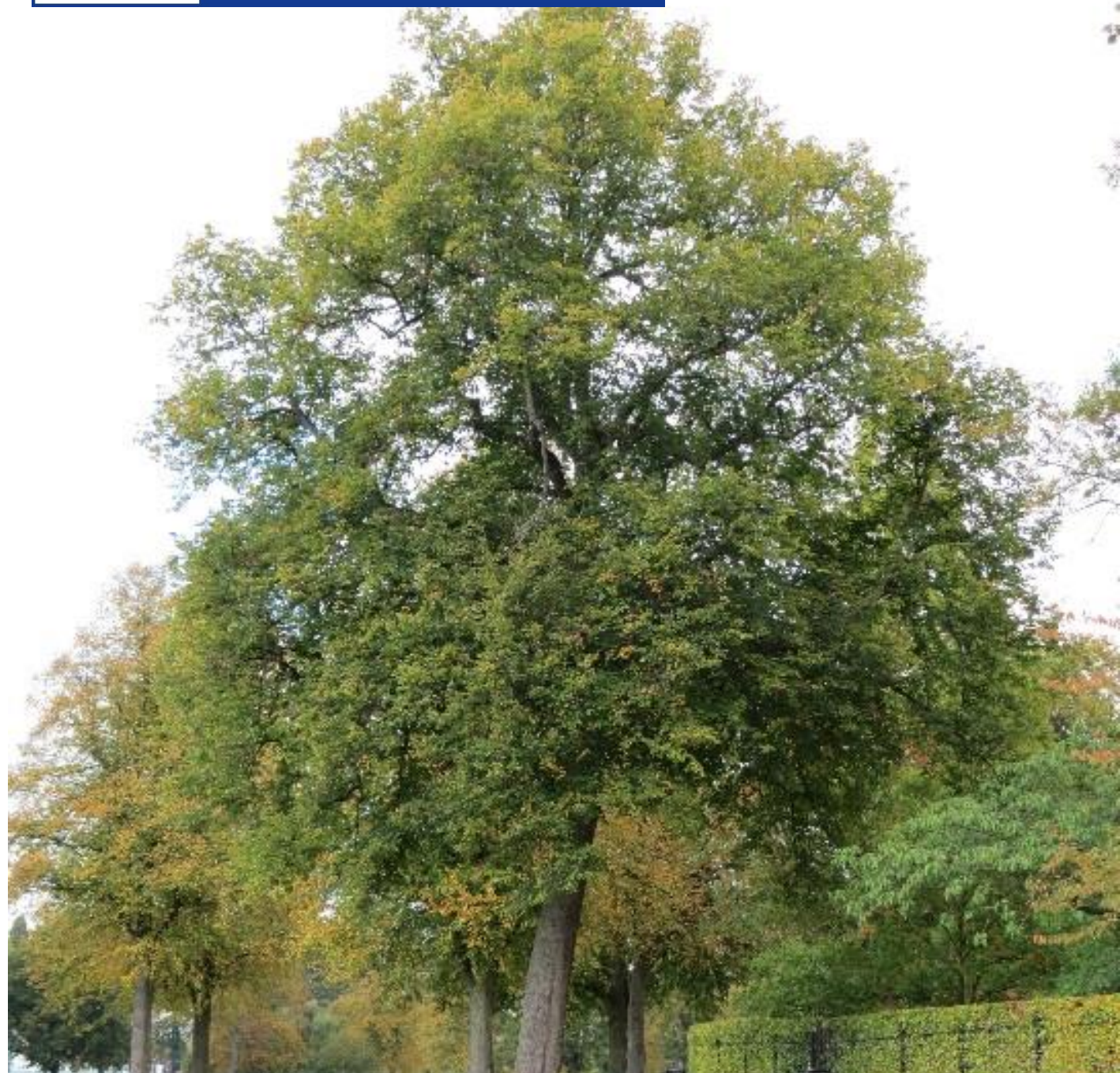




Shrewsbury

Town Council



Shrewsbury Town Council

Tree & Landscape Strategy

Guidance for Owners, Occupiers and Developers

March 2024

Vision:

To manage and enhance the trees, woodlands, hedgerows and green spaces within the Town of Shrewsbury in a way that is safe, sustainable, ecologically aware and that provides benefits for the whole community today and into the future.

