



TREE AND WOODLAND STRATEGY

2011-2020

GRAPHICS TO DO FRONT COVER

- To include montage of tree pictures (street trees, housing estate trees, park trees)

FOREWORD

We know that people want to live in a pleasant environment that is clean, green and safe and this is why it is part of our vision for the future of Darlington. Trees and woodland areas play a vital and integral part in achieving this by cleaning the air we breathe, providing a habitat for plants and animal species and creating an attractive environment for people to live in and to visit.

Trees are a unique component of the landscape, unlike man-made structures; they are living organisms subject to change, which are vulnerable to damage by vandalism, development, pest and diseases. Many trees are long-lived, offering enjoyment and a diversity of benefits to residents both today and in the future.

To ensure the huge contribution of both Council owned and privately owned trees to our landscape continues, it is essential that their needs and requirements are understood and planned for and this strategy sets out how we will do this.

Finding Out More

For more information on the Tree Strategy, please contact:



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Introduction

Darlington Borough Council adopted the first Tree Strategy for Darlington in 2000. However, since 2000 things have moved on. People are beginning to place a higher priority on the environment in which they live, which in turn has increased public awareness of the benefits provided by trees.

A recent tree survey of Council-owned tree stock has shown that the mature tree coverage within Darlington has become under threat and in several areas the tree stock has now become significantly depleted. This situation is about to deteriorate further through management works made unavoidable by the age, condition and history of the trees.

It is therefore essential that a framework is created through which the trees of Darlington can be both protected and enhanced for future generations. This strategy is intended to act as a point of reference for the public, Councillors, officers and professionally interested people to enable informed discussion and to establish a clearer, consistent and more structured approach to the issues affecting trees in our Borough.

The aim of this strategy is:

'To proactively manage and enlarge the tree population of the Borough of Darlington in order to protect our historical heritage of trees and provide a valued environmental amenity for future generations.'

The Borough of Darlington

The Borough of Darlington covers an area of almost 200 square kilometres and has a population 100,800 of which approximately 90% live within the town of Darlington. The area outside the town is dominated by a rural landscape, with agriculture being both the historic and current primary industry. The town however, became one of the focal points of the industrial revolution, being the 'birthplace of the railways'. This brought to Darlington both prosperity and a sudden growth in development within the structure of the town that is characteristic of Victorian landscapes.

It is thanks to these Victorian forebears that Darlington has a living legacy of urban street trees, historic parks and wooded cemeteries that is the envy of many other towns. This includes South Park, established in 1849 when farmland was bequeathed to the town. The park contains much of the original Victorian features, many of which have been restored as part of a major restoration project recently completed. The park is now included in English Heritage's Register of 'Parks and Gardens of Special Historic Interest' and is referred to within the register as "a fine example of a mid-nineteenth century public park". This Tree Strategy has been developed with due regard to protecting the tree heritage we have in Darlington.

What Residents Have Told Us

Residents have identified a number of common sources of complaint about trees, including overhanging branches, shade, leaf/fruit fall, sticky deposits, obstructing and physical damage etc. Many of these problems can be dealt with by careful pruning once the tree is established. However, sometimes the problem is a result of inappropriate species selection in the past and may be difficult or impossible to resolve in all parties' favour.

Also a common theme from complaints is the potential for structural damage caused through soil moisture extraction by tree roots. This type of damage only occurs in areas where the soil type is heavy, shrinkable clay, which is prone to fluctuations in volume caused by changing soil moisture levels. There has been a relatively low amount of concern regarding tree roots and foundations in recent years. Much of this is unsubstantiated and the incidence of proven tree root related claims against the Council remains low despite the level of tree cover and proportion of our Borough having soils with a partial clay content. There are however occasions when removal/replacement of a tree or group of trees is required to halt a serious or a worsening case of subsidence damage.

Policy Framework

Local Context

Residents have told us that they want to live in a pleasant environment that is clean, green and safe and this is why it is part of our vision for the future of Darlington. This vision is being brought alive by working closely with our partners through the Darlington Partnership (the Local Strategic Partnership). The Partnership's Sustainable Community Strategy, 'One Darlington : Perfectly Placed', is built around a vision of Darlington in 2020. It sets out the priorities for people (One Darlington) and place (Perfectly Placed) that need to be addressed if the vision is to be achieved. This strategy can contribute to the vision by helping to ensure that Darlington provides an attractive, green environment that supports people's quality of life and by recognising the part that trees can play in counter-balancing CO₂ emissions and contributing to action on climate change.

