

RECORD OF EXECUTIVE DECISION TAKEN BY AN EXECUTIVE MEMBER

This form **MUST** be used to record any decision taken by the Elected Mayor or an individual Executive Member (Portfolio Holder).
 The form must be completed and passed to the Chief Officer Legal and Democratic Services no later than NOON on the second working day after the day on which the decision is taken. No action may be taken to implement the decision(s) recorded on this form until 7 days have passed and the Chief Officer Legal and Democratic Services has confirmed the decision has not been called in.

1. Description of decision

That the Portfolio Holder for Community Mobilisation, Economic Development, Local Economy, Rural Affairs and Partnerships:

(a) Agrees the draft Trees and Development Supplementary Planning Document (SPD) for the purposes of public consultation for a minimum period of six weeks.

(b) Authorises the Chief Officer for Planning, Infrastructure & Economic Growth to make further editorial changes to the consultation document ahead of publication, if required.

2. Date of decision

15 November 2023

3. Reasons for decision

To agree the Trees and Development SPD for consultation with the general public and key stakeholders to progress the preparation of the SPD to support existing development plan policies.

4. Alternatives considered and rejected

Legislation requires that public consultation is to be carried out as part of the preparation of a Supplementary Planning Document. There are no alternatives.

5. How decision is to be funded

The cost of producing the Trees and Development SPD and undertaking the consultation on the plan will be met within existing budgets.

6. Conflicts of interest

Name of all Executive members who were consulted AND declared a conflict of interest.	Nature of interest	Did Standards Committee give a dispensation for that conflict of interest? (If yes, give details and date of dispensation)	Did the Chief Executive give a dispensation for that conflict of interest? (If yes, give details and the date of the dispensation).

The Mayor has been consulted on this decision

Not Applicable

Signed 

Date:

15 November 2023

Name of Decision Taker:

Tom Wootton

This is a public document. A copy of it must be given to the Chief Officer Legal and Democratic Services as soon as it is completed.

Date decision published:15November2023.....

Date decision can be implemented if not called in:27November2023.....

(Decision to be made exempt from call in.....NO.....)

Bedford Borough Council

Date of Decision: 15 November 2023

Report by: Chief Officer Planning, Infrastructure & Economic Growth

Subject: Trees and Development Supplementary Planning Document (SPD)

1. EXECUTIVE SUMMARY

- 1.1 The Trees and Development SPD supports existing policies in the Local Plan 2030 and will provide guidance to ensure that trees are adequately addressed in the development process, recognising their importance both in terms of landscape features and their biodiversity value.
- 1.2 A scoping exercise was carried out in November and December 2022 and the comments received have helped to inform the contents of the draft SPD.

2. RECOMMENDATIONS

- 2.1 **That the Portfolio Holder for Community Mobilisation, Economic Development, Local Economy, Rural Affairs and Partnerships considers this report and the draft consultation document at Appendix B and if satisfied:**
- (a) **Agrees the draft Trees and Development Supplementary Planning Document for the purposes of public consultation for a minimum period of six weeks.**
- (b) **Authorises the Chief Officer for Planning, Infrastructure & Economic Growth to make further editorial changes to the consultation document ahead of publication, if required.**

3. REASONS FOR RECOMMENDATIONS

3.1 To agree the Trees and Development SPD for consultation with the general public and key stakeholders to progress the preparation of the SPD to support existing development plan policies.

4. THE CURRENT POSITION

4.1 The SPD has been drafted, taking into consideration the responses received through internal consultation and the scoping exercise. This report seeks approval of the document (Appendix B) in order to enable the views of residents, statutory consultees and others with an interest, to be gathered.

4.2 Public consultation will be carried out in accordance with the Statement of Community Involvement, for a minimum period of six weeks. Following this consultation, the responses will be taken into account and a final version of the SPD will be prepared.

4.3 The Trees and Development SPD is planned for adoption early in 2024.

5. DETAILS

5.1 Local Plan 2030 Policy 38 (Landscaping in new development), Policy 39 (Retention of Trees) and Policy 40 (Hedgerows) provide the development plan context for new trees, and for protecting and retaining existing trees in new development. The Local Plan 2030 (para 8.33) also states that a Supplementary Planning Document (SPD) will be produced to provide guidance on the types of trees for inclusion as part of landscaping, installation and future maintenance. The purpose of the SPD is to provide further guidance for developers and planning officers when preparing and determining planning applications for developments which involve trees and landscaping.

5.2 Trees have an important role as both landscape features and for their biodiversity. The SPD will assist in ensuring that the most appropriate types of tree and landscaping are provided in new developments. The SPD includes guidance on how to avoid damage to existing trees on development sites. Trees within the street can bring great improvements to the environment so long as appropriate species are planted and their roots' management is designed in. Guidance on these matters is also included. Officers from other teams within the Council have been involved in the document's preparation to ensure that the guidance provided is consistent with other Council operations and objectives, and this has included consultation with officers in environment, highways and the historic environment team.

- 5.3 A scoping consultation was undertaken for four weeks in November and December 2022. A total of 13 responses were received during this time, which helped to inform the final draft of the SPD, and these are set out in Appendix A. Comments included:
- Include advice about the historic environment
 - Include how the SPD relates to the adopted Forest of Marston Vale SPD
 - Request for further consultation at the draft plan stage
 - Include a tree survey, topographical survey and tree constraints plan with each application
 - Applicants should have access to guidance during the planning process
 - Impact on existing trees must be considered
 - Ancient / veteran trees must be protected and not removed
 - A tree replacement policy where tree removals are considered justified
 - Include tree protection guidelines
 - An emphasis on native species for new trees and locations to be appropriate to the type of tree
 - Deliver tree-lined streets
 - Include guidance on Tree Preservation Orders
 - Evidence of secure monitoring to be provided
- 5.4 The consultation is scheduled to run for a six-week period beginning in November/December 2023.
- 5.5 Notification will be sent to all individuals and organisations on the planning policy consultation database. The database contains statutory consultees such as neighbouring authorities, health and emergency organisations, local councils, and infrastructure and utilities providers, as well as general consultees including developers, consultants and residents who have told us that they want to be notified.
- 5.6 The Council's Statement of Community Involvement makes clear that, to reduce expenditure, as much consultation as possible is carried out electronically. The primary method of notification will therefore be email and the Council's website will be the primary means of providing information about the consultation. Alongside this, the document will be publicised on social media.
- 5.7 However, those who do not have access to the internet will be able to view a paper copy of the document at libraries and at the Customer Service Centre. Paper copies of the consultation paper will also be provided by post on request.

5.8 In addition, the Planning Policy team has a general contact number that will be available for anyone who wishes to discuss the document.

5.9 Consultation comments will help to finalise the contents of the SPD which is planned for adoption in early 2024.

6. **ALTERNATIVES CONSIDERED AND REJECTED**

6.1 Legislation requires that public consultation is to be carried out as part of the preparation of a Supplementary Planning Document. There are no alternatives.

7. **KEY IMPLICATIONS**

This section of the report identifies the implications of the proposals that the Executive is being requested to consider.

7.1 Legal Issues	<p>The Town and Country Planning (Local Planning) (England) Regulations 2012 set out the requirements for Supplementary Planning Documents in terms of content and consultation. The most relevant aspects to this exercise are as follows:</p> <ul style="list-style-type: none">• An SPD must contain a reasoned justification of the policies contained within it (Regulation 8(2))• Any policies contained in an SPD must not conflict with the adopted development plan (8(3))• As part of the consultation exercise for the SPD, the Council must prepare and publish a statement setting out the persons the Council consulted when preparing the SPD, a summary of the issues raised by them and how they have been addressed (12).• At least a four-week consultation period must be allowed for persons to make comment on the SPD (12(b)(i)).• As soon as reasonably practicable following adoption, the Council must publish an ‘adoption statement’. This must specify the date on which the SPD was adopted and the availability of judicial review (11). <p>Consultation on the scope of the document is a requirement of Bedford Borough Council’s Statement of Community Involvement and this was completed between 21 November and 20 December 2022. The information gathered is described in Section 5 above assisted in the preparation of the document.</p>
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7.2 Policy Issues	<p>The Trees SPD does not create any new policy. The purpose of the SPD is to provide guidance on the application of existing development plan policies relating to trees and landscaping. These include:</p> <ul style="list-style-type: none"> • Policy 38 – Landscaping in new development • Policy 39 – Retention of Trees • Policy 40 - Hedgerows
7.3 Resource Issues	<p>The cost of producing the Trees and Development SPD and undertaking the consultation on the plan will be met within existing budgets.</p>
7.4 Risks	<p>Failure to consult in accordance with the statutory requirements and the Statement of Community Involvement could result in a legal challenge. Not producing the guidance will increase the risk that the borough council's aspirations to retain and where possible increase overall tree canopy cover in the borough may not be met.</p>
7.5 Environmental Implications	<p>The purpose of the SPD is to provide guidance on the trees and landscaping in new development. This will include additional advice for developers and development management officers on the application on policies in the Local Plan 2030. A sustainability appraisal screening has been prepared which concludes that a sustainability appraisal of the document is not required. No new policies are being proposed and the policies to which this SPD relates were themselves the subject of sustainability appraisal through the local plan process.</p> <p>Consultation will be carried out in accordance with the Council's Statement of Community Involvement which seeks to focus on electronic rather than paper methods of communication as far as is appropriate.</p>
7.6 Equalities Impact	<p>The activity has no relevance to Bedford Borough Council's duty to promote equality of opportunity, promote good relations, promote positive attitudes and eliminate unlawful discrimination. An equality impact assessment is not needed.</p>
7.7 Impact on Families	<p>The proposed SPD is not considered to have a direct impact on families.</p>
7.8 Community Safety and Resilience	<p>The proposed SPD is not considered to have an impact on community safety and resilience.</p>

7.9 Impact on Health and Wellbeing	The proposed SPD will have a positive impact on health and wellbeing of the community as it relates to the trees and landscaping. Green infrastructure in the community has been proven to have a beneficial effect on health and wellbeing.
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8. SUMMARY OF CONSULTATIONS AND OUTCOME

8.1 The following Council units or Officers and/or other organisations have been consulted in preparing this report:

Director of Environment
 Chief Officer Legal and Democratic Services
 Chief Officer for Finance
 Energy Team

No adverse comments have been received.

9. WARD COUNCILLOR VIEWS

9.1 Not Applicable

10. CONTACTS AND REFERENCES

Report Contact Officer	Sonia Gallaher – Sonia.gallaher@bedford.gov.uk (01234) 718570
File Reference	Trees and Development SPD – Draft document consultation
Previous Relevant Minutes	N/A
Background Papers	N/A
Appendices	Appendix A – Consultation Statement Appendix B – Trees and Development Supplementary Planning Document – Draft document

Responses to the consultation on the scope of the Trees SPD

Public consultation on the scope of the Trees SPD took place between 21st November and 20th December 2022.

