

Trees in the Conservation Area

Conservation areas are areas of special architectural or historical interest, the character or appearance of which it is desirable to preserve or enhance. Trees contribute to the special character of a conservation area.

The Town and Country Planning Act (1990) makes special provision for trees in conservation areas which are not the subject of a Tree Preservation Order (TPO). **Under section 211 anyone proposing to cut down or carry out work on a tree in a conservation area is required to give the planning authority six weeks' prior notice.** The purpose of this requirement is to give the planning authority an opportunity to consider whether a TPO should be made in respect of the tree.

Enforcement action may be taken by the planning authority where the six weeks notice is not given. Contravention of this legislation can lead to a fine of up to £20,000 in the Magistrate's Court or unlimited fines in the Crown Court.

You do not need to give notice if you want to work on a tree that has a trunk diameter less than 7.5 centimetres, measured 1.5 metres above ground level (or 10 centimetres if thinning to help the growth of adjacent trees). You also do not need to give notice if the tree is dead, dying or dangerous. Anyone proposing to cut down a tree in a conservation area on the grounds that it is dead, dying or dangerous is advised to give the planning authority five days' notice before carrying out the work, except in an emergency.

For details of the other exemptions from the requirement to give notice, please refer to the leaflet 'Protected Trees: a guide to tree preservation procedures', which can be downloaded from www.communities.gov.uk.

To notify Taunton Deane Borough Council of a proposal to cut or prune a tree in the conservation area, please use one of the Tree Management Works forms available to download from www.tauntondeane.gov.uk.

Alternatively, you can write to Planning, Taunton Deane Borough Council, The Deane House, Belvedere Road, Taunton, TA1 1HE, or email planning.admin@tauntondeane.gov.uk.

If you would like to discuss matters regarding trees in conservation areas, or Tree Preservations Orders, please call the Council's Landscape Team on 01823 356493.