Our Open Space Strategy takes our vision for a cleaner, greener, safer environment one step further. Again, working in partnership with the community, we are committed to providing, protecting and enhancing a variety of high quality, accessible open and green spaces throughout the Borough to meet the needs of residents.

National and Regional Context

The Tree Strategy will build on this work and will also ensure that we are delivering against national priorities, including Local Agenda 21 and the UK Sustainable Development Strategy 'A Better Quality of Life', which recognises trees and woodlands as key features that need to be protected. The aims of this key national strategy include:

- Sustainable management of forests and woodlands
- Protection of ancient and semi-natural woodlands
- Woodland expansion
- Sustainable timber production
- Benefits for urban and rural development – direct employment in forestry activities, linked employment (e.g. recreation and tourism) and
- Promotion of planting on degraded and contaminated land on the fringes of towns

In developing the Tree Strategy we have also taken into account the Tees Valley Structure Plan, which sets out the future land use development of the Tees Valley in terms of protecting its environment whilst promoting economic growth and social cohesion. The Tees Valley Structure Plan is aligned to the Government's Regional Planning Guidance for the North East and provides a strategic framework for the Local Plans prepared by the five unitary authorities, Darlington, Hartlepool, Middlesbrough, Redcar & Cleveland and Stockton-on-Tees.

We have also considered the benefits offered to us by the Town and Country Planning (Tree) Regulations 1999, which sets out the Government's policy on the Tree Preservation Orders system.

How To Use This Strategy

This strategy covers the following aspects:

- How we manage trees we, the Council, own
- How we protect trees the public own on private land
- Action plan setting out what needs to be done over the next five years to achieve our aim

It is important to clarify the trees the Council owns, these are:

- **Street Trees** - These are the trees planted in pavements or road verges along the Council's highway network. They help to filter traffic pollution, provide shade for car parking and pedestrians and improve the overall appearance of the street scene, thus helping to enhance property values.
- **Woodlands** - We maintain woodlands, which is approximately 3% of the Borough. The number of parks and open spaces also contains a proportion of woodland.
- **Trees in Parks and Open Space** - These are commonly the most significant trees in the area and have profound effect on its appearance and consequently, upon the leisure experience of users of the open space as well as for visual amenity for our residents and visitors alike.
- **Trees within Cemeteries and Disused Cemeteries** - English Heritage has bequeathed parts of West Cemetery a site of special interest and is regarded as having one of the finest tree collections in the North of England.
- **Housing Area Trees** - These are found in and around communal or residential type gardens maintained by the Housing Department. These trees help to improve the landscape especially around communal housing areas and provide shade during hot weather and wildlife.

The above categories are by no means an exhaustive list, as we also maintain trees in allotments and parcels of land managed by the Estates Department.

Process To Review The Tree Strategy

The Tree Strategy Action Plan will be monitored on an annual basis to ensure that the actions are being delivered according to the timescales set out. The Tree Strategy will be subject to a review every five years.

Many of the actions necessary to implement the Tree Strategy will require an increase in the range of individuals and organisations actively involved in the care of our trees and a structure for them to work in complementary ways.

How We Will Manage All Council Owned Trees

The existing tree population is a valuable resource that requires more than just maintenance if it is to continue to provide the range of benefits that we expect. Management will include a long-term view of the tree resource, providing for the future as well as for today.

The operations involved in tree management are set out in more detail below:

Tree Inspections

All tree inspections will be recorded either by an electronic device or paper copy.

Planting Species

The different species for planting reflect, in most cases, what is already in situ. Different species will only be used if the originals are unavailable on the market, are unsuitable for the location, are prone to pest and disease attack or are part of a road containing mixed types.

Aftercare

All newly planted trees need aftercare, which includes:

- Watering in dry weather
- Checking and adjusting stakes/ties
- Planting where new trees are needed
- Areas that have lost trees should be replenished where possible
- Areas that have not contained trees historically, maybe planted following agreement with residents living there

Protective Measures

- High profile areas where there is a risk of vandalism should be planted using guards
- Areas covered by CCTV also require consultation with the operator before planting new trees

Pruning Work

All pruning work will be carried out to modern safety and technical standards and to standards set within BS 3998 2010 and subsequent revisions. Precautions are to be taken to avoid disturbance of nesting birds (between March to September) and Bat roosts. Advice will be sought if Bat roosts are believed to be present.

The type of pruning used will vary according to the tree species, age, condition, past works and the nature of any complaint associated with the tree.