Individual / Organisation	Comment	Council Response
Forest of Marston Vale Trust	<ul style="list-style-type: none"> • We welcome and applaud the production of a specific SPD regarding Trees; • In considering the scope of the Trees SPD, there is a need to ensure technical alignment and complementarity between the recently completed Forest of Marston Vale SPD and this new Trees SPD. They are fundamentally aligned in spirit, but it will be important to ensure that the new Trees SPD does not introduce any doubt for planners and developers regarding the applicability of the existing Forest of Marston Vale SPD and the associated policy requirements; • In addition, in the context of 'planning application requirements', we would recommend that the scope might also consider adoption of the increasingly popular "3-30-300 rule" concept within Bedford Borough. <ul style="list-style-type: none"> • We would recommend that any Trees SPD is underpinned by evidence regarding the value of existing trees within Bedford Borough, this typically being gained through undertaking an iTree audit or similar evaluation process. This would help ensure that the true value of trees within Bedford Borough is 	<p>Detail about how this relates to the FOMV SPD has been included within the Trees SPD.</p> <p>This relates to the concept that every house should see 3 trees from their home, have 30% tree cover in every neighbourhood and be 300 metres from the nearest park or green space. The development plan includes policies requiring open spaces and access to green space. The Trees SPD encourages the planting of trees in the highway. All of these will contribute to and are compatible with the 3-30-300 concept.</p> <p>Noted. The SPD relates to new trees in development and the value of existing trees will be considered through the planning application</p>

	<p>recognised so that the Trees SPD can adopt an appropriately confident approach to ensuring adequate investment in the planting, maintenance, retention, and longevity of Bedford Borough's treescapes.</p> <p>We wish you well with the preparation of the Trees SPD, and look forward to hearing further about how we can be involved.</p>	<p>process along with the preparations tree protection plans and the tree constraints plans.</p>
National Highways	<p>National Highways is a strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). In respect to this planning application, the nearest SRN Trunk Road is the A421.</p> <p>We have reviewed the details and information provided for both Trees SPD and Greyfriars North SPD. At this time it is considered there is unlikely to be any adverse effect upon the Strategic Road Network.</p> <p>Consequently, we offer No Comment.</p>	<p>Noted.</p>
Bedfordshire Police	<p>Thank you for including Bedfordshire Police DOCOs in this correspondence. At this time, we have no comments to make.</p>	<p>Noted.</p>
Canal & River Trust	<p>One of the Canal & River Trust's charitable objects is to promote, facilitate, undertake, and assist in for public benefit, the restoration and improvement of inland waterways. We are, therefore, generally supportive of any sustainable project seeking to expand or support the country's inland waterway network. As well as being an interested party, in light of our charitable objective, the Trust is also a member of the Bedford & Milton Keynes Waterway partnership and supports the proposed Bedford & Milton Keynes Waterway Park which is being promoted by the B&MK Waterway Trust.</p> <p>We would therefore suggest that B&MK Waterway Trust should be consulted on the scope of the SPD so that any potential considerations in relation to trees (existing or proposed) adjacent or close to the waterway route may be incorporated, as appropriate.</p>	<p>Noted. The Canal and River Trust and the B&MK Waterway Trust will be consulted on the draft SPD.</p>

<p>Bedford Green Party</p>	<p>Council must consistently work to value trees and their ecosystem services, such as microclimate regulation, air filtration and water management, which equate to quantifiable natural capital. These services not only improve the lives of residents but are a strategic element in mitigating the effects of climate change.</p> <p>Trees provide visually pleasing urban environments increasing wellbeing as well as benefitting wildlife.</p> <p>We note that BBC's SPD should align with the Forest of Marston Vale SPD.</p> <p>Optimising positive effects of trees on buildings and amenity space:</p> <p>Within planning there must be acknowledgement of the importance of trees as improving the environmental performance of buildings by reducing heating and cooling costs. Also taking into account seasonal changes such as reducing available light or the density of leaves, so that potentially overly harsh pruning not be resorted to for mitigation of these effects later on.</p> <p>Landscape plans must illustrate how trees and soft landscape will enhance private gardens as well as all public open space, streetscapes and public realm and parking areas. Garden trees, suitable for the size of garden, must be included for their habitat, visual, and wellbeing benefits.</p> <p>Attention given to trees must be a high priority from the feasibility stages, through design and implementation, all the way through to the end of construction and beyond.</p> <p>Pre-application discussion must both identify any issues on a site that could impact on existing trees and in addition examine methods of maximising suitable planting. Applicants at that stage should have ready a Topographical Survey, a Tree Survey, and produced a Tree Constraints Plan. It will also be useful to have ecological and landscape information available.</p> <p>The Council should engage with suitable arboricultural and ecology specialists as early as possible in the feasibility and design stages to help ensure that a development achieves the highest level visual and environmental quality.</p> <p>Applicants should be directed to suitable guidance during the planning process, including, but not limited to, guidance from Trees & Design Action Group, the Woodland Trust, the Forestry Commission, Natural England, National Joint Utilities Group (NJUG), DEFRA and RIBA. As well as updates from this bodies and the latest scientific advice.</p>	<p>Noted and agree.</p> <p>Details about the relationship between the Trees SPD and the Forest of Marston Vale SPD has been included and no conflicts arise.</p> <p>This has been addressed in the section about the benefit of trees.</p> <p>A section on planning application requirements has been included.</p> <p>The Council already has a Tree Officer in post who comments on planning applications. The SPD has included links to guidance information in the appendix.</p>
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	<p>Council should expect that applicants supply all of the necessary information in relation to trees and biodiversity required to determine an application and provide additional information in a timely manner when requested to do so.</p> <p>Mature trees, and new tree planting: Any impact of development on existing trees must be considered from an environmental and climate emergency consideration as well as an amenity point-of-view. Retaining and incorporating existing trees within a development will result in greater benefits compared with new 'replacement' planting. New trees have a higher mortality rate and therefore further reduced benefit in terms of carbon sequestration and ecosystem services provided by larger, mature trees. It must be necessary for developments to demonstrate that tree retention as default has been fully considered as part of the planning process. All tree planting on public land must be undertaken by the council to ensure a consistent approach and level of quality.</p> <p>Ancient/veteran trees: Tree replacement planting to mitigate for proposed ancient/veteran tree removal is never acceptable and must be prohibited. Planning applicants must recognize that ancient and veteran trees require special consideration at the design stages and post-development due to their value as heritage assets and biodiversity/habitat value. In particular they must be provided with greater levels of protection during construction, with suitable buffer zones above and below ground according to government guidance.</p> <p>Felling and replacement: Pre-emptive site clearance works which involve removal of trees and hedges must be forbidden. Planning applicants must demonstrate evidence of close adherence to biodiversity net gain, so that mature trees are not seen as 'replaceable' by new planting and so that there is increased green infrastructure with each development.</p>	<p>It will be a requirement to include details of the trees for retention in the Tree Protection Plan and a guidance section on incorporating trees into development has been included in the document.</p> <p>The document includes details about legislation regarding ancient and veteran trees. Applicants would also need to consider existing trees when designing any development and guidance has been included in the sections about tree protection and incorporating existing trees into development. Details about the information required to accompany planning applications is also included.</p> <p>New trees can also form part of the biodiversity net gain provided on a site. The assessment for biodiversity net gain will require a habitat assessment which will look at the existing habitat on the site and use</p>
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	<p>In cases where tree removals are unavoidable and considered justified, the Council must expect applicants to submit proposals for the addition of suitable new trees for each single tree removed. The tree replacement policy as developed by Bristol City Council provides a reasonable example with sufficient demands made of planning applicants. Where replacement trees of appropriate size have been agreed, these will be in direct compensation for trees removed and will not be double counted for other purposes. A ten-year maintenance plan for their establishment period must be compulsory. Replacement trees must be last resort rather than the default.</p> <p>Suitable space & protection for new and existing trees within developments and during construction:</p> <p>Development layouts must be designed to ensure that retained trees are able to grow and mature in the space provided, both above and below ground, taking into account utilities, sightlines, lighting, structures and all other elements of the scheme. The Council will consider space and post-development pressure when considering applications. Pruning to allow space later due to close proximity to buildings or services can have a negative effect and increase tree mortality. Planning applicants should be strongly encouraged to consider retaining the services of suitably qualified and experienced specialists in order to oversee sensitive arboricultural elements of construction.</p> <p>Protection for existing trees during works must be a condition as part of planning consent. Where considered expedient, the Council will put in place Tree Preservation Orders to give trees on the site a level of statutory protection during construction and beyond. These TPOs must then be rigorously enforced, with adequate resources to do so.</p> <p>Where additional new trees are to be planted within areas of hard landscape, applicants should use best, up-to-date tree pit design in these areas, with the soil volume required for the trees to successfully establish and mature correctly calculated and justified.</p> <p>Supervision and monitoring:</p> <p>Where the approved Arboricultural Method Statement and Tree Protection Plan specifies a need, or where specific planning conditions have been imposed, an auditable system of site monitoring and supervision of works within RPAs must be undertaken by a retained arboricultural specialist, with evidencing of full</p>	<p>of a metric to demonstrate that there will be a gain in biodiversity.</p> <p>Planning conditions require the replacement trees within the first five years and a section on tree aftercare has been included in the document.</p> <p>A section on tree aftercare has been included in the SPD. This addresses pruning, watering and tree staking.</p> <p>Details about Arboricultural Method Statement and Tree Protection Plans have been included in the document.</p> <p>A section about tree protection on development sites has been included in the document.</p>
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	<p>compliance. Applicants therefore need to discuss such conditions, and what is expected of them with the Council prior to construction commencing.</p> <p>Hard surfacing & Root Protection Areas: The Council should expect that buildings and hard surfacing are located outside of RPAs. Where hard surfacing is to be installed within an RPA, applicants will need to demonstrate that this is unavoidable and show how adverse effects will be minimised. All areas of hard surfacing within the RPA should be permeable to air and water and utilise “no-dig” construction methods. Applicants in developments should locate all underground services outside of RPAs to prevent root damage. Dedicated service runs should be incorporated within the design and detailed within submitted arboricultural documents. Early engagement with service providers is, therefore, essential.</p> <p>Suitable trees and suitable planting locations: Council planning must place emphasis on the value of ‘native species’ for their proven value to biodiversity, with attention paid to diversity of species and appropriate ‘non-native’ tree species <i>where appropriate</i>, taking into account the resilience of species needed for the changing climate. Long-living species should be favoured as the major part of new planting, over and above pioneer species, though the latter clearly have their place too. Where there is to be new tree planting, locations need to be appropriate for trees to grow to reach maturity. Above-ground containerised trees should only be considered in exceptional circumstances and not be considered as replacements for removal of existing trees.</p> <p>Roads: Where developments involve new roads, streets, pedestrian or cycle links, tree provision should reflect the street and space hierarchy and must deliver streets that are tree-lined with tree cover maximised, taking into consideration visibility and highway safety. Suitable spacing of trees will have direct benefit in terms of reducing surface water runoff and flooding of properties in urban areas especially when incorporating other planting by default to create rain gardens. Active travel corridors within developments and interlinking developments with key destinations must be tree-lined, creating green corridors for increased biodiversity networks.</p>	<p>A section about tree protection on development sites has been included in the document.</p> <p>A table of suggested species has been included in the SPD for different types of developments.</p> <p>Details about trees in the highway has been included in a separate section.</p>
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	<p>Biosecurity: Major development applications must demonstrate how provenance and biosecurity have been addressed in the sourcing of proposed tree stock.</p> <p>Car parks: Tree planting must be a planning condition of new car parks. One medium or large sized tree must be planted for every four parking spaces. Where there is sufficient distance from the nearest buildings, large trees should be used, at a minimum of one tree for every six spaces.</p> <p>Maintenance and watering. There must be measures to ensure adequate management arrangements for all landscape, green infrastructure and biodiversity enhancement, especially watering until planting is well-established. Details of instructions for householders regarding their planning liability and maintenance of trees planted in private gardens for major developments must also be provided. Where new replacement trees on a development die within 10 years, the landowner must replace trees that die.</p>	<p>This cannot be controlled through a planning application. DEFRA published a biodiversity strategy on 9 January 2023 which is an action plan to protect plants from pests and diseases.</p> <p>The SPD encourages tree planting on all new development sites.</p> <p>Details of tree aftercare have been included in the document.</p>
Central Bedfordshire Council	<p>Central Bedfordshire Council welcomes the opportunity to comment on the scoping stage of the Trees SPD. At this stage of the process there is little for the Council to make comment on, and our comments on the detail will be reserved until the draft SPD is published for consultation. Nevertheless, the Council has some initial suggestions which are set out below.</p> <p>Further guidance on the areas outlined in the initial scope is supported as it will provide greater certainty for development proposals. It would be beneficial to include:</p> <ul style="list-style-type: none"> • References to the relevant local and national policy, legislation and guidance relating to the SPD, including the 'Developing in the Forest of Marston Vale: Design Guidance SPD'. • Recognition of the interrelationships between green infrastructure, landscape character, biodiversity, nature and climate change. 	<p>Reference to the Forest of Marston Vale SPD has been included in the plan.</p> <p>Noted – these very important relationships are set out in the</p>

