for Chain Link Fences 1986

Milton Keynes

British Standards Institute (1986)

BS 1722:Fences part 4 Specification for Cleft Chestnut Pale Fences 1986

Milton Keynes

Other Publications

Barrell J.D (1995) Pre-development Tree Surveys: SULE is the natural Progression.
Arboricultural Association Journal 17 P.33-46

Barrell J.D (1995) Pre-development Tree Assessments In : Trees and Building Sites:

Proceedings of the International Conference on Trees and Building Sites (G . Watson & Neely) International Society of Arboriculture, Illinois

Biddle P G (1998) Tree Root and Foundations.
Arboricultural Research and Information Note 142/98/EXT
Arboricultural Advisory Service

Dobson M. (1995) Tree Root Systems
Arboricultural Research and Information Note 130/95/ARB
Arboricultural Advisory Service

Hodge S.J & White J.E.J. (1990)
The Ultimate Spread of Trees Grown in Towns
Arboricultural Research and Information Note 84/90/ARB
Arboricultural Advisory Service

Littlefair P.J.(1991)
Site layout Planning for Day Light and Sunlight.
Building Research Establishment Report BR 209
Construction Research Communications Ltd. London

Matheny. N & Clarke. J.R (1998)
Trees and Development
A technical Guide to the Preservation of Trees During land Development
International Society of Arboriculture.

National House Building Council (1992) Standards
Chapter 4.2: Building near Trees. HSBC.
Amersham.

Patch D (1998)Trees, Shelter and Energy Conservation
Arboricultural Research and Information Note 145/Arb/98
Arboricultural Advisory and Information Service.

Further Advice

Arboricultural Advisory and
Information Service
Forest Research Station
Alice Holt Lodge
Wrecclesham
Farnham. Surrey GU10 4LH
Tel: 01420 22022
Fax: 01420 22000

Arboricultural Association
Ampfield House
Ampfield
Nr. Romsey. Hants. SO51 9PA
Tel: 01794 368717
Fax: 01794 368978

Institute of Chartered Foresters
7A St Colme's Street
Edinburgh EH3 6AA

Tel: 0131 225 2705
Fax: 0131 220 6128

Institute of Leisure & Amenity Management
Ilam House
Lower Basildon
Reading, Berks. RG8 9NE
Tel: 01491 874222
Fax: 01491 875059

Institute of Structural Engineers
11 Upper Belgrave Street
London SW1X 8BH
Tel: 0207 235 4535
Fax: 0207 235 4294

International Society of
Arboriculture
ISA European Office
Troy House
Suite C & D
Elm Grove Road
Harrow, Middlesex HA1 2QQ Tel: 0208 861 6852
Fax: 0208 861 6858

Institute of Civil Engineers
1-7 Great George Street
London SW1P 3AA
Tel: 0207 222 7722
Fax: 0207 222 7500

British Association of
Landscape Industries
Landscape House
9 Henry Street
Keighley, W. Yorks. BD21 3DR Tel: 01535 606139
Fax: 01535 610269

Institute of Ecology & Environmental Management
45 Southgate Street
Winchester, Hants. SO23 9EH
Tel: 01962 868626
Fax: 01962 868625

Building Research
Establishment Garston
Watford, Herts. WD2 7JR
Tel: 01923 894040
Fax: 01923 664085

National House Building Council
Buildmark House
Chiltern Avenue
Amersham, Bucks. HP6 5AP
Tel: 01494 434477

Fax: 01494 728521

The Landscape Institute
6-7 Barnard Mews
London SW11 1QU
Tel: 0207 738 9166
Fax: 0207 738 9134

Royal Institute of British Architects
66 Portland Place London W1N 4AD
Tel: 0207 580 5533 Fax 0207 255 1541

Royal Institute of Chartered Surveyors
12 Gt. George Street London SW1P 3AD
Tel: 0207 222 7000 Fax: 0207 222 9430

Royal Town Planning Institute
26 Portland Place London W1N 4BE
Tel: 0207 636 9107 Fax: 0207 323 1582

Town and Country Planning Association
17 Carlton House Terrace London SW1Y 5AS
Tel: 0207 930 8903 Fax: 0207 930 3280

APPENDIX H: CONSULTATION ON THE DRAFT SPG

A.1 Consultation on this guidance was undertaken between 14th November and 14th December 2006. A Press Notice was placed in the South Wales Echo on Tuesday 14th November 2006 and notices and copies of the draft guidance were placed in all Cardiff Libraries. The draft guidance was also published on the Council's website.