In cases where trees are colonised by ivy, this can be left undisturbed unless the tree is becoming visibly suppressed or is likely to be vulnerable to wind damage or for a visible inspection of trees. Ivy provides valuable habitat and should not be removed during the bird-nesting season.

Pruning is usually found to be necessary because of the following reasons:

- To maintain the health and safety of the tree
- Obstruction to users of the highway, pathways and/or private property

- To abate actionable nuisance

Intervals for pruning will vary between species and locations but an average of 3-5 years is reasonable. Minor works e.g. the removal of basal growth will need annual attention in some cases. Pruning can take place at most times of the year but ideally leaf flushing and fall should be avoided as well as flowering periods. Certain species have more specific times because of disease and the risk of bleeding. Trees, which are adjacent to pathways, will be lifted so that passage is unhindered at a reasonable level within their canopies.

Tree Removal

It is sometimes necessary to remove trees for the following reasons:

- When they are dead, dying or dangerous
- To allow space for development of nearby trees that may be more desirable for retention
- To allow light and room for new planting
- To make way for any approved engineering or building works
- To abate actionable nuisance
- If Bats are found roosting in a tree scheduled for removal then the Council has to obtain advice from qualified persons before starting work

Cyclical Tree Work

Work should be carried out to all trees on a regular basis according to their needs. Therefore we will adopt a cyclical approach to tree management, which will require us to do an inventory of all trees so that pruning and inspection schedules can be organised accordingly. A cyclical tree work regime brings the following benefits:

- discovering dead or dying trees sooner and officer time can be targeted more effectively
- All trees receive attention so that few will become excessively overgrown before the next pruning cycle
- Fewer complaints
- Maintain improved appearance of roads
- Reduce insurance claims

Responsive Tree Work

There will always be a need to carry our responsive work even when cyclical work is established. The quantity of this work should reduce in proportion as cyclical work increases. Trees within some parks, cemeteries, woodlands, open spaces and Council housing areas are likely to continue with this form of maintenance until they are surveyed and cyclical works becomes more possible.

Residents' Concerns

There has in recent years been a greater awareness of the damage that trees can cause to buildings and structures, consequently many homeowners are concerned about tree roots and foundation damage. Normally, this type of damage occurs where the soil type is shrinkable, usually clay, which is susceptible to soil movement from moisture extraction. Fortunately in the Borough of Darlington, although pockets of clay do exist, the majority of soils are of a non-shrinkable nature. It should also be noted that where buildings are

damaged, trees are rarely the sole cause. Much of the concern surrounding trees and building damage is unsubstantiated and claims against the Council for tree root damage remain low, especially in view of the huge number of trees under its care. However, there is clearly a case for providing clear, concise and simple information on this subject and for promoting appropriate research where possible. We will endeavour to investigate residents concerns and will take every appropriate action to prevent any further difficulties.

We have a policy only to remove trees that are dead, diseased, dangerous or can be proven to be linked to damage caused to buildings. This approach fully addresses the Council's duty of care in accordance with current industry best practice and ensures that all possible investigations are carried out.

Our Policy for the Management of All Council Trees:

- 1: We will ensure that the tree population continues to be developed and expanded with new planting where appropriate. Any trees removed shall be replaced unless there are special circumstances preventing this.
- 2: We will provide a sustainable, high quality tree population. Where appropriate, native species will be planted to maximise habitats for wildlife.
- 3: We will encourage and enable better understanding of the management of trees in order to promote greater community ownership and awareness.
- 4: We will maintain the highest possible standards of tree care and management by:
 - i) Working to standards set within BS 3998 2010.
 - ii) Adopting best practise according to all relevant legislation and research.
- 5: We will fulfil our obligation to ensure the safety of people and property.
- 6: We will endeavour to avoid any work to trees that result in the loss of valuable wildlife habitat.
- 7: We will resist the removal of trees unless there are sound arboricultural or other reasons e.g. disease or structural damage.
- 8: We will not carry out felling or potentially disfiguring forms of tree work in order to improve the reception of television signals, solar panels and wind turbines or for CCTV operations, or the alleviation of bird mess, honey dew, leaf or fruit fall.
- 9: We will support the process of natural regeneration on appropriate sites.
- 10: We will maximise the recycling of tree related 'waste' created by the Council's own tree management.
- 11: We will require more active protection of Council tree stock from avoidable damage caused by agencies responsible for engineering works near trees, such as highway maintenance contractors and the utility companies.