	<ul style="list-style-type: none"> • Specific guidance on ancient woodland and TPOs. • Guidance on design and the importance of considering local character, as this may influence which trees species will be desirable. <p>Consideration should also be given to proposals on the edge of the Borough adjoining Central Bedfordshire, and cross boundary proposals, and how this might be addressed through masterplanning and planning applications. It is important that the relevant teams within Central Bedfordshire Council are consulted at an early stage both in the preparation of the SPD and future planning applications, so that meaningful and constructive responses can be provided.</p> <p>The Council will welcome the opportunity to comment on the draft SPD once it is published for consultation and would like to be kept informed as the SPD progresses.</p>	<p>development plan. The SPD is adding additional detailed guidance to this.</p> <p>Details on ancient woodlands and TPOs have been included in the sections on legislation.</p> <p>The section Incorporating Trees into Development discusses considerations including local character.</p> <p>Central Bedfordshire will be consulted on the draft SPD.</p>
Resident	<p>Re policy 39 Retention of Trees:</p> <p>Clause i: mentions retaining "trees of high amenity and environmental value", which terms are not defined. However, almost any sizeable or mature tree, particularly those of native species, will have high environmental value and support significant biodiversity, particularly insect and bird life, in addition to its contribution to shade, carbon sequestration and pollution amelioration. Given that a similar effect will not be achieved by replacement young trees for many decades, the assumption must be in favour of new developments retaining all substantial or mature trees, particularly in view of the aim to achieve net gain in biodiversity with new developments. Such trees also need to be protected from damage, particularly during construction work.</p> <p>Similarly in policy 40 (Hedgerows) it should be recognised that replacement newly-planted hedges are in no way equivalent for many years in supporting wildlife corridors and biodiversity, to existing native-species mature hedgerows.</p>	<p>The SPD will include guidance about requirements for planning applications and includes details of the tree survey plan which will identify the condition and value of each tree.</p> <p>The policies are already adopted so the wording cannot change. However the requirement for developments to demonstrate a net</p>

	<p>Clause iv of policy 39 mentions "the loss of aged or veteran trees" but this should be extended to "sizeable and mature trees" for the reasons given above.</p> <p>New landscaping and tree-planting as part of redevelopment also requires aftercare, including watering during very dry periods, so this also needs to be included in the policy. It is distressing to see the very poor survival rates of newly planted trees due to lack of aftercare on sites such as the Britannia Ironworks site. Given the number of urban streets called 'avenue' that nevertheless show a distinct lack of roadside trees, it seems likely that there has been a significant loss of urban street trees (probably over many years). Examples in Bedford include: The Avenue, Balmoral Ave, Goldington Ave, Laburnum Ave and Hawthorne Ave, and other urban streets, such as in the Prime Ministers area, show many empty tree pits.</p> <p>Given the council's aim to increase tree-cover, including urban tree-cover, it would be good to see increased planting of urban trees included in the policies.</p>	<p>gain in biodiversity will give much greater importance to retaining existing features.</p> <p>A section on tree aftercare has been included in the document.</p> <p>The Council is working on a number of initiatives to increase tree planting, including its Trees for Streets campaign.</p>
Resident	<p>P38 Landscaping This is welcome, but there needs to be evidence of secure monitoring. Streetscapes are vital. Summers are likely to be hotter still, and the retention of trees for shade and for wellbeing are essential</p> <p>P39 Ancient Woodland Again this is welcome, but there is always a "get out" clause, which might allow developers to destroy valuable assets on the grounds that monetary gain is paramount</p> <p>P40 Hedgerows Valid reasons to retain hedgerows are cited, but they should be wider, e.g. it is not just butterflies and birds which would be harmed by the removal of such habitats, but all insect species would similarly be adversely affected, as well as local flora. Great care is needed in deciding whether the removal of a hedge is justified, even</p>	<p>Planning applications usually do not have monitoring attached, but there are planning conditions for replacement of trees if they die within a set time period of five years.</p> <p>Noted. However the requirement for developments to demonstrate a net gain in biodiversity will give much greater importance to retaining existing features.</p> <p>Noted – see above.</p>

	<p>if a replacement is proposed. The occupation of a newly planted hedgerow takes a great deal of time to recover.</p> <p>General It is essential that the impact of climate change be factored into any planning decisions</p>	<p>This is considered as part of the planning application process.</p>
Resident	<p>I have two comments to make regarding the Local Plan 2030: Re: 8.43 As part of a planning application, the landscaping scheme shall provide details of the existing hedgerows on the site, including an assessment of their health.</p> <p>In my experience developers can clear a site prior to applying for planning permission in order not to declare the details, therefore it might be best that another (Environment?) agency does this survey prior to the application i.e. at the point the land use is altered to development.</p> <p>Overall, I think that we should take the opportunity to plants trees, hedgerows and do other landscaping (especially water attenuation) even if there is not development on the land. For example, many fields could have their hedgerows refilled / reinstated without needing much land but having a massive environmental benefit.</p>	<p>The Local Plan 2030 has already been adopted, so there cannot be any more text added.</p> <p>There are other ways of determining what was on a site prior to development such as looking at historical records and aerial surveys.</p> <p>Noted. Other agencies and organisations have tree planting programmes and the council (e.g The Forest of Marston Vale).</p>
Resident	<p>Hedges need to be lower or taken out where they restrict view. Getting out of the car park by Robinson pool your view is restricted because of the hedge. At the round about at the bottom of the road the high shrubs obstruct the view so cars coming round about can not be seen a tree in the middle and low growing creepers would be better.</p>	<p>This relates to existing landscaping and can be reported through the Council's website here.</p>
Anglian Water	<p>I have the following general comments on Anglian Water specific and wider sustainable growth and planning issues.</p> <ul style="list-style-type: none"> • Trees, together with other green infrastructure, act as carbon sinks soaking up excess water and reducing the 'urban heat island effect'. • Trees and other forms of vegetation such as gardens, parks and wetlands serve as buffers, or storage, for rainwater. It's important to ensure the right 	<p>Comments noted. Preparation of the Bedfordshire LNRS is underway and due to be completed by the end of 2024.</p>

	<p>nature-based solutions are designed for the right locations and that, consequently, the multiple benefits they provide are realised.</p> <ul style="list-style-type: none"> • Tree planting on floodplains upstream of urban areas can significantly reduce flood risk. • The removal of trees to enable operational development at essential infrastructure sites (NPPF, Annex 2) can enable a lower carbon solution to supporting growth. Anglian Water will now be assessing tree loss as part of our overall optioneering of design options and considering both carbon and BNG in making location and design decisions. • Trees and other green- blue infrastructure should be mapped as part of the LNRS and consideration given to catchment- based planning to link biodiversity opportunities i.e., the Forest of Marston Vale 	
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SEA Body	Representation	Council Response
Natural England	<p>While we welcome this opportunity to give our views, the topic this Supplementary Planning Document covers is unlikely to have major effects on the natural environment, but may nonetheless have some effects. We therefore do not wish to provide specific comments, but advise you to consider the following issues:</p> <p>Green Infrastructure</p> <p>This SPD could consider making provision for Green Infrastructure (GI) within development. This should be in line with any GI strategy covering your area. The National Planning Policy Framework states that local planning authorities should ‘take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure’. The Planning Practice Guidance on Green Infrastructure provides more detail on this.</p> <p>Urban green space provides multi-functional benefits. It contributes to coherent and resilient ecological networks, allowing species to move around within, and between, towns and the countryside with even small patches of habitat benefitting movement. Urban GI is also recognised as one of the most effective tools available to us in managing environmental risks such as flooding and heat waves. Greener neighbourhoods and improved access to nature can also improve public health and quality of life and reduce environmental inequalities.</p>	<p>Noted.</p> <p>The Council has an adopted Open Space SPD which includes requirements for green infrastructure in new developments.</p>