A.2 Letters notifying that consultation was being undertaken on the draft guidance were sent to Cardiff Councillors, the Welsh Assembly Government, Community Councils in Cardiff and the following who are known to have a general interest in planning in Cardiff, or a potential interest in this guidance:

- Abertawe & Gower Tree Surgery
- Acorn Tree Services
- All Trees
- Allen Tree Services
- Andrew Dacey
- Anstee Tree Services Ltd
- Arboricultural Consultancy
- Arup
- Atkins
- Baker Associates
- Barratt South Wales Ltd
- Bartlett Tree Experts
- Barton Willmore Planning Partnership
- Bellway Homes (Wales Division) Ltd
- Bovis Homes
- Boyer Planning***
- Bridge Vale Tree Services
- Broadway Tree Consultancy
- Bryant Homes (South West)
- Cadwyn Housing Association
- Cardiff Chamber of Commerce
- Cardiff Community Housing Association (CCHA)
- Cardiff Technoscapes
- Cardiff Tree Services
- Cardiff Treescapes
- CBA Trees
- CDN Planning
- Centre for Housing Management and Development
- Chartered Institute of Housing in Wales
- David McLean Homes
- David O'Brien Treecare Services
- David Wilson Homes South West
- DEIN, Welsh Assembly Govt
- Development Planning Partnership
- Development, Land & Planning Consultants Ltd
- DLP Consultants
- DTZ Piedad Consulting

- Enviro Consultancy
- ESA Treecare Ltd
- Friends of the Earth (Cymru)
- Fulfords Land & Planning
- GL Hearn Planning
- Glamorgan and Gwent Housing Association
- Grosvenor Waterside
- GVA Grimley
- Hafod Housing Association Limited / Hafod Care Association Limited
- Halcrow
- Harmers Ltd
- Hepher Dixon
- Hodge & Co Property Holdings Ltd
- Home Builders Federation
- Housing Directorate
- Jerry Ross Arboricultural Consultancy
- John Robinson Planning & Design
- JV Tree Services
- Level Ltd
- Llynfi Valley Tree Services
- Lovell Partnership
- Macob Construction Ltd
- Mason Richards Planning
- McCarthy and Stone (Western Region)
- Morgan Cole
- Nathaniel Lichfield & Partners
- National Federation of Builders
- Northgate Info Solutions
- Persimmon Homes (Wales) Ltd
- Redrow Homes (South Wales) Ltd
- Robert Turley Associates
- RPS Group plc
- SecondSite Property
- SHD Tree Services
- Steve Ambler***
- Stride Treglown Town Planning
- Taff Housing Association
- Tanner & Tilley
- The Planning Bureau Ltd
- Tim Moya Associates***
- Treescene
- United Welsh Housing Association
- Wales & West Housing Association
- Welsh Federation of Housing Associations
- Welsh Tenants Federation Ltd
- Westbury Homes (Holdings) Ltd
- White Young Green Planning
- Wimpey Homes

- WS Atkins Planning Consultants
- Wyn Thomas Gordon Lewis Limited

A.3 Comments specifically or generally relevant to the draft guidance were received from the above consultees indicated ***.