Street Trees

The roadside environment is a tough place for a tree to survive. There is often intense pressure for space from underground cables and pipes, traffic, buildings, street lights, road signs, etc. This limited space is often polluted by car emissions, road salt, oil and other pollutants that challenge the tree's survival. There is also an increasing trend by car users to park their vehicles on verges, causing rutting and soil compaction, which seriously damages tree roots as well as leaving the verge in an unsightly and unsafe condition. This coincides with an increasing requirement for off street parking and subsequent construction of new vehicle crossovers. Despite all of this, trees can and do survive, albeit with a more limited life expectancy and with varying degrees of success.

Many of our most notable tree lined streets have tree populations that are over-mature. Such trees are vulnerable to climatic variations (such as drought), disease and damage. An over-mature population of street trees tends to erode gradually over a number of years as individual trees decline and have to be removed. This generally affects the older areas of the Borough. In these areas new trees should be introduced between the mature trees to ensure that there will be continuous tree cover in future years.

In planning for the replacement of older forest-type trees, it is tempting to consider using small short-lived ornamental species that do not have the same scale and habit, thereby reducing maintenance costs. However, the massive contribution that large trees make to the character of the environment must be maintained and safeguarded, and be supported by new planting of similar species where applicable. This will help to ensure that the balance of a dominant 'treescape' is retained within the Borough.

Our Policy For Street Trees:

- 12: We will maintain our presumption against the removal of trees that are healthy but subject to complaint, unless the basis of the complaint has an overriding justification and no alternative management practice can be implemented.
- 13: We will place a priority on the replacement of aging street tree populations, particularly where these adjoin major traffic routes, planting large-growing trees where appropriate.
- 14: We will seek to plant new street trees in appropriate sites with priority given to sites where street trees are currently or have in the past been located.
- 15: We will aim to use the same type of tree species for new and/or replacement planting in roads that reflect the type in use locally, maintaining single species avenues where appropriate.
- 16: We will endeavour to protect street trees and the growing environment from threats such as: loss of and damage to verges, the activities of statutory undertakers and others excavating near trees and damage from the over-use of road de-icing salt.
- 17: We will not support the removal of trees for vehicle crossovers unless the tree is of limited life expectancy or can be relocated elsewhere. All trees removed will be replaced and all costs will be borne by the crossover applicant.
- 18: We will support measures that discourage verge parking by road vehicles and damage to verge caused by adjoining building works.

19: We will give advanced notice to all interested parties of proposed major tree work programmes, such as large scale felling.

20: We will maintain the highway trees.

Trees In Woodlands

The majority of the Borough's woodland is made up of Oak, Beech, Hornbeam, Ash, Birch, Hazel, Maple, Sycamore, Elm, Willow, Poplar, Thorn, Walnut, Chestnut, Pine, Cherry and Holly. Most of the woodlands in the Borough will be managed with nature conservation objectives as a priority; some are managed by our Countryside department. The future management of woodlands needs to address the continued problem of neglect. Woodland management will need to take into account the multi-purpose objectives, which woodlands today fulfil, when appropriate dead trees will be left in situ to provide habitat for wildlife. Over the past ten years, 300 acres of new community woodland has been planted within easy reach of the majority of Darlington's residents, this has created new and improved green infrastructure to Darlington.

Our Policy For Trees In Woodlands

- 21: We will ensure woodlands have an up-to-date management plan in place.
- 22: We will ensure that woodlands are managed as a long-term sustainable resource for the public, for education and for nature conservation.
- 23: We will support the natural regeneration on appropriate sites.
- 24: We will, where appropriate, ensure dead and fallen trees and wood are left on site and dead trees are left standing to encourage species diversity, unless there are sound conservation and safety reasons for removal.
- 25: We will manage woodland to fulfil its obligation to ensure safety of people and property whilst remembering that woodlands are natural places and the level of acceptable risk must reflect this.
- 26: We will create a varied and sustained tree population in Council parks.
- 27: We will develop long term management plans for trees in parks and open spaces to identify areas of risk, maximise safety and to prevent decline.
- 28: We will continue, where appropriate, to plant trees and native trees of local provenance.

Trees In Parks And Open Spaces

The Victorian legacy of fine specimen planting is more apparent within the parks and open spaces of Darlington than in any other area. Tree planting within the parks mirrored the popular interests of the time in botany and horticulture, hence the planting of various exotic specimen trees.