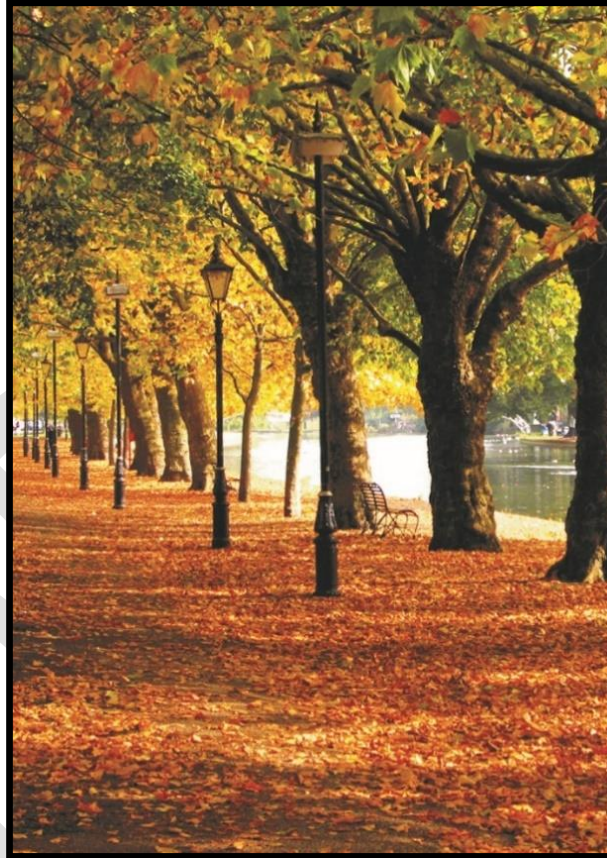
	<p>There may be significant opportunities to retrofit green infrastructure in urban environments. These can be realised through:</p> <ul style="list-style-type: none"> • green roof systems and roof gardens; • green walls to provide insulation or shading and cooling; • new tree planting or altering the management of land (e.g. management of verges to enhance biodiversity). <p>You could also consider issues relating to the protection of natural resources, including air quality, ground and surface water and soils within urban design plans.</p> <p>Further information on GI is include within The Town and Country Planning Association's "Design Guide for Sustainable Communities" and their more recent "Good Practice Guidance for Green Infrastructure and Biodiversity".</p> <p>Biodiversity enhancement</p> <p>This SPD could consider incorporating features which are beneficial to wildlife within development, in line with paragraph 118 of the National Planning Policy Framework. You may wish to consider providing guidance on, for example, the level of bat roost or bird box provision within the built structure, or other measures to enhance biodiversity in the urban environment. An example of good practice includes the Exeter Residential Design Guide SPD, which advises (amongst other matters) a ratio of one nest/roost box per residential unit.</p> <p>Landscape enhancement</p> <p>The SPD may provide opportunities to enhance the character and local distinctiveness of the surrounding natural and built environment; use natural resources more sustainably; and bring benefits for the local community, for example through green infrastructure provision and access to and contact with nature. Landscape characterisation and townscape assessments, and associated sensitivity and capacity assessments provide tools for planners and developers to consider how new development might makes a positive contribution to the character and functions of the landscape through sensitive siting and good design and avoid unacceptable impacts.</p> <p>For example, it may be appropriate to seek that, where viable, trees should be of a species capable of growth to exceed building height and managed so to do, and where mature trees are retained on site, provision is made for succession planting so that new trees will be well established by the time mature trees die.</p> <p>Other design considerations</p>	<p>Local Plan 2030 already includes a policy on biodiversity net gain and a guide on implementing the policy has been published on the Council's website.</p> <p>The development plan includes adopted Policy 37 on landscape character (Local Plan 2030).</p>
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	<p>The NPPF includes a number of design principles which could be considered, including the impacts of lighting on landscape and biodiversity (para 180).</p> <p>Strategic Environmental Assessment/Habitats Regulations Assessment</p> <p>A SPD requires a Strategic Environmental Assessment only in exceptional circumstances as set out in the Planning Practice Guidance here. While SPDs are unlikely to give rise to likely significant effects on European Sites, they should be considered as a plan under the Habitats Regulations in the same way as any other plan or project. If your SPD requires a Strategic Environmental Assessment or Habitats Regulation Assessment, you are required to consult us at certain stages as set out in the Planning Practice Guidance.</p> <p>Should the plan be amended in a way which significantly affects its impact on the natural environment, then, please consult Natural England again.</p>	<p>The development plan includes adopted Policy 32 which addresses lighting (Local Plan 2030).</p> <p>Noted.</p>
Historic England	<p>The county town Bedford lies towards the south of the borough. Founded at a ford on the River Great Ouse, the historic market town was granted borough status in 1165. The Borough has a rich and diverse historic environment with over 1,300 listed buildings including 50 listed at grade I, 68 scheduled monuments including many moated sites, 8 registered parks and gardens and 28 conservation areas.</p> <p>The north of the borough bordering Northamptonshire boasts a number of pretty villages with stone and thatched cottages as well as a number of Bedford Estate cottages. To the south of the borough, the heritage and legacy of the brickworks as well as the hangers at Cardington shape and dominate the landscape.</p> <p>Situated within the heart of the Ox Cam arc and with fantastic existing and potential transport connections in the form of the A421, M1, A1 as well as located on the Midland Mainline and the route of the new East West Rail, the area is set to experience considerable growth in the coming years. The challenge is to ensure that this is good growth that respects and takes the opportunity to enhance the historic environment.</p> <p>The Borough's has a rich heritage of tree planting within parks and open spaces and along streets. The Local Plan includes clear and robust policies for trees, planting and hedgerows. We welcome the preparation of an SPD to give further guidance on policies 38.39 and 40 of the Local Plan. Historic England supports</p>	

	<p>the Council's forward planning for the responsible management of its trees and tree canopy cover, hedgerows and planting in new development.</p> <p>Trees make a strong contribution to this heritage by lining streets, defining and accenting parks and open spaces. Specific trees or tree groups can take on historic and communal significance in their own right due to their age, character and location. As part of the historic environment, trees have a powerful role in place-making, helping to define spaces and neighbourhoods and contributing to local identity.</p> <p>Much of the Borough's most significant and sensitive heritage lies within open spaces containing numerous trees. Buried archaeology, above-ground historic structures and the layout and features of historic parks and open spaces can be highly susceptible to damage from unmanaged tree growth, windthrow, and fallen limbs as well as routine arboricultural operations such as pruning, felling and tree planting. As such, any proposed operations or tree planting proposals within important heritage sites require careful consideration, with the protection and enhancement of the historic environment a key part of planning and decision-making.</p> <p>Given the above, we feel that the SPD should include additional standard advice on the historic environment throughout the document. This should ensure that impacts to the historic environment form part of the proposed inspection and risk assessment processes.</p> <p>The Council should consult its historic environment advisors on any proposals, operations or tree planting proposals within important heritage sites. Respect should be given to the layout and design intent of the Borough's historic parks and open spaces, with consideration of views and vistas important to the site's significance.</p> <p>The Council should follow a 'right plant, right place' approach to new tree planting with the scale and character of the park, open space or street affected when considering species selection and planting size.</p> <p>Generally, the Council should avoid tree planting within Scheduled Monuments if possible, recognising that any operations which do come forward are likely to require Scheduled Monument consent and necessitate consultation with Historic England.</p>	<p>The document includes a section on the historic environment and how it impacts trees.</p> <p>A section on suggested species of trees for different locations has been included.</p> <p>A paragraph on Scheduled Monuments is included and that trees are not to be located on them.</p>
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	<p>It is also important to highlight that there may be incidences where tree planting will be detrimental to the historic environment.</p> <p>The SPD could also include information about the legal protection afforded to individual trees covered by Tree Preservation Orders and growing within Conservation Areas.</p> <p>Finally, the SPD should reference Landscape Character Assessment and Historic Landscape Characterisation to help inform and shape planting and landscaping proposals across the Borough.</p> <p>Further information on tree management in the historic environment can be found on our website: <https://historicengland.org.uk/advice/technical-advice/parks-gardens-and-landscapes/></p> <p>We hope that these comments are useful to you as your progress the project. If you have any questions with regards to the comments made, then please do not hesitate to contact us. We look forward to seeing the draft SPD.</p>	<p>Policy 39 includes a clause regarding TPO, and further details are included in the SPD about the requirement for permission for works to trees in Conservation Areas.</p>
Environment Agency	No response was received.	

TREES AND DEVELOPMENT
SUPPLEMENTARY PLANNING DOCUMENT



DRAFT VERSION OCTOBER 2023

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1. INTRODUCTION AND PURPOSE

1.1. Trees are a vital component of the built environment, adding variety, contributing to the character of an area and enhancing environmental quality. Apart from being visually attractive and defining structure and spaces, trees provide shade which offsets the urban heat effect. They also absorb noise, filter air-borne pollutants and provide a habitat for wildlife.

1.2. When considering proposals for development, it is important to consider the potential impact on existing trees alongside consideration of the opportunities to establish new and sustainable planting.

1.3. The purpose of this document is to expand and provide guidance on the application of the Borough's development plan policies and any future guidance on trees and landscaping. These include Policy 38 (Landscaping in new development), Policy 39 (Retention of Trees) and Policy 40 (Hedgerows) in the [Local Plan 2030](#). This will ensure that trees which are important for their role as both landscape features and for their biodiversity value are adequately addressed throughout the development process.

1.4. The specific objectives for this document are to:

- Assist applicants to understand the role of trees within the wider environment;

- Outline the impacts of development upon trees and ensure that development works are undertaken in an appropriate manner to avoid adverse harm to existing trees, including their roots;
- Enable the planning application process to be more efficient in clearly setting out the information required to accompany planning applications;
- Assist developers to understand the importance of including new and appropriate tree planting as a key component of the infrastructure to create safe and appealing developments with a positive sense of place which are sustainable and to incorporate existing trees in the landscaping plan, where applicable.

2. THE BENEFITS OF CONSIDERING TREES

2.1. Trees are important within the built and natural environment. They:

- Provide visual buffers and soften hard landscaping; blend the harsh edges of the built environment and provide scale and a sense of perspective.
- Provide 'shelter' against the weather including the sun, wind and rain. Trees can also provide shading for buildings and parked cars in the summer reducing the requirement for air conditioning and insulating buildings from the winter elements potentially reducing heating and cooling costs.
- Reduce and buffer sound. The canopy of trees can help absorb and dissipate noise creating a more peaceful and tranquil environment in which to live and work.
- Filter pollution. Trees can reduce the amount of dust particles in the air we breathe collecting on their leaves. These are either washed from the leaves by rain or fall to the ground in autumn.
- Provide fresh air for all. Trees provide clean air as they take in carbon dioxide and release oxygen as part of their living process, acting as carbon sinks.
- Provide habitats. Trees provide a habitat for mammals, birds and invertebrates to exploit, providing a source of food and shelter. Trees and hedges also

provide wildlife corridors linking habitats and preserving biodiversity.

- Provide a 'feel good factor' for improved mental health and well-being. Trees contribute to human life in ways that are often overlooked. Many of the benefits outlined above we take for granted and are not even considered in everyday life. Research shows that the presence of trees within built up areas can reduce anxiety, improve mental health, reduce stress and promote psychological restoration.
- Enhance new and existing development. Existing trees retained appropriately within a new development can add a sense of maturity. New trees will mature alongside a new development enhancing the built environment as identified above.

3. LEGISLATION AND BEST PRACTICE

Legislation

- 3.1. Bedford Borough Council has a duty to assess the impact of development on existing trees, to ensure that there is provision to retain existing trees as well as to establish suitable new planting that enhances and complements existing vegetation and the local landscape or townscape.
- 3.2. Statutory legislation and national and local planning policy considers the impact of development on existing trees. The Town and Country Planning Act 1990 (section 197) charges the Local Planning Authority with the duty to ensure, whenever it is appropriate, when granting planning permission that adequate provision is made for the preservation and planting of trees through planning conditions and the serving of Tree Preservation Orders (TPOs).
- 3.3. The Council maintains a register of trees and areas that are subject to a Tree Preservation Order. Further information is available on Council's website - <https://www.bedford.gov.uk/planning-and-building-control/conservation-and-heritage/protected-trees>
- 3.4. Where hedgerows are present on site they may be subject to the Hedgerow Regulations 1997 (as amended). Where hedgerows fall under the Regulations and are identified for removal as part of a development, Bedford Borough Council

is required to assess any proposed removal under the criteria outlined in the Regulations.

