

MELBOURN PARISH COUNCIL

District of South Cambridgeshire

Meeting: 25 January 2021

Agenda Item: PL071 20f)

Changes to s211 Conservation Area Tree Work Notices or TPO applications

Dear Parish Clerk,

This is just a quick email to update you and your council/meeting, on behalf of the Greater Cambridge Shared Planning Trees Team, of some changes as to how we process tree work cases and announce them to you. I am sure you have noticed that in recent weeks you have not received any tree work case announcements, even though cases have appeared on the weekly list of all planning applications in your area.

Background

In the Autumn, several Parish Councils commented that they would like greater clarity about what to do when they receive letters from the Trees Team relating to a S211 conservation area tree work notice or TPO tree works application which have been submitted to South Cambridgeshire District Council (SCDC).

They asked about when/ if they should comment, how long they had to make any comments, and what comments could be made which would be material to the SCDC decision process.

By way of background, the Council has just 6 weeks to take a view on S211 tree work notices and if it does not do so, the works are deemed to be able to go ahead, no matter how substantial. The Council has 8 weeks to determine TPO tree work applications, after which applicants can appeal to the Planning Inspectorate for non-determination. Whilst there is no statutory requirement for any consultation for any tree work cases, to date we have always notified Parish Councils/Meetings of tree cases in their respective areas.

In response to this request, over the last month the Trees Team has reviewed our letters and our processes. This letter aims to provide you with clarity. We will trial this approach for 6 months and then seek to review it and will seek your comments on it.

Our Team

We have two officers in the team: Miriam Hilll – the Trees Officer, and Jay Patel - Assistant Trees Officer, who currently validate and consider over a thousand S211 tree work notices or TPO tree work applications per year. They also comment/advise, as required, on planning applications for development in the district (approx. 750 applications per year) and run our tree warden network.

Changes to the process/new look letters:

From this week (Mon11th January), to help provide clarity, SCDC Tree Teams will continue to notify parish council/meetings of ALL S211 tree work notices or TPO tree work applications in their parish but will divide them into two categories – minor and major and send out different letters.

Letter One (major tree work cases)

For all *major* tree work cases (either S211 tree work notices or TPO tree work applications), the Trees Team will send a letter to the Parish Council/meeting. The Parish (or any other person) will have an opportunity to comment - 10 days - on the case should it wish. Comments should be made via the website. All cases considered to be *major* contain one or more of the following:

- crown reductions or pollarding for the first time,
- crown reductions or pollarding beyond previous pruning points,
- thinning or felling,
- front garden, public land or churchyard tree works,
- removal or topping outgrown hedgerows,
- unusual species,
- species/trees which may have historical or cultural meaning to the locality, and/or
- other matters of interest.

These cases require a SCDC Officer to visit the locality to assess the case. The time for comment is limited given the tight overall timeframe for considering these cases. Please note that in general, SCDC will not be able to give extended consultation periods due to the tight timelines involved and the resources available to the Trees Team.

In terms of what comments would be material to the decision, these should relate to the amenity of the tree, the impact of the works on the tree or locality, and with TPO tree work applications how the proposal is not justified or reasonable.

Letter two (minor tree work cases)

These relate to minor works (defined below) and will be for your information and to note.

For all *minor* tree work cases (either S211 tree work notices or TPO tree work applications), SCDC will look to determine the case immediately. Finalising minor cases will allow the time to focus on those cases which do need more time and consideration. The proposed tree works are considered to be *minor* as they include one or more of the following:

- felling dead/partially failed trees (with proof),
- crown lifting, epicormic or tipping back off lines or structures,
- repeat crown reductions or re-pollarding,
- trees not easily or clearly visible from public places,
- removal or topping evergreen (cypress) hedgerows,
- limited visibility trees such as rear garden trees, and/or
- pruning ornamental or fruit trees such as apples and pears.

This is a similar process which the team currently use but we hope the different letters will give greater clarity to those parishes which do not have many tree cases from year to year and/or who do not have a lead spokesperson for parish trees.

Many parish representatives attended the Tree Wardens event 'Pruning Protected Trees' in March 2019 and we hope to provide similar training again in February to those who are interested. More details will be released nearer to the time but as the sessions will be remote, we do hope you will be able to attend.

For any questions or queries you may have, please contact planning.trees@scambs.gov.uk