The tree coverage within these sites has for a long time provided a stunning amenity that can only be created and maintained through the presence of large mature specimens that were chosen for both their aesthetic qualities and contribution to the site as a whole.

This situation however is precariously placed at present. Little or no under planting has occurred within many areas; leading to the possibility of extensive loss of continuous tree-canopy coverage should mature trees require removal. Where under planting and replanting has been undertaken, the trees that have been planted often will never be of the same amenity value as the trees they are to replace, due to the use of smaller, less expensive species. This use of inappropriate trees has the potential to devalue this resource forever.

Darlington Orchard is a new initiative that comes under the banner of the Darlington Its Growing (DIG) Project. This initiative sees the Council and a range of partner organisations raising the awareness of the role of fruit trees in providing food and is looking to see a number of sites identified as suitable for the planting of fruit trees. Darlington Borough Council will offer advice and guidance on this process, especially on the appropriateness of sites, planting and after care, although the initiative itself is not one which is being lead by the Council.

Our Policy For Trees in Parks and Open Spaces

29. Sensory arboretums aim to open parks to a wider range of people including people with learning difficulties and physical impairments. Trees will be selected for their attractive fragrance, interesting bark, flowers, leaves, sounds and form.
30. We will create a varied and sustained tree population in Council parks and open spaces.
31. We will develop a long-term management plan for trees in parks and open spaces to identify the areas of risk.
32. We will continue, where appropriate, to plant native trees of native species from local provenance.

Trees In Disused Churchyards And Cemeteries

We maintain three large cemeteries within the Borough: these are North Cemetery, East Cemetery and West Cemetery. English Heritage has bequeathed parts of West Cemetery, a site of special interest. Some of the oldest trees in Darlington are within West Cemetery, as historically people would plant a tree as a monument to their loved ones. We will encourage this practice within West Cemetery by giving residents the opportunity to purchase a tree to be planted in the South/West side of West Cemetery, which is not yet allocated for bereavements. This will be recorded in a book of remembrance. The choice of species and location of the trees will be determined by us to ensure a variety of species and correct locations with regard to the species types.

Our Policy For Disused Churchyard And Cemetery Trees

- 33: We will create a varied and sustained tree population in Council disused churchyards and cemeteries.
- 34: We will develop long term management plans for trees in disused churchyards and cemeteries to identify areas of risk and to prevent decline.
- 35: We will continue, where appropriate, to plant amenity trees and native species of local provenance.
- 36: We will continue to develop management plans for disused churchyards and cemeteries.
- 37: We will create a memorial tree planting area within the West Cemetery.

Trees in Council Housing Areas

Many of the public housing areas within the Borough have a good number and selection of trees, many of which are large old hedgerow trees, which are now over maturing. If evergreen hedges are not maintained to an acceptable level, then it may be necessary to remove them.

A large proportion of the trees within Council house gardens have been planted by tenants or by natural regeneration from seed. A number of trees have been inappropriately planted in the past on housing open spaced land and within some communal gardens.

Our Policy For Trees in Council Housing Areas

38. Housing trees are to be maintained and managed by the Authority.
39. We will manage trees in communal gardens on a more proactive basis to ensure they fulfil health and safety requirements and do not pose a risk to structures or the public.

Trees On Private Land

The greatest proportion of both the urban and rural tree population is privately owned. Therefore this part of the strategy sets out our approach to the protection of privately owned trees in the area.

As the Local Planning Authority, we have a statutory duty to take steps to protect trees that we believe make an important contribution to the amenity of the areas. The quality of private tree care is very variable and ranges from owners who are indifferent, through motivated but poorly advised owners, to those who take great pride in their trees and are anxious to seek the best advice and engage quality contractors to carry out required work.

Under the Town and Country Planning Act 1990, we have powers to make and enforce Tree Preservation Orders (TPO) and designate Conservation Areas (CA's) within which all established trees are protected. It is usually only in cases of potential threat that a local authority will protect trees by use of a TPO. However, current resources have not allowed the proactive use of orders and desirable updating and re-surveying.

Protection has not only been achieved through the statutory process, a substantial number of trees have been saved from inappropriate pruning or premature felling by the offer of tree advice from Council's officers. Usually this advice is given via the telephone and a recommendation is given to use reputable contractors/consultant who can give more detailed advice on site.

Advice can be given to the owners of protected trees and other tree owners; this advice is offered free and is seen as a valuable part of tree protection. The Council is however unable to give detailed advice regarding the safety of privately owned trees.