- 3.5. Vegetation and individual trees may also be important habitats for species that are protected under wildlife legislation such as the Natural Environment and Rural Communities Act 2006. Development sites may also comprise ancient woodland or veteran trees which are a valuable biodiversity resource.
- 3.6. The Forestry Commission is the Government Department which has statutory responsibility for trees and woodland under the Forestry Act 1967. Those considering development proposals which may impact on trees or woodland should also check with The Forestry Commission directly to determine if a felling licence is required. Further details are available on their website – www.gov.uk/government/organisations/forestry-commission

Best practice

- 3.7. Guidance to retain existing and deliver new sustainable and appropriate trees within development is provided through various publications including:
- British Standard BS5837: 2012 Trees in relation to design, demolition and construction

- Trees in the Townscape – A Guide for Decision Makers TDAG (Tree and Design Action Group) Promoting 12 principles of urban forestry and good practice
<http://www.tdag.org.uk/trees-in-the-townscape.html>
- Trees in Hard Landscapes – A Guide for Delivery (TDAG) of particular relevance to highway engineers, public realm professionals and tree specialists.
<http://www.tdag.org.uk/trees-in-hard-landscapes.html>

3.8. Trees and Design Action Group (TDAG) is a trust which aims to increase the role of trees in the built environment. There is a lot of useful information available on their website www.TDAG.org.uk including case studies and research, as well as the publications mentioned above.



4. HOW TREES CAN BE DAMAGED

4.1. Trees can be damaged both directly and indirectly through all phases of a development including site clearance of vegetation, demolition, construction and landscaping. Examples include:

- Root bark damage from site striping, grading or remediation requirements
- Root severance from excavations for foundations or utilities including soakaways
- Soil compaction from repeated vehicle movements or storage of materials
- Changes in soil levels
- Bark wounds caused by machinery
- Ripped or broken limbs from machinery e.g., booms, requirements for access for deliveries such as roof trusses, cranes and space for scaffold
- Changes in the water table
- Burning of waste material close to trees scorching the canopy or damaging roots
- Spillage of petrol, diesel, mixing of cement and the storage of toxic materials under the canopies and within the Root Protection Areas
- By moving traffic or manoeuvring vehicles making contact and damaging bark, uprooting the trees or overloading the roots.

4.2 It is therefore important that trees are surveyed and inform layout and design to ensure a harmonious development rather than trees placed too close together and retained inappropriately. Trees can also be damaged by the physical build and logistics of a development, such as material storage.



Damage to roots can cause significant long-term health implications and result in instability in a tree

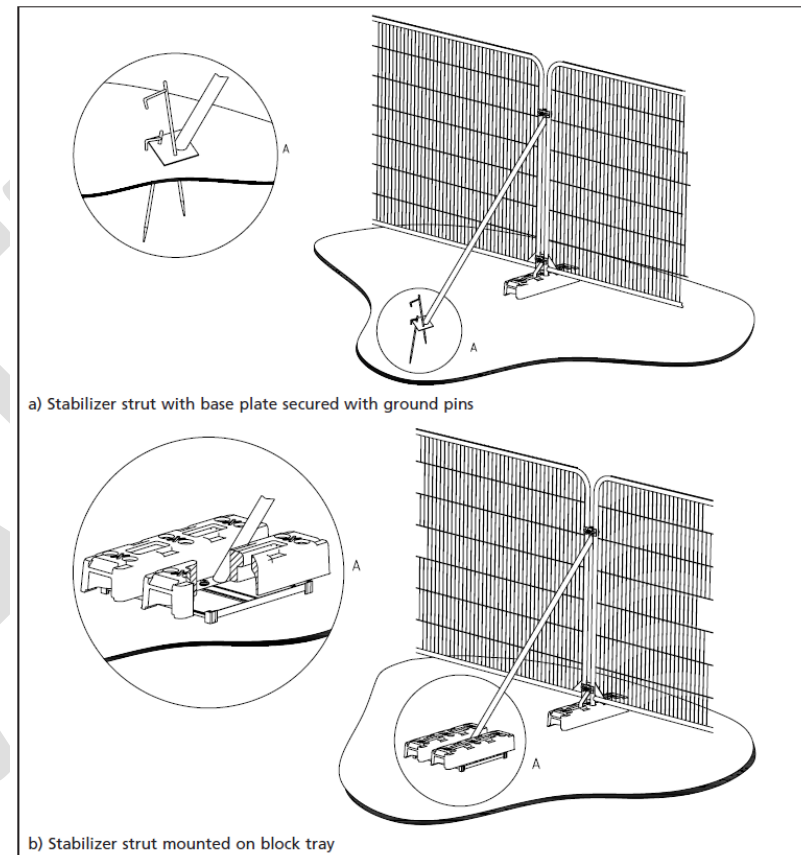
5. TREE PROTECTION ON DEVELOPMENT SITES

5.1. Current industry guidance for trees and development is provided in the British Standard 5837 2012; Trees in relation to design, demolition and construction – Recommendations. This standard provides an accepted framework by which to assess and protect trees both within and adjacent to a development site. Bedford Borough Council will be guided by BS 5837 2012 as amended and current best practice in assessing planning applications.

5.2 To ensure the trees within a development that are being retained are not compromised, they need to be protected on the development site with fencing or another similar barrier.



Tree protection at housing site



Permission to reproduce extracts from British Standard 5837 2012 is granted by BSI. British Standards can be obtained in PDF or hard copy formats from the BSI online shop: [//www.bsigroup.com/Shop](http://www.bsigroup.com/Shop) or by contacting BSI Customer Services for hardcopies only: Tel: +44 (0)20 8996 9001, Email: cservices@bsigroup.com.

- 5.3. A high quality design cannot be achieved if the opportunities and constraints of a site are not identified and considered at an early stage. Where there are existing mature trees on a proposed development site, careful consideration should be given to the incorporation of those trees within the overall layout of the development, particularly in public areas. This should include for example, consideration of front elevations of buildings facing onto trees.
- 5.4. Pre application advice is encouraged so that at an early stage advice, guidance and an understanding of the requirements of all parties is considered in drawing up development proposals and in preparing the planning application. It is beneficial for the applicant to have basic information at this stage which will enable the council to provide more accurate advice and guidance. This should include a land survey, a proposed layout of the development and details as specified in BS 5837:2012. The pre-application advice form is on the Council's [website](#).
- 5.5 Planning applications are required to include arboricultural information as outlined in the planning application validation lists on the Council's [website](#).

6. INCORPORATING TREES INTO DEVELOPMENT

- 6.1. Development should seek to enhance local character and to link positively to a site's surroundings. New tree planting and landscaping should be considered from the outset within the masterplan as an integral part of any development and be assisted by the preparation of landscape or townscape assessments. This approach can help to deliver robust and sustainable green infrastructure, both in terms of urban planting, green corridors and Sustainable Drainage Systems (SuDS). Trees are a valuable addition to any development, helping to enhance biodiversity and to achieve high quality developments which complement the local landscape or townscape.
- 6.2. Adequate consideration also needs to be given to the appropriate retention of existing trees within or adjacent to a proposed development site. This will minimise future conflict which could arise from the proximity of existing trees to a new building and which may necessitate inappropriate pruning. Trees can potentially cause structural problems for buildings or areas of hardstanding if not designed in as part of the infrastructure. Even if a tree is not directly affecting a property at the time of application, it may have the future potential to cause financial loss to an occupant through possible damage. Therefore, such development layouts will not be acceptable.
- 6.3. The characteristics of different tree species need to be considered and may lead to modifications to the site layout including appropriately appointed parking spaces. All trees have associated 'seasonal nuisance' however some exhibit more 'anti-social' characteristics than others e.g. honeydew, fluffy cotton-like seeds, fruit trees. These have the potential to increase bird droppings or small debris falling onto cars or footpaths and such tree species should therefore be avoided in these situations.
- 6.4. Depending on the site characteristics and proposed development, the principle of including trees within landscape schemes needs to be considered alongside the accommodation of trees within development sites. New tree planting must be appropriately designed and incorporate species of varying height and form to provide diversity within the treescape and development site.
- 6.5. Where new tree planting is to be incorporated into areas of hard standing, provision for a viable rooting environment must be demonstrated as part of the planning application to maximise the longevity of the tree and avoid damage to the surrounding area. Proprietary engineered products are available such as cellular systems to provide the required soil volumes while facilitating areas of hard standing. These can also form an integral part of a sustainable water management system for the site. The use of these proprietary engineered products must be demonstrated to ensure the sustainability of any proposed landscape

scheme will prevent damage to hard landscaped areas in the longer term.

- 6.6. Heritage constraints on the site also need to be considered in the development of landscaping schemes on the site. This includes where the development site includes a listed building or Scheduled Monuments. For development sites that are in Conservation Areas, the applicant should be aware of the requirement to seek planning permission for works to trees on the site. A section 211 notice is to required to be submitted to the local authority at least 6 weeks before carrying out certain work on trees in a conservation area that are not protected by a Tree Preservation Order. This is outlined in section 211 of the Town and Country Planning Act 1990.



Trees in development integrated into an area of hard standing



Trees integrated into parkland

7. PLANNING APPLICATION REQUIREMENTS

7.1. Where development is proposed on sites containing trees, or where trees are close to or overhang the site boundaries, the following survey information will be required to support a planning application.

Land Survey

7.2. A land survey will be required. It should be precise and include the following information plotted accurately to a recognised scale:

- Spot heights of ground levels throughout the site
- Location of trees within or adjacent to the site where their Root Protection Area encroaches into the red line boundary
- Canopy spread of trees
- Existing structures and features
- Utilities, both overground and underground.

Tree Survey

7.3. A tree survey will be required to be drawn up in conjunction with the land survey.

7.4. The tree survey will be based on the condition and value of the existing trees in accordance with industry guidance British Standard 5837 2012; Trees in relation to design, demolition and construction - Recommendations.

7.5 All trees should be numbered on a plan which will provide the detail for the Arboricultural Impact Assessment, the Tree Constraints Plan and Tree Protection Plan. Where there are woodlands or blocks of trees which will not be impacted upon by the proposed development it is acceptable to 'group' them; group numbering will not be acceptable where development encroaches into the Root Protection Area.