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1 Introduction

The trees, woodlands, hedgerows and green space within the Town of Shrewsbury are amongst its greatest assets. Shrewsbury Town Council has long recognised the important role that these natural features play in the creation and maintenance of desirable living places.

A healthy and sustainable tree population plays a major role in creating an attractive and vibrant landscape where people want to live. In addition to this, trees provide benefits to health, local economies and the environment, such as:

- Improving health by reducing stress
- Attracting investment and house buyers to an area
- Adapting to climate change by providing shade
- Mitigating climate change by absorbing carbon dioxide
- Reducing air pollution by removing particulate matter
- Providing a habitat for wildlife
- Reducing flooding by rainwater interception and absorption

2 Background

There are many social and environmental benefits associated with well managed trees. In the urban environment, trees help to soften the built elements of the landscape, add a 'naturalness' to the character of an area, act as filters for pollution and provide shade from harmful solar radiation. Trees can screen undesirable views, enhance the setting of buildings and act as a foil for urban architecture. Research has demonstrated that houses in tree lined streets can attract a premium price. In the rural environment, the benefits of trees and woodlands include enhancement of the landscape, opportunities for recreation and education and the provision of habitats supporting a diverse range of plant and animal species.

The last two decades have seen a marked increase in public awareness of environmental issues, including the management of our trees and woodlands, and the general concept of 'urban forestry' has gathered considerable momentum in the United Kingdom. The fundamental principle of 'urban forestry' is an integrated approach to managing and using the total tree resource of an urban area in a way that maximise its amenity values, whilst being sustainable and ecologically sound. The emphasis on management should favour the social and environmental objectives of recreation, education, landscape enhancement, nature conservation and improvements to air quality over.

Shrewsbury Town Council has been at the forefront of urban tree management since its formation in 2009 and this strategy aims to continue that commitment.

3 Status of Strategy

This strategy is a statement of Shrewsbury Town Council's policies in relation to trees and woodlands within the Town. It provides the framework used by the Town Council to protect and manage these assets, where they fall within its control. The strategy aims to promote the important contribution of both public and privately owned trees in the town and ensure their sustainable management for the benefit of the community as a whole. This strategy covers the area of responsibility of Shrewsbury Town Council within the Parish of Shrewsbury, although it recognises the context of Shrewsbury in the wider county of Shropshire and its role in supporting the development of a countywide tree cover.

4 Aims & Objectives

In developing this Strategy Shrewsbury Town Council sets out a number of key aims and objectives:

- To have due regard for the 'treescape' of the town, encompassing all trees within a given area, within the town including all individual trees, hedgerows, orchards and woodlands, and those that grow on private land as well as land owned or managed by local authorities or other public bodies, recognising the connectivity between trees and emphasise that managing them in a 'joined-up' manner can improve outcomes.
- To define the role of the Town Council in the management of trees, woodlands, hedgerows and green space within Shrewsbury.
- To outline the strategic framework used in the management of trees within Shrewsbury.
- To outline the key policies used in the decision-making process regulating works to important trees both in public ownership, identifying the Town Council's role in supporting that regulatory process.
- To protect and enhance the tree stock of Shrewsbury.

5 Policy & Legislation

POLICY 1 – Shrewsbury Town Council will work in accordance with legislation and national, regional and local policy frameworks

5.1 Statutory Control

5.1.1 Town & Country Planning Act (1990)

The Town and Country Planning Act enables local authorities to protect trees and woodland within their areas through the creation of Tree Preservation Orders and the application of conditions when granting planning permission.

Tree Preservation Orders are intended to protect trees and woodlands in cases where removal of the trees and woodlands in cases where removal of the trees would have a significant impact on the local environment and its enjoyment by the public.

Planning conditions, where appropriate, can be applied when granting planning permission. These ensure that adequate provision is made for the preservation or planting of trees at sites where development takes place.