Statutory Protection Of Trees

The current Town and Country Planning Act 1990 makes it a duty of the Local Planning Authority to "ensure whenever it is appropriate that, in granting planning permission for any development, adequate provision is made by the imposition of conditions for the preservation of planting of trees" and to "make Tree Preservation Orders, under Section 198, as appear to the authority to be necessary in connection with the granting of such permission, whether for giving effect to such conditions or otherwise."

As part of the Council's duty as set out in the 1990 Act, it will incorporate improved policies relating to Trees and Woodlands within its Local Plan through the review process. Current Local Plan Policy 74 states that:

- Significant healthy trees and other landscape features such as hedgerows, ponds and watercourses shall be retained.
- Planning applications on sites with significant existing landscaping shall be supported by a full tree survey indicating all landscape features, tree species, canopy spreads, trunk diameter and levels at the base of each tree.
- Trees shall not normally be severely topped or lopped, or endangered by construction work or underground services. In addition, buildings shall not be sited so that sunlight and daylight is reduced to an extent that would lead to a request for a tree surgery.

- The Council will make Tree Preservation Orders and/or attach appropriate conditions to planning permissions to safeguard existing trees and ensure that new planting is established and protected.
- Where appropriate, adequate space for planting must be allowed within developments. In particular, screen planting including large trees will normally be required at the edge of settlements.
- Detailed landscaping schemes will normally be required as part of full planning applications. Amongst other things they must indicate existing trees and shrubs to be retained; trees to be felled; the planting of new trees, shrubs and grass; and screening and paving. Preference should be given to the use of native trees. Wildlife corridors shall be established wherever opportunities occur.

We are also guided by the Department of the Environment Circular 36/78 “Trees and Forestry” and Department of the Environment “*Good Practice Guide for Tree Preservation Orders 2000*” (and as amended).

While the most commonly known form of the statutory tree protection is the Tree Preservation Order (TPO), equally important are Conservation Areas within which nearly all established trees are protected. New TPO’s are being made all the time in line with its statutory duties.

The title “Tree Preservation Order” suggests that the tree or trees are “preserved” for all time. This is not the case and is, of course, impossible. Trees have a finite life and will require attention at some time in their life, especially in urban areas near properties etc. The TPO ensures that the local authority, as an independent party, has a measure of control over the fate of the tree to ensure that only appropriate works are carried out and that, where appropriate, the tree is replaced at the end of its life. Any tree protected by a Tree Preservation Order or Conservation Area that is rendered dangerous e.g. by storm damage or disease can be made safe without formal consent from the local planning authority. Tree owners or contractors are however encouraged to write to the Council to put any exempted work on record.

Trees on Development Sites

One of the most common threats against trees (and therefore a common reason for making a TPO) is the proposed development of land upon which trees are growing. It is common for plans to be submitted showing a relationship between trees and buildings that is unsuitable. Schemes are frequently amended to ensure that significant trees are properly retained often through a process of working within the applicant to reach mutually acceptable solutions to the conflicts that can arise.

Some developers assume that all trees on a site will have to be retained and consequently often view trees as a problem rather than an asset. Unfortunately, this can occasionally result in trees being removed from development sites before a planning application is made.

It is common for planning applications to fail to provide sufficient information to assess the likely impact upon trees on a proposed development site. This usually means that Council Officers have to spend time making detailed assessment of trees and other factors, which can delay the application process. This is easily addressed by developers and other professionals accessing the pre-application advice and guidance that the Council gives.

It is usual for us to impose tree protection and/or planting conditions as part of any planning permission. For the trees to be retained successfully within a development site, it is vital that their root system is properly protected from direct and indirect damage such as ground compaction. The protected areas should be large enough to ensure that no disturbance occurs within the crown spread of the tree as a minimum, the distance can vary accordingly to local ground conditions, tree species and health. Guidance for tree protection within development sites can be found within BS 5837 (2005).

Protection Through Advice

The advice we give is seen as an important area of work contributing to the general protection of the tree population.

Arboriculture is an established technical discipline where qualifications at various levels are available. There are many people willing to offer tree advice; however, the quality of this advice does vary. Tree owners should be aware that research has updated and substantially changed tree management in the last 20 years. Consequently, any person offering advice should keep themselves up-to-date, usually through membership of an appropriate professional body such as the Arboricultural Association and/or by subscription to the Tree Advisory Trust's research notes and reading list.