Tree Constraints Plan

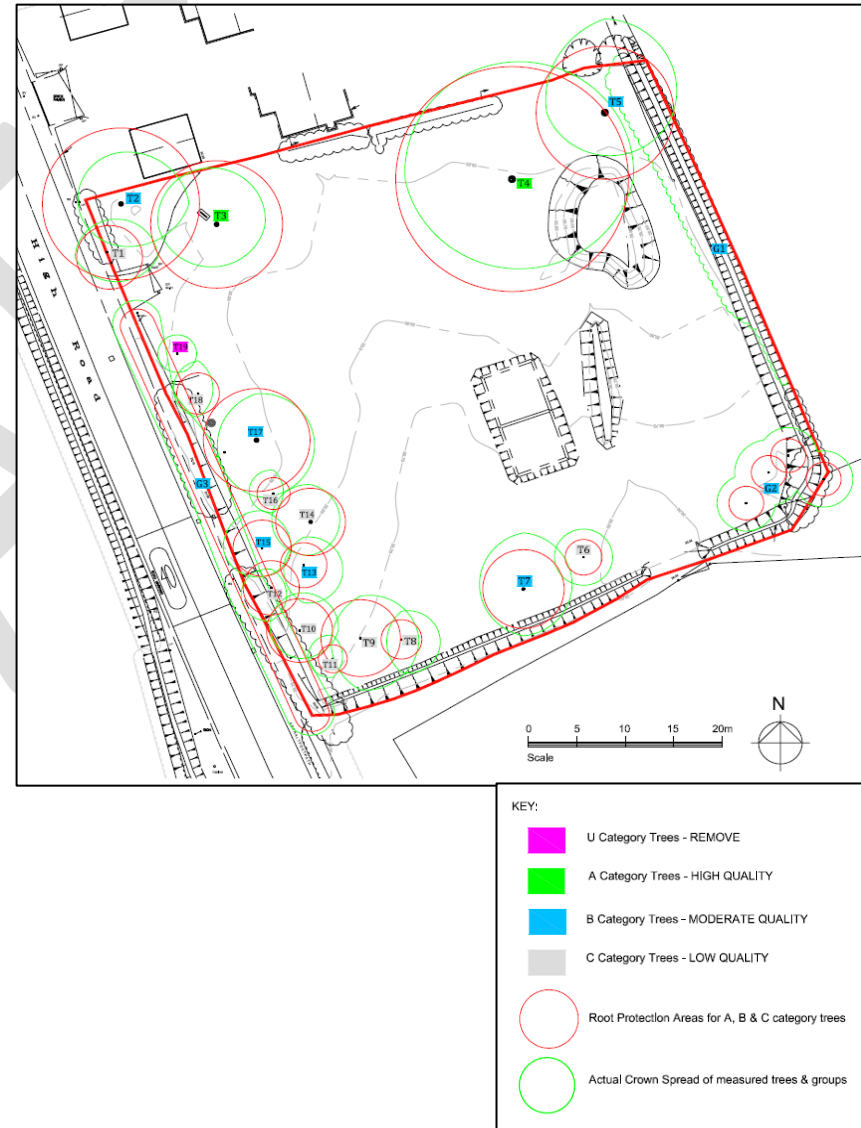
7.6 Correct interpretation of the information from the land and tree surveys is essential to select trees which are suitable for retention and to identify any constraints that these trees place upon the existing site and with the proposed development. The Tree Constraints Plan is a tool to bring together all aspects of the site and to illustrate the constraints imposed by the trees both above and below ground.

7.7 The Root Protection Area must be illustrated on the Tree Constraints Plan. It should not be assumed that building or excavation may take place up to the edge of the Root Protection Area or that engineering solutions proposed will be acceptable within a Root Protection Area. Adequate space between proposed buildings and the Root Protection Area may be required for the purpose of post development pressure. Where development encroaches into these areas there may be scope for proposals to mitigate potential conflicts and impacts upon the tree(s). This can be discussed through pre-application advice if applicable

(please note a fee will be payable for pre-application advice).

- 7.8 Shading of buildings and open space by trees can be a problem particularly where there are rooms which require natural light. Careful consideration should be given to the current and likely future shade cast by existing and new trees. Shading needs to be considered both pre and post development and guidance can be found in Site layout planning for daylight and sunlight: A guide to good practice (Building Research Establishment) 2022.
- 7.9 Trees that are on land in the ownership of Bedford Borough Council, such as in parks or along highways, may have grown within a built-up environment. As a result, their rooting systems and canopies may have been significantly altered with unusual rooting systems or heavily modified canopies. It may be necessary to quantitatively assess the extent of root spread by tree root sensitive excavations which will need to be discussed with the Council's Tree Officer as part of pre-application discussions.

Example Tree Constraints Plan



Arboricultural Impact Assessment

7.10 The Arboricultural Impact Assessment is a comprehensive assessment derived from the Tree Constraints Plan, evaluating the direct and indirect effects of the proposed layout. Depending on the tree survey this document may be incorporated into one document with the Arboricultural Method Statement.

Arboricultural Method Statement

7.11 The Arboricultural Method Statement is a methodology for the implementation of any aspect of development that falls within the Root Protection Area or has the potential to result in the loss of or damage to retained tree(s).

7.12 Where trees are particularly vulnerable on a development site and where there is a potential for the tree(s) to be damaged, a detailed method statement may be required. Situations where an Arboricultural Method Statement will be required include:

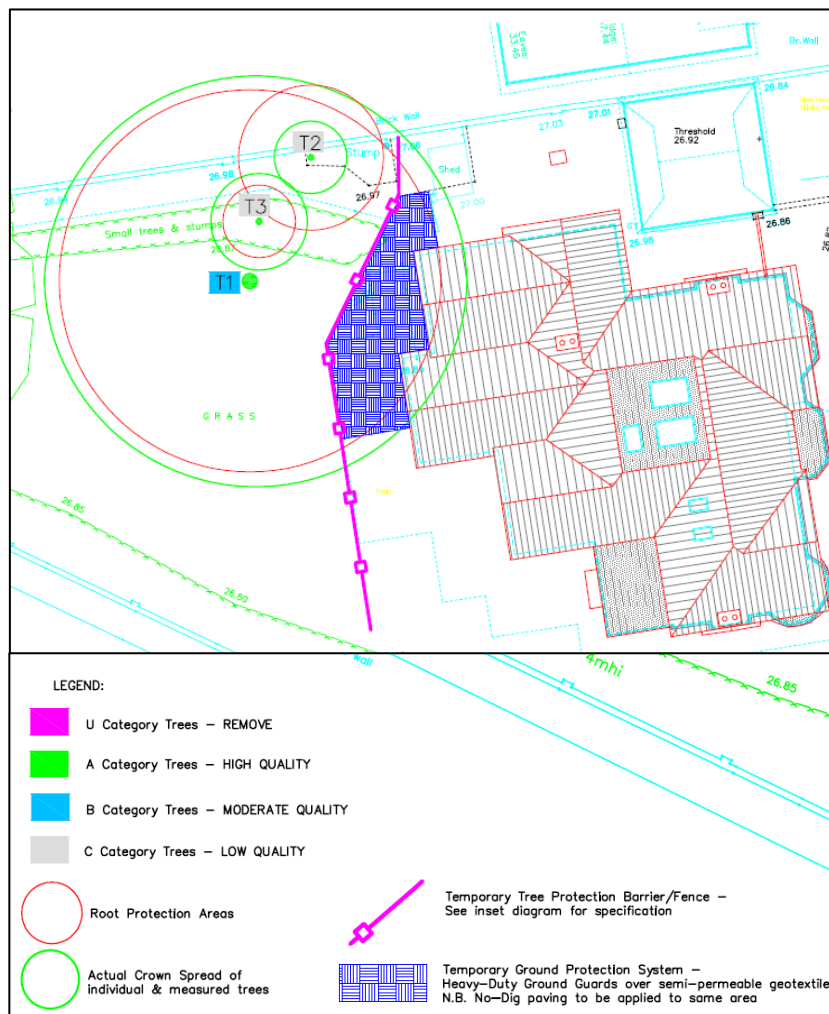
- Where remediation of a site is required e.g., removal of asbestos, ordnance, contaminated soil etc.
- Creating access into a site
- Demolition of existing structures
- Removal or replacement of existing surfacing
- Changes in ground levels e.g. retaining walls
- Requirements for piling rigs
- Construction of no-dig engineering solutions/temporary protection within the Root Protection Area

- Erection of fencing
- Installation or upgrading of utility infrastructure.

Tree Protection Plan

7.13 The purpose of the Tree Protection Plan is to identify all trees for retention and for all the protection to be installed through the development phases. This is achieved through combining the Land Survey, Tree Survey and Tree Constraints Plan with the proposed layout which has been informed by the Tree Constraints Plan.

7.14 The physical protection of trees during construction is an effective way to achieve protection for trees. This may incorporate fencing, ground protection and stem protection. In some instances, it may be appropriate to install an agreed 'engineered' solution, for example the installation of a no-dig access placing a temporary surface close to the tree for the duration of the construction of the development.



Example Tree Protection Plan

7.15 The tree protection measures will impact upon the available space for the logistics on site, construction, material delivery and storage, scaffold etc. A Tree Protection Plan should be developed at an early stage of the development site planning and contain the following, where relevant:

- All trees to be retained clearly identified on the plan
- Trees to be removed clearly identified on the plan
- Location of tree protection measures clearly identified on the plan
- Location of other physical protection measures e.g., temporary ground protection to prevent soil compaction
- Positioning of site huts, temporary toilet facilities, material storage, cement mixing area(s)
- Detailed schedule of pruning works informed by initial tree survey, precautionary or to prevent damage during construction (further guidance can be found in BS 3998:2010 – Tree Work – Recommendations (as amended)).



Tree protection fencing in housing construction site.

Aftercare Conditions

- 7.16 Landscaping schemes including the planting of trees are likely to be required as part of a development to support a planning application. To aid in ensuring trees and other soft landscaping reach maturity, conditions requiring the management of newly planted vegetation can be imposed by the Local Planning Authority.
- 7.17 Conditions typically impose essential early management requirements such watering and require the replacement of any trees that die or are seriously damaged during the period of usually five years. Examples of appropriate aftercare concerning the establishment of trees can be found in section 9.

8. NEW TREES

8.1 Section 197 of the Town and Country Planning Act 1990 places a duty on the Local Planning Authority to ensure that, in the granting of planning permission, adequate provision is made for the preservation and / or planting of trees.

8.2 Paragraph 170 of the NPPF 2021 also states that planning policies and decisions should recognise the wider benefits from natural capital and ecosystem services, including trees and woodlands.

8.3 Bedford Borough Council in partnership with the Forest of Marston Vale (a designated Community Forest) supports and reflects their vision in planning policy for the target of 30% tree coverage in the Forest of Marston Vale area by 2031. Policy 36S in the Local Plan 2030 outlines the requirements for tree planting in the Forest of Marston Vale.

8.4 The [Forest of Marston Vale Supplementary Planning Document](#) (SPD) was adopted in January 2023. This document sets out how policy 36S will be implemented. The document was prepared in conjunction with the Forest of Marston Vale Trust and Central Bedfordshire Council. New tree planting can form part of the requirement for 30% tree cover on the site.

8.5 In all areas of the borough, Bedford Borough Council will seek the planting of trees: -

- To deliver robust green infrastructure, enhance the ecological value of a development and consider current and future climatic changes
- To ensure sustainable tree planting both urban and rural, ensuring their location complements the surrounding architecture, local landscape and local distinctiveness
- Which species are suitable for the location in relation to arboricultural characteristics.

8.6 The following must be considered and demonstrated when preparing a tree planting scheme: -

- Space for planted trees to reach their mature height and spread without significantly causing nuisance to built structures and occupants
- Suitability of planting position in relation to built structures e.g., walls, buildings, existing services and requirements for access to maintain infrastructure and services e.g. mains water, gas, sewers
- Provision of sufficient soil volume to allow trees to reach their optimum size, considering changes in soil levels, water tables etc.
- Where trees are to be planted in areas of hard landscaping and / or will be adopted by Bedford Borough Council the use of planting systems integrated with the water management of the site must be demonstrated – there are proprietary products on the market to achieve sustainable growing conditions

- Future shade which the tree will cast in maturity, which may be advantageous in buffering climatic effects e.g. heat island effect and wind
- Characteristics of species such as colour, form, seeds, fruit and structural qualities and their future location. For example, it is accepted that Poplar species have a propensity to have poor branch attachments which may be a safety hazard in a public area and some Poplar species produce 'cotton seeds'.

8.7 It is important to establish the requirements for the landscape scheme early in the design process. This is to ensure that landscaping may contribute to the layout of the development and ensure that sufficient space is available for new trees using a pallet of species for their size, shape, arboricultural characteristics and local distinctiveness.