APPENDIX I: CONSULTATION RESPONSES

REF¹	REPRESENTATIONS	COUNCIL RESPONSE	CHANGE TO SPG
General	Arborist should be involved throughout planning and construction process.	Disagree. Where trees are present site survey and assessment must be done by an arborist, but on some simple or small sites no further involvement is needed. However, frequently an arborist will be needed	Work needing a professional arborist identified in 3.9.
General	SPG should give detailed guidance on how development plan policies should be applied, and must be consistent with plan policies and national guidance. Draft is flawed in this respect.	Agree that SPGs should be consistent with plans and guidance. Disagree that the SPG is flawed. SPG explains that methodology of current BS will be used to identify which trees and woodlands meet the criteria set out in national guidance and local plan policy as meriting protection, and to assess how they should then be protected	New paragraphs 2.3 -2.6 added to make this even clearer. Subsequent numbering adjusted and 4.6 deleted.
General	The SPG makes no mention of mitigation contrary to guidance in the BS and in Circular 13/97.	Disagree. The SPG makes it clear that the BS will be used for the assessment, and the BS methodology includes mitigation. Mitigation is dealt with in Section 6 of the BS, Arboricultural Implications Assessment and design issues. This is dealt with in Sections 4.15 – 4.20 of the SPG which states 4.20 "...information detailed in this section is important in helping the Council to determine the acceptability of proposals...". New planting is considered in 3.7 and 4.14 – 4.24.	New Paragraph 3.6 added to make this even clearer. Subsequent numbering adjusted.
General	The SPG is generally of a high standard and in terms of detail picks up on important points.	Noted.	Further improvement made.
General	Concerned that there is little emphasis on the need for arboricultural advice to inform the developer of the constraints posed by trees.	Disagree. Need for qualified arboriculturist stated in 4.7 and required by BS that is identified as the methodology to be followed. However, emphasis is to be further increased.	Work needing a professional arborist identified in 3.9.

3	The need for consideration of trees at an early stage is at the heart of the BS. 3.2.3 of the BS stresses local authorities' importance in encouraging and enforcing the process outlined in 3.2.2 – a flow diagram summarising planning for trees on development sites. This should be specifically referred to.	Agree on importance of early consideration, this is referred to specifically in 4.7, and the importance of the BS methodology is stressed throughout the SPG. Disagree on the need to specifically refer to 3.2.2 and 3.2.3. The main elements of the BS are referred to but it is not necessary to reiterate every part.	4.19 deleted and a new Paragraph 4.22 added to make these issues more clear. Numbering adjusted.
3.07	Use of the term "...threatens trees and woodlands ..." in SPG sets a much greater level of protection than that of "unacceptable harm" in local plan.	Disagree. There is no sinister intent in the use of the concept of threat. It reflects the fact that in practice the level of harm that will be caused cannot be exactly identified in advance. One is dealing in part with chance, both in terms of what will actually happen on site and of the response of living organisms to what happens. Unacceptable harm remains the threshold. The BS will be used to assess what threat there is of this being breached.	3.7 amended to make this even clearer.
4.03	Tree Constraints Plan essential before layout proposals are considered.	Where needed they should inform layouts, but not always needed – see previous representation.	4.3 expanded to reflect this
4	SPG should state that where trees are a significant issue the LPA will expect to see evidence that they have been assessed at an early stage, and taken account of.	Agree, but this extensively dealt with in Section 4.00. The evidence will be the surveys (4.7) and where necessary the arboricultural Implications assessments (4.15 – 4.20), tree constraints plans (4.21 – 4.23), and tree protection plans (4.24) as compared with the development proposals.	None needed.
4.15	Tree Constraints Plan needed with every instance involving mature/important trees.	Disagree, there will be some sites where the planning issues are clear without the expense of a TCP – for instance domestic extensions and other small developments where the proposals are either incompatible with tree retention or will clearly not harm trees.	4.15 amended to make it clearer that a TCP may be needed on some small sites.

4.23	The term Exclusion Zone should be replaced by Root Protection Area, to conform to B.S. usage.	Disagree. The B.S. uses both terms. The RPA is used to decide on parts the exclusion zone, but the exclusion zone can include other areas, for example for new landscaping. Exclusion Zone is more meaningful for site workers.	None
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¹ Reference to paragraph in Consultation Draft of SPG

For more information please contact:

**The Strategic Planning Manager
Strategic Planning & Environment
Cardiff Council
County Hall
Atlantic Wharf
Cardiff
CF10 4UW**

***Email:* DevelopmentPlan@cardiff.gov.uk**