Also, the quality of tree surgery work undertaken by businesses can vary. We strongly advise using companies that work to recognised standards such as "British Standard 3998, 2010, Recommendations for Tree Work".

The Arboricultural Association produces a list of contractors and consultants who have been examined and found to reach recognised standards. We can also provide members of the public with a list of contractors that meet recognised standards.

Our Policies For The Protection Of Privately Owned Trees

40. We will seek to protect trees of amenity (and environmental) value.
41. We will promote good standards of tree care and woodland management.
42. We will give consent for works to a tree or woodland protected by a Tree Preservation Order provided it is satisfied that:
 - i) The long term health and appearance of the tree or woodland will not be impaired.
 - ii) The work will not unjustifiably inhibit or prevent the full and natural development of the tree.
 - iii) The work is necessary to its continued retention and consistent with good arboricultural practice.
 - iv) In the case of a woodland, the proposed work is consistent with the principles of sound woodland management.
 - v) There are sound arboricultural and/or safety reasons for the work.
43. We will impose planning conditions to protect trees according to BS 5837 (2012).

44. There will be a presumption against the cutting down, topping, lopping or uprooting of any tree protected by the Tree Preservation Order, Conservation Area or planning condition.
45. We will not give consent to fell a tree or protect by a TPO unless it is satisfied that this is necessary and justified. Generally, any such consent will be conditional upon appropriate replacement of the tree. Any unauthorised works to protected trees will be investigated and enforcement action taken where appropriate.
46. We will resist development, which it is considered makes inadequate provision for the retention of trees and other woody plants and natural features, particularly wildlife habitats such as woodlands.
47. We will continue to protect significant trees by the use of Tree Preservation Orders and will review all such Orders periodically to ensure they contain accurate information.
48. Applicants for the development of land with existing trees shall provide a tree survey with their application showing accurate positions of both trees to be retained and removed, including their dimensions and condition.
49. We will usually expect a new site development to contribute to the overall tree population either through on-site planting through planning conditions or through the donation of funds via 'Section 106 Agreement' dedicated to the planting of trees by the Council in the locality.
50. We will encourage all major tree-owning organisations to adopt best practice in the care of their trees, especially where those trees contribute to the character of the Borough.
51. The Senior Arboricultural Officer will develop closer links with the Planning Section to keep up-to-date with planning applications that have been authorised or refused.
52. If any land is to be adopted by the Council from a development, that the relevant officers inspect the site before the land is handed over, if trees are within this area, a tree survey should be carried out for health and safety purposes and that the developer would carry out any works which are necessary at their own expense. Any trees which require removal, should be replaced with heavy standard trees with a five year maintenance plan, so that the Council do not adopt costly works.

Equalities Impact Assessment Statement

This tree strategy provides a framework for the Council to manage trees, woodlands and hedgerows in the Borough in ways that enhance life and well being for people and wildlife.

Whilst the overriding aim of the strategy is to safeguard trees as an important part of Darlington's environmental quality, the Council recognises that in certain circumstances there may be conflict between tree protection and people's requirements for access or other needs. Where such circumstances arise, normally there will be a presumption in favour of protecting trees.

However, where issues arise relating to the access or mobility needs of disabled people, the presumption in favour of tree protection will be weighed against those needs through Equalities Impact Assessment on a case-by-case basis. This recognises that the protection of trees must be balanced with the Council's duty under the Equality Act 2010 to advance equality of opportunity for disabled people, as well as other people with protected characteristics specified in the act.

This shift in the balance of consideration will only be applied where a disabled person's needs are specifically related to their impairment or disability, as distinct from general views or preferences that might be shared by any citizen.

Where such circumstances arise in relation to development proposals, the needs of disabled people and the desirability of protecting trees will be balanced within the planning application process. Policies CS2 and CS19 within the Core Strategy of the Local Development Framework promote the access needs of disabled people, whilst CS15 provides the policy framework for tree protection.

In circumstances not related to development proposals, such as the maintenance and management of trees in the highway, this policy statement within the Tree Strategy provides the trigger for considering the needs of disabled people and of tree protection by means of Equality Impact Assessment. The overall approach will be to seek to find solutions that avoid the removal of healthy trees. If this is not possible, and the removal of trees is necessary, agreement will be sought on appropriate replanting.

In practice, the most frequent concerns tend to be related to problems with raised roots or low hanging branches on footways or in public open spaces. In most cases these can be easily rectified by routine management. In cases of raised roots it will be important to seek to find solutions that do not cause medium to long term damage to trees.