8.8 Environmental factors must be considered along with species arboricultural characteristics to ensure suitable species are planted to be able to establish and thrive in their environment and reach their full potential.

8.9 Trees with a large mature size (reaching 20 to 30 metres in height at maturity) provide greater environmental benefits and offer significant contributions to the character and appearance of an area. Adequate consideration therefore needs to be given to the inclusion of large trees where space is available. To establish larger size trees in areas where

space is limited, trees with a fastigate form, i.e. tall with a narrow crown are a good consideration.

8.10 Trees should not be located in areas of ridge and furrow and on Scheduled Monuments. Trees may impact listed buildings, so affect the setting of listed buildings. Therefore, it will be necessary to consult with the Council's historic environment team regarding new tree planting where a listed building is present or adjacent to the development site.

8.11 The following characteristics will be taken into account when considering the suitability of new trees.

- Ultimate height
- Crown form
- Drought tolerance
- Honeydew
- Fruit/flowers
- Pest and diseases
- Changes to climate and seasonal requirements
- Longevity of species from pioneer species being short lived to mature specimens

8.12. The planting of fruit trees is desirable for biodiversity, however specific consideration needs to be given to purpose and location. Creating 'community orchards' can be a sustainable way to introduce fruit and nuts into new communities. The planting of fruit and nut trees within the green infrastructure of a site allows for foraging and reduces

the 'nuisance' factors from insects and birds attracted to the trees which might otherwise be close to buildings and public areas. Planting close to or within footpaths should be avoided so not to cause slip / trip hazards.

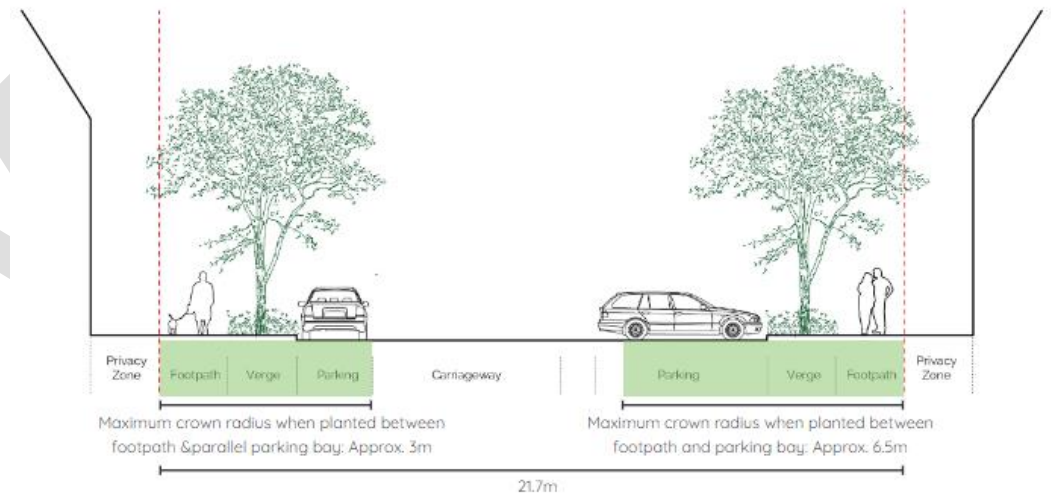
8.13. The East of England Apples and Orchards Project¹ provides a list of local varieties, predominantly of the 'Laxton' apple varieties. Fruit trees are available to purchase from the East of England Apples and Orchards Project and other local nurseries due to the breeding programmes undertaken by successive generations of the Laxton family.

8.14. The Species Selection for Green Infrastructure: A Guide for Specifiers by TDAG provides a comprehensive list of trees and their associated characteristics and preferred planting conditions (<https://www.tdag.org.uk/tree-species-selection-for-green-infrastructure.html>). Additional information concerning incorporating trees into developments can be found in TDAGs document entitled Trees, Planning and Development A Guide for Delivery Section One: Creating financial, environmental and social value into the future (https://www.tdag.org.uk/uploads/4/2/8/0/4280686/tdag_tpd_2022.s1v1.2aw.pdf)

8.15. Below is a brief list of suggested trees for different environments, from the urban environment through to parks and community orchards.

Primary vehicular access routes / housing estates

8.16. These areas typically have limited space and form primary vehicular access routes into and through a development. Trees could be located within the footpath or traffic islands and possess a tall and narrow / fastigate habit to form prominent avenues without conflicting with adjacent properties.



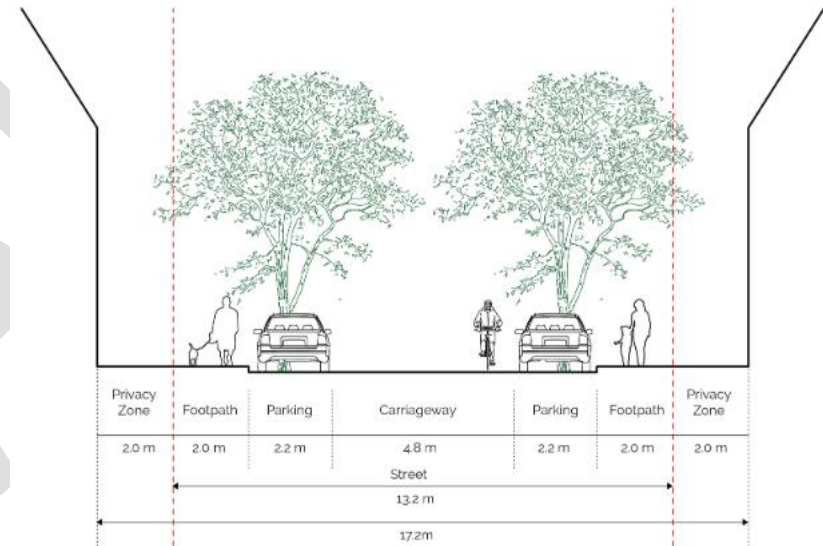
¹ <http://www.applesandorchards.org.uk/index.php/93-eeaop/bedfordshire>

Suggested Tree Species

Species	Common name
<i>Gleditsia tricanthus</i> 'Sunburst'	Honey Locust
<i>Liriodendron tulipifera</i> Fastigiata	Upright Tulip Tree
<i>Amelanchier arborea</i> Robin Hill	Juneberry
<i>Liquidambar styraciflua</i> 'slender silhouette'	Sweet Gum
<i>Ulmus</i> spp	English Elm (Dutch Elm Disease resistant cultivars e.g. 'New Horizon' or 'Vada Wanoux')

Secondary roads. Town Centres / Shared surface

8.17 Trees with a larger height and width can be incorporated into these areas. They predominantly consist of wider roads and large open space consisting predominately hard standing.



Suggested Tree Species

Species	Common name
Platanus x hispancica	London Plane
Ginkgo biloba (male clones e.g. Princeton Sentry or Lakeview)	Maidenhair Tree
Zelkova serrata 'Green Vase'	Japanese Elm
Quercus robur Fastigiata Koster	Fastigiata Oak



Oak tree

Trees for open green spaces

8.18 Open green spaces consist of parks and open areas designated for recreational purposes. Trees with a significantly large size should be considered to obtain the best possible environmental and visual benefits.

Species	Common name
Zelkova serrata Green Vase	Green Vase
Quercus robur	Common Oak
Salix babylonica	Weeping Willow
Pinus Sylvestris	Scots Pine
Cedrus spp	Cedar
Ginkgo biloba	Maidenhair Tree
Liriodendron tulipifera	Tulip Tree
Metasequoia glyptostroboides	Dawn Redwood
Quercus ilex	Holm Oak
Quercus palustris	Pin Oak
Sequoia sempervirens	Coastal Redwood
Sequoiadendron giganteum	Wellingtonia

Hedgerow species

8.29 The following species are appropriate for urban and rural hedgerows.

Species	Common name
Rhamnus frangula	Alder Buckthorn
Prunus spinose	Blackthorn
Crataegus monogyna	Common Hawthorn
Salix capre	Goat Willow
Corylus avellana)	Hazel
Ilex aquifolium	Holly

Community Orchards

8.20 Community orchards can be set up almost anywhere – on or near school grounds, in hospitals grounds, around residential care homes, on council land or land around social housing, on town greens, on derelict sites, alongside paths and on the edge of forests, as well as on allotments and open ground.

8.21 The following species for Community Orchards and Allotments are varieties of:

- Apple
- Cherry
- Hazel
- Pear
- Plum
- Quince
- Walnut

9. TREE AFTERCARE

9.1 The first three to five years after planting are critical for a tree's establishment. Early management of newly planted trees can aid in minimising risk of structural weaknesses throughout branch frameworks and reduce future maintenance costs.

9.2 To ensure long-term success when planting trees, the following key aspects of aftercare are essential:

Formative Pruning

- Formative pruning of urban trees aims to establish good branch placement and a well-shaped tree with a clear trunk to alleviate risk of conflicts with footpaths and roads.
- If there are two main leaders, remove the weaker (double leaders, or 'co-dominant stems', are prone to splitting or breaking as trees mature).

Watering

- Newly planted trees ideally need regular watering in dry spells for three to five years to ensure good root growth.
- For trees in open spaces, Treegators are a suitable option. These are plastic bags that fix around the tree. Their bases are covered in small perforated holes that allow water to seep out gradually.

Removing dead, diseased and damaged wood

Good pruning first targets and removes access points for disease.

Mulching

- Mulching around the base of trees in open green spaces can alleviate the risk of damage from grass cutting equipment. The fitting of strimmer guards can also help to prevent damage being caused to the base of young trees.

Checking tree ties and stakes

- New trees should be staked until their roots provide good anchorage – this can take several years. If loose, the tree will rock in the wind and its rootball will move, which hinders plant establishment and could even result in death.
- Check ties are secure and a padded cushion is between the tree and stake. Rubbing against a stake can create a scar, which leaves the tree open to disease.
- Check regularly: ties left too tight cause serious bark damage. Fast-growing trees may need ties loosening every year.
- Ensure tree ties and stakes are removed completely when the tree is established.

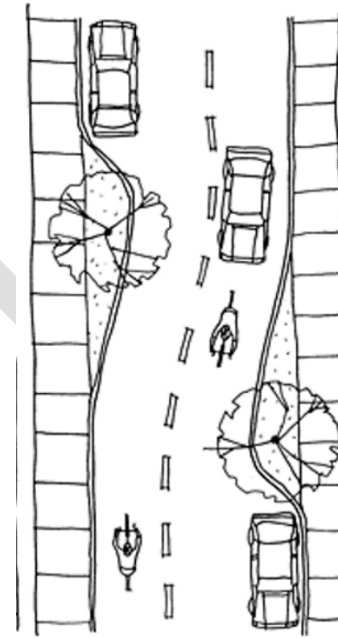
9.3 The stated aftercare practices should form part of any developments landscaping and maintenance plan.

