

Tree Preservation Orders & Trees in Conservation Areas

What is a Tree Preservation Order (TPO)

It is an order made by a local planning authority which in general makes it an offence to cut down, top, lop, uproot, wilfully damage or wilfully destroy a tree without the planning authority's permission. The order can cover a single tree, including a hedge tree or an entire woodland but not hedges, bushes or shrubs.

Trees within a Conservation Area

In a conservation area permission must be obtained from the local planning authority, which requires a minimum of six weeks notice, before work of any nature is intended to be carried out on any tree.

Permission is not required if work is to be undertaken on trees less than 75mm (3 inches) in trunk diameter at 1.5 metres (5 feet) above the ground. If thinning out to promote the growth of other nearby trees then the allowed trunk diameter is 10mm (4 inches).

Penalties for working on a protected tree without permission.

If a tree is deliberately destroyed, or damaged in a manner likely to destroy it, there are fines up to £20,000 upon conviction. For other offences the fines are up to £2,500 including the cost of a replacement tree. Ignorance is no defence, the onus is upon the tree owner to comply with the regulations governing the subject.

Applications in respect of trees subject of TPOs in the Terling and Fairstead parishes or growing within the village conservation envelope should be made to Braintree District Council, Landscape Services Department. Tel: 01376 552525.

This information is a synopsis of various documents. If necessary and because of the serious legal implications, all details should be verified by reference to the various tree protection acts and enforcement authorities.

For further information – www.communities.gov.uk/treesandhedges

Terling & Fairstead Tree Warden · Telephone: 01245 233551

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