Resolving problems arising from trees is often dependant on the ways in which maintenance work is carried out by front-line staff. The Council will seek to ensure through appropriate training that staff are aware of the needs of disabled people in dealing on a routine basis with problems such as overhanging branches and raised roots.

Tree Strategy Action Plan

Action <u>Year six:</u>	Lead Officer	Time for completion
Assure safety of Borough's tree stock. This will be primarily concerned with the removal of diseased street trees.	Phil Haynes	Ongoing
Begin rolling survey of the Borough's tree stock.	Phil Haynes	Ongoing
Cyclical tree work within the Highways will take place.	Phil Haynes	Ongoing
Investigate trees required for West Cemetery and also present stock quality and quantity.	Phil Haynes	2010
Continue replanting of street trees removed due to decay.	Phil Haynes	Ongoing
Continue compiling database of future potential planting schemes.	Phil Haynes	Ongoing
Begin reassessment of TPO trees.	Phil Haynes/ Dave Coates	Ongoing
Tree planting scheme for town centre, including inner ring road and potential sites on major routes entering the Borough.	Phil Haynes	Ongoing
Monitor tree strategy.	Phil Haynes	Ongoing

Action <u>Year Seven:</u>	Lead Officer	Time for completion
Re-planting of street trees.	Phil Haynes	Ongoing
Re-assessment of TPO trees.	Phil Haynes/ Dave Coates	Ongoing
Begin parks assessments, with plans formulated for re-planting and under planting.	Phil Haynes	Ongoing
Locate positions and pursue planting within access routes into town.	Phil Haynes	Ongoing
Inventory and management proposals of Borough's rural woodlands.	Phil Haynes	Ongoing
Inspections and monitoring of high risk trees.	Phil Haynes	Within the specified time scale.
Inspection of high risk (subsidence related) trees as outlined on Housing tree survey.	Phil Haynes	Within the specified time scale.
Replanting of removed trees with more suitable species.	Phil Haynes	Ongoing
Monitor tree strategy.	Phil Haynes	Ongoing

Action <u>Year Eight:</u>	Lead Officer	Time for completion
Tree survey of Highways and Housing trees.	Phil Haynes	Ongoing
Parks replanting and under planting. Following park by park prescription to assure continuous tree coverage and perpetuation of each park's character.	Phil Haynes	Ongoing
Continue individual woodland assessments.	Phil Haynes	Ongoing
Continue reassessment of TPO trees.	Phil Haynes/ Dave Coates	Ongoing
Continue re-planting of removed trees.	Phil Haynes	Ongoing
Continue re-inspection and monitoring programme of high risk trees.	Phil Haynes	Within the specified time scale.
Monitor tree strategy.	Phil Haynes	Ongoing

Action <u>Year Nine:</u>	Lead Officer	Time for completion
Continue to link areas of extended woodland with green corridors, to create corridors of continuous cover from within the town out into rural woodlands.	Phil Haynes	Ongoing
Continue survey of Highways and Housing trees.	Phil Haynes	Ongoing
Continue Parks replanting and under planting.	Phil Haynes	Ongoing
Continue reassessment of TPO trees.	Phil Haynes/ Dave Coates	Ongoing
Continue re-planting of removed trees.	Phil Haynes	Ongoing
Continue re-inspection and monitoring programme of high-risk trees.	Phil Haynes	Ongoing
Continue woodland assessments.	Phil Haynes	Ongoing
Continue utilisation of prospective planting areas as outlined on database.	Phil Haynes	Ongoing
Monitor tree strategy.	Phil Haynes	Ongoing

Action <u>Year Ten:</u>	Lead Officer	Time for completion
Continue tree survey of Highways and Housing trees.	Phil Haynes	Ongoing
Continue Parks replanting and under planting.	Phil Haynes	Ongoing
Continue reassessment of TPO trees.	Phil Haynes/ Dave Coates	Ongoing
Continue re-planting of removed trees.	Phil Haynes	Ongoing
Continue re-inspection and monitoring programme of high-risk trees.	Phil Haynes	Within the specified time scale.
Continue woodland assessments.	Phil Haynes	Ongoing
Continue utilisation of prospective planting areas as outlined on database.	Phil Haynes	Ongoing
Review and reassessment of Tree Strategy	Phil Haynes	Ongoing

'Trees are the longest living organisms on earth, they are beautiful and a precious part of our natural heritage, without them our landscape would be desolate, but a treeless landscape means the loss of far more than just beauty.'
The Tree Council (2000)