5.1.2 Environmental Act (2021)

The Environmental Act places a duty on local authorities to consult before felling street trees unless they are exempt, dangerous etc. The Act also makes biodiversity net gain mandatory for all but small sites from February 2024. Biodiversity Net Gain (BNG) is a way of creating and improving natural habitats. BNG makes sure developments have a measurably positive impact (of at least 10%) on biodiversity compared to what was there before.

5.1.3 Forestry Act (1986)

The Forestry Act (administered by the Forestry Commission, is mainly concerned with ensuring the establishment and maintenance of reserves of growing trees. However, it

also covers the felling of trees not situated within the domestic properties and the issuing of felling licences.

5.1.4 The Hedgerow Regulations (1997)

The Hedgerow Regulations are intended to protect important countryside hedges from removal. This is achieved by making it a requirement for those who wish to remove a hedge or section of hedge to first apply to the local authority for permission. These regulations do not cover hedgerows that form the boundary of a garden.

5.1.5 The Anti- Social Behaviour Act – High Hedges (2003)

Part 8 of the Anti-Social Behaviour Act enables Local Authorities to investigate disputes between neighbours relating to the heights of an evergreen hedge. The Act requires the complainant to have taken initial steps to try and resolve the dispute amicably before involving Shropshire Council. The local authority is not required to mediate or negotiate between the complainants and the hedge owner but to decide whether the hedge is adversely affecting the complainant's reasonable enjoyment of their property. When investigating the matter, the authority has to take account of all relevant factors from both parties and ensure a balanced decision is made.

5.1.6 Wildlife & Countryside Act (1981)

The Wildlife & Countryside Act is in place to protect wild birds, animals and plants. This is achieved through a variety of methods, for examples by making it an offence to take wild birds eggs or to prevent the establishment of non-native plants by prohibiting their planting in the wild. Offences committed under the Act are enforced and investigated by the police. The Act also provides measures for the creation of new Sites of Special Scientific Interests (SSSIs)

5.1.7 Natural Environment & Rural Communities Act (2006)

The Natural Environment & Rural Communities Act places a duty on every public authority to ensure that provision is made for the conservation and enhancement of biodiversity when undertaking its proper function.

5.1.8 The Conservation (Natural Habitats & C.) Regulations (2017)

These regulations make provision and give protection to a number of natural habitats and wild fauna and flora across Europe.

5.1.9 Miscellaneous Provisions Act (1976)

This Act allows Shropshire Council to deal with dangerous trees located on private land. Trees are the responsibility of the person who owns the land on which they are growing. However, if a tree on private land becomes dangerous in a way that could harm someone else or their property and the owner does not appear to be doing anything about it, Shropshire Council can act to make the tree safe. This can be by serving a notice on the owner to make the tree safe or, in exceptional circumstances, Shropshire Council can deal with the tree themselves and recover costs from the owner. These powers are used as a last resort and are only intended for situations when there is an imminent danger.

5.1.10 Occupiers Liability Act (1984)

This Act sets out the duty of care the Council owes to people entering land, whether with or without permission. It encourages Councils to take reasonable steps to guarantee that all persons entering Council property will be safe. With regard to trees, this would mean having any necessary works carried out to ensure they were in a safe condition.

5.2 National Policy

5.2.1 UK Forestry Standards 4th edition (5th edition after 1/10/24)

This sets out the criteria and standards for the sustainable management of all forests and woodlands in the UK. It is an important means for guiding and monitoring forestry. The standards are employed by the Forestry Commission in managing their own forests and have to be adhered to by those managing private forests that receive grant aid.

5.2.2 England Forestry Strategy 2023-28

This Strategy sets out the Government's priorities and programmes for forestry for the next five to ten years. It aims to set out ways that the Government can work with partners in other organisations to ensure the future of England's woodlands by planting more trees, more diverse species, bigger benefits for nature, climate & people.

5.2.3 The England Trees Action Plan 2021-24

This Strategy identifies national priorities and builds on Government policies – about the quality of people's lives, the quality of the places in which people live and work, and the sustainable use of our resources.