10. TREES IN THE HIGHWAY

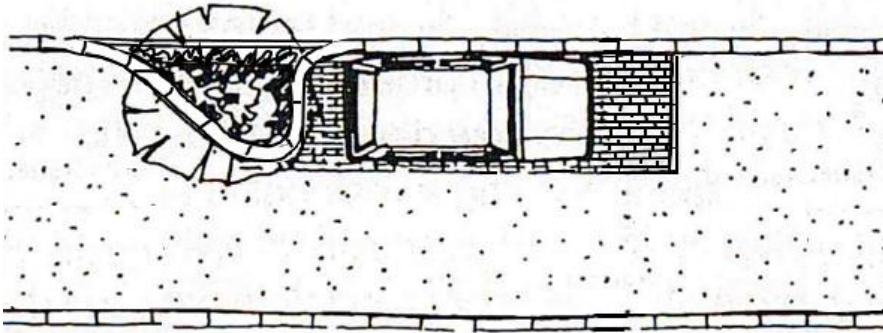
10.1 The use of trees in the street scene will not only improve the environment and aesthetics of an area. Trees can also be used effectively to serve meaningful highway functions. This approach is supported in national guidance such as 'Manual for Streets' and Bedford Borough Council guidance 'Traffic Calming – Streets for People'.

10.2 Examples include:

- To create horizontal deflections and localised narrowing for speed control purposes
- To delineate parking bays and provide traffic calming
- To reduce forward visibility for speed control purposes
- To maximise on street parking availability e.g., a tree planted between 2 spaces in a 2-car layby will define two single spaces to avoid a single car taking up both spaces
- To define and / or protect parking areas, particularly in large shared space areas
- To help define the start of shared space areas at the transition from footway to shared space areas
- To prevent vehicles parking and obstructing the flush pedestrian access points at the end of footways at the start of shared surface areas.



Trees used to create horizontal deflections for speed control



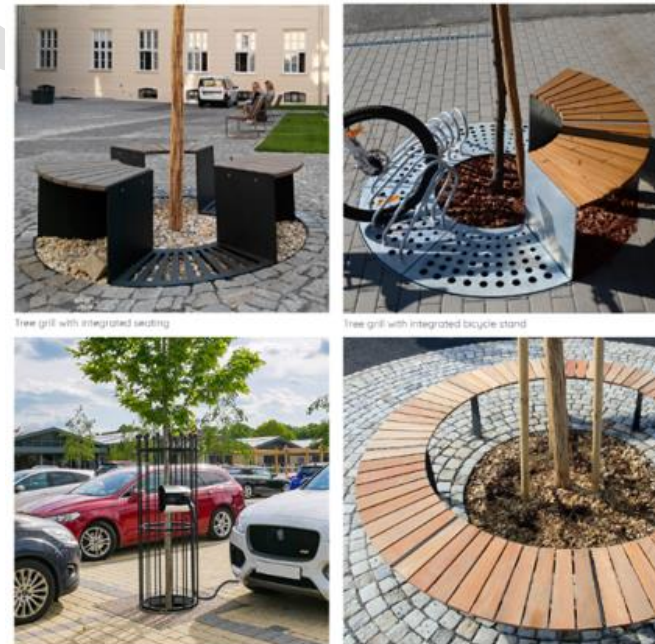
10.3 Trees can be effectively incorporated into Sustainable Drainage Systems (SuDS) which are also advantageous to the tree, e.g. using trees to take some of the run off from surface water channel systems. Please refer to BBC 'Supplementary Planning Document for Sustainable Drainage Systems'. GreenBlue Urban also provide detailed guidance for drainage systems and installation of SuDS products (<https://greenblue.com/na/arbor-system/>)

10.4 Where trees are proposed and agreed by the Council within land that is or will become public highway, the Council will adopt them subject to the payment of a commuted sum that is secured through the appropriate legal agreement. Commuted sums are required to cover the maintenance costs associated with the trees. Requirements are kept under review and are in line with ADEPT Guidance 'Committed Sums for Infrastructure Assets'. Estimates can

be provided by contacting the Council's Highways and Development Infrastructure Team.

10.5 Trees planted within the existing and adoptable highway should be in a properly constructed tree planting system in accordance with the Council's standard details can be provided on request by contacting the Council's Highways and Development Infrastructure Team.

10.6 Protection for the trunk and / or the base of the tree should be considered depending on the location and purpose of the tree e.g. by using bollards or kerbing as appropriate. Street furniture can also act as tree protection. See below pictures for examples:



- 10.7 Consideration must be given to the impact of trees on underground and overhead services (refer to guidance produced by National Joint Utilities Group – [“Guidance for the Planning, Installation and Maintenance of Utility Apparatus in the Proximity to Trees”](#)). Tree planting will not be permitted within defined service margins. Depending on what needs to be protected and where it is in relation to the tree, different root management solutions are available. Continuous paved surfaces for example, require roots to be managed downwards to reduce the risk of pavement heave and other surface root damage. Deeper protection would be required near underground utilities. The standard depth of a water pipe is 750mm, whereas a high voltage cable could be up to 1200mm below ground level.
- 10.8 Root barriers are constructed before planting and can incorporate single trees or protect an entire treeline. For established streets, creating root barriers around each tree is often the best solution, whereas for new streets and footways a long, straight barrier between the planted zone and services is preferred. Vertical root barriers should not be installed all round a tree and should only be used as required to protect underground services. It is also recommended that a root barrier be installed between trees and any proposed buildings in those cases where the face of the building would lie within the eventual root spread of the tree once it is mature, and similarly where private trees are to be planted close to the highway boundary. In both instances, the barrier would then be located beyond the highway boundary.
- 10.9 A planting scheme, both public and private, should avoid street lighting, road signs, and roadside drainage gullies which may be damaged by roots and become blocked with leaf litter. Bus stop/shelters should be avoided where trees may obstruct the visibility of waiting passengers and where a reduction in light may cause waiting passengers to feel vulnerable. Trees should be located equidistant between lamp columns or be located on the opposite side of the street. Lighting Columns when first installed should be sited so that it is not necessary to carry out substantial cutting back of trees, considering the fully mature spread of the tree. In new streets where trees are to be planted, the lighting should be designed in consultation with the landscape architects and/or by considering the landscaping plan or tree schedule. A tree should never be planted in front of a road sign and should be set back from a sign at a distance of at least the maximum spread of the tree canopy once fully grown. All street features should be considered at the design stage with equal importance to ensure satisfactory accommodation. It may be easier to find acceptable alternative locations for say signs or gullies that are likely to require less space than trees.
- 10.10 The species of tree should be considered to ensure no detriment to the highway or its users, such as considering the impact of fallen leaves on pedestrians and cyclists and avoiding sap falling onto parked vehicles.
- 10.11 A closely spaced line of trees on the south side of a street can lead to the street surface remaining wet or even icy for

extended periods which may be a problem particularly on bends. The tree canopy should allow a clearance of 2.6m above a footway increasing to 2.7m over a cycleway. A carriageway clearance of 5.3m will be required where the crown is likely to overhang the path of motor vehicles.

by a line of tree trunks forming an extended barrier to inter-visibility.

10.12 The location of the tree must provide enough clearance from the edge of the carriageway to allow for the lateral overhang of the largest vehicle likely to pass i.e. projecting wing mirrors, the height of the vehicle, carriageway camber, and potential sway. A clearance of 0.6m is considered acceptable under normal circumstances which should be available from the time of planting up to when the tree reaches maturity. However, this distance may need to increase to protect visibility splays.

10.13 Once a tree is established, even a small specimen is sufficiently immovable to contribute to the severity of an accident where a vehicle leaves the carriageway even in a low speed residential environment. The design of the street must consider whether the proposed location of a tree would materially add to this risk in terms of the tree's location in proximity to a bend or junction, the set back of the tree, and the likely speed of passing traffic. If a tree trunk is expected to reach a large girth, the tree should be sufficiently set back so not to obscure the view of pedestrians wishing to cross the street especially if any epicormic growth is likely. Particular attention is needed at junctions, close to linking footpaths or alleyways, school accesses, and bus stops etc. An obstruction to pedestrian visibility may be exacerbated

11. TELECOMMUNICATIONS INFRASTRUCTURE

- 11.1 Foliage of trees can interfere with telecommunication signals such as 4G and 5G radio waves. This can result in unsympathetic pruning or even the complete removal of trees to clear an obstruction.
- 11.2 It is therefore essential potential short and long-term conflicts are a key consideration when positioning telecommunication infrastructure such mobile masts.

DRAFT

APPENDIX 1 – GUIDANCE INFORMATION AND OTHER LINKS

Note that British Standards and other documents listed are subject to revision.

British Standards (BS)

BS 5837:2012	Trees in relation to design, demolition, and construction – Recommendations
BS 3998:2012	Tree Work – Recommendations
BS 3936:1992	Nursery Stock – Specification for trees and shrubs Parts 1, 4 and 5
BS 8545:2014	Trees from nursery to independence in the landscape – Recommendations
BS 5930:2015	Code of Practice for Ground Investigations
BS 8004: 2015	Code of Practice for Foundations – Low-rise building on shrinkable clay soils Part 1
BS 3936-1 1992	Nursery Stock Part 1: Specification for Trees & Shrubs
BS 4043:1966	Transplanting Semi Mature Trees
BS 5236 1975	Cultivation and planting of trees in advanced nursery stock category
BS 4428 1989	Code of Practice for General Landscape Operations (excluding hard surfaces)
BS 8206 1992	Part 2 Lighting for Buildings
BS 1192 199	Construction drawing practice Part 4 Recommendations for landscape drawings
BS 1377	Methods of test for soils for civil engineering purposes
BS 5930	Code of Practice for site investigations

Building Research Establishment (BRE)

BRE Digest 240: 1980

BRE Digest 298: 1985 The Influence of Trees on House Foundations in Clay Soils

Building Research Establishment- Site Layout planning for daylight and sunlight: a guide to good practice: P J Littlefair

National House Building Council

NHBC standards Chapter 4.2 Building near Trees

National Joint Utilities Group

NJUG – Guidelines for the Planning, Installation and Maintenance of Utility Apparatus in Proximity to Trees

Arboricultural Practice Notes

APN 1 Driveways Close to Trees

APN 12 Through the Trees to Development

Arboricultural Practice Notes –Tree Advice Trust

Useful addresses

Arboricultural Association

Web Site: www.trees.org.uk

Tree Advice Trust

Web Site: www.treehelp.info

Institute of Chartered Foresters

Web Site: www.charteredforesters.org

Ancient Tree Forum

Web Site: <http://www.ancienttreeforum.co.uk/>

Institute of Civil Engineers

Web Site: www.ice.org.uk

Building Research Establishment

Web Site: www.bregroup.com

British Association of Landscape Industries (BALI)

Web Site: www.bali.org.uk

Chartered Institute for the Management of Sport and Physical Activity

Web Site: www.ispal.org.uk

Institute of Structural Engineers

Web Site: www.istructe.org

GreenBlue Urban

Website: <https://greenblue.com/na/>

Design Council

Web Site: www.designcouncil.org.uk

Landscape Institute

Web Site: www.landscapeinstitute.org

Royal Institute of Chartered Surveyors

Web Site: www.rics.org

National Housing Building Council

Web Site: www.nhbc.co.uk

Royal Town Planning Institute

Web Site: www.rtpi.org.uk

Royal Institute of British Architects (RIBA)

Web Site: www.architecture.com

Contact details and further information

Bedford Borough Council

Web Site: <https://www.bedford.gov.uk/planningpolicy>

Email: Planningpolicy@bedford.gov.uk