

**Report of the Head of Planning and City Regeneration
Planning Committee – 1 November 2016
Adoption of Supplementary Planning Guidance for
“The Protection of Trees on Development Sites (October 2016)”**

To consider the revised Supplementary Planning Guidance (SPG) “The Protection of Trees on Development Sites October 2016” as an update to the current guidance adopted in 2008, and for adoption as SPG to the Local Development Plan (LDP).

Recommendation:

1. “The Protection of Trees on Development Sites October 2016” incorporating responses to the public consultation be approved as an update to “The Protection of Trees on Development Sites” (2008) SPG in the Unitary Development Plan
2. That the Protection of Trees on Development Sites October 2016” as approved is included as Supplementary Planning Guidance in the Local Development Plan for adoption.”

For Decision

1. Introduction

- 1.1 Following a report to Scrutiny Committee Working Group of 21st April 2016 resultant actions required a review and update of: Guidance notes “The Protection of Trees on Development Sites” to ensure the public is provided with current best advice. This should also be included as SPG when the new LDP is adopted.
- 1.2 “The Protection of Trees on Development Sites” (2008) is listed in the UDP as SPG. However at present this document is not made available on the Councils website.
- 1.3 Following the reporting of the revised Supplementary Planning Guidance (SPG) “The Protection of Trees on Development Sites (2016)” as an update to the current guidance adopted in 2008, and for adoption as SPG to the Local Development Plan (LDP) to Planning Committee on 2nd August 2016 with a recommendation that the document be consulted upon and the findings reported back to Planning committee for approval, which is the purpose of this report.

2. Discussion

- 2.1 The current guidance originally drafted in 1995, updated in 2008, refers to several documents that have been superceded, most notably by two British Standards relating to trees. In addition a new British Standard has been introduced in relation to planting trees.
- 2.2 The current guidance was not subject of public consultation and therefore carries little weight as a material planning consideration when considering proposals. It also refers to outdated best management practices.
- 2.3 New legislation relating to the Council's obligations in the planning process has also been introduced in relation to biodiversity (Environment (Wales) Act 2016). Trees are closely linked to the biodiversity of a site.
- 2.4 Consultation was undertaken through the Council's web site with notifications and reminders given to councillors, public bodies, planning agents and developers that have recently corresponded with the Council in relation to development sites for the minimum 6 week prescribed time.

3 Appraisal

- 3.1 A six-week period of public consultation on the revised document has been undertaken with any amendments incorporated into the revised document (Appendix 1), with the responses appended (Appendix 2) for ease of reference. This report and document are submitted for approval in order to be used as an update to current guidance and adopted in due course as SPG to the emerging LDP.
- 3.2 As the guidance is in need of updating the content has been extended to give the public more information on how to successfully integrate trees into proposed developments.
- 3.3. The updated guidance (Appendix 1 refers) gives advice on what information is required to accompany a planning application in relation to trees and will improve customer service during the planning process. The objective of the new document is to improve the retention of trees on development sites.

4. Recommendation

1. "The Protection of Trees on Development Sites October 2016" incorporating responses to the public consultation be approved as an update to "The Protection of Trees on Development Sites" (2008) SPG in the Unitary Development Plan
2. That the Protection of Trees on Development Sites October 2016" as approved is included as Supplementary Planning Guidance in the Local Development Plan for adoption."

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Appendices:

1. "The Protection of Trees on Development Sites" (2016). Amended October 2016
2. List of comments and actions following public Consultation on the draft document submitted to Planning Committee for Consultation on 2nd August 2016

Response to Public Consultation on “The Protection of Trees on Development Sites” (2016).

Comment by	Summary of content of observation(s)	Action
Cllr. Wendy Fitzgerald	Fully endorses what is proposed, gave examples of ‘trees on development sites’ within her ward in particular in relation to soil denudation and damage to tree roots	This has been addressed in paragraphs 3.4, 3.6, 4.6, 7.0
Cllr Linda Tyler-Lloyd	Following completion of developments new residents find reasons for tree removal.	This is addressed in paragraphs 6.0 that relate to conditions on Planning approvals and 8.7 that relate to protection of trees after the development is complete
Mike Harvey (Designing out Crime Officer)	Delighted with the document, need to change sentence to read ‘Secured by Design’	Updated in para 4.6
Cadw	Need to include a sentence on the cultural and heritage value of trees in the context of a historic park, garden or designed landscape	Incorporated into the introduction in paragraph 1.3