5.2.4 Commission for Architecture and the Built Environment (CABE)

CABE offers advice and guidance to architects, designers, planners and other organisations involved in the creation and development of new buildings. In addition (via CABE Space) the importance of public parks is being raised and the need for effective management and maintenance to ensure the retention of these important resources.

5.3 Local Policy

5.3.1 Shropshire Community & Rural Strategy 2020

The Shropshire Community Strategy aims to improve the quality of life for those who live, work in, or visit the area. It hopes to achieve this by promoting and improving the social, economic and environmental wellbeing of the area, both now and in the future.

5.3.2 Shrewsbury Big Town Plan

Nurturing Natural Shrewsbury - Shrewsbury is a beautiful, verdant town, renowned for its horticulture. Indeed, it's one of the reasons for the town's popularity; and a fitting birthplace of Darwin. The River Severn loops around the town centre like a green necklace, and green routes into and around the town are both wildlife corridors and valued green spaces in themselves. This network is essential to protect and enhance, especially in the context of growth, which is placing development pressure on the town and its hinterland. Open green space helps keep its citizens healthier, too – mitigating pollution and incentivising people to maintain active lifestyles.

5.3.3 Shrewsbury Town Council Vision

Creating a greener and better-connected Shrewsbury - Creating a greener and better connected Shrewsbury can have numerous benefits for its residents. Improved green spaces and sustainable infrastructure can enhance overall well-being, providing opportunities for outdoor activities, relaxation, and a cleaner environment. Better connectivity might lead to easier commuting, reduced traffic congestion, and improved accessibility to services and amenities, making daily life more convenient. Additionally, such initiatives can contribute to a sense of community pride and engagement, as residents see positive changes in their town's quality of life and environmental sustainability.

We will nurture and enhance our natural environment and public realm to ensure they are the accessible spaces local people want them to be allowing better connectivity and providing options for movement around the town.

6 Benefits of Trees to the Town

Trees make a vital contribution to quality of life in Shrewsbury, both as street trees and as a component of parks, gardens and woodlands. They provide sensory stimulation, visual relief and aesthetic pleasure that changes with the seasons, help to provide the setting for buildings and screen unwanted views, and reduce the impact of noise.

They provide ecosystem services and act as reservoirs for biodiversity. For many people, trees are the most obvious and readily available form of contact with nature. Trees remove pollution from the atmosphere and perform a service in removing particulates thereby improving air quality. Tree roots may help to store storm water thereby alleviating localised flooding. Trees provide shade in summer and shelter in winter. As trees grow, they convert atmospheric carbon dioxide into wood-storing carbon, lessening the rate of climate change.

The benefits of trees may be summarised as follows:

- Improving biodiversity and providing a range of ecosystem services
- Storing carbon dioxide from the atmosphere
- Providing shelter in winter and shade on hot days
- Health benefits – including removing harmful particulates from the air
- Relieving localised flooding

7 Which Trees are most valuable?

As trees increase in age and size, their benefits increase exponentially. This means that it is of key importance to conserve and maintain existing trees, especially where they are old and large. Replacing old trees with newly planted ones is of course essential, but for new trees to replicate the benefits provided by older, larger trees they would need to be replaced at a rate of 40 to 1, or alternatively wait for 30 – 50 years for their value to increase naturally. Older and larger trees in the town are currently undervalued and should not be removed unless there are compelling reasons to do so.



8 The Urban & Rural Landscape

8.1 The Urban Landscape

Through its role as a major landowner and statutory consultee, the Town Council will seek to ensure that the urban landscape is managed in a way that encourages diversity and sustainability within the urban forest. This will include diversity in both species and age structure and will aim to provide a resource that gives benefits today and can meet the needs and challenges of the future. Where it is within its scope, the Town Council will control the felling and planting of urban trees to meet with these objectives. The conservation and enhancement of biodiversity should form an integrated element urban forest management.

8.2 Street Trees

Street trees are a valuable part of our urban landscape, and Shropshire Council will maintain and enhance this urban forest for the benefit of present and future generations. Many of our street trees are now mature and each year some are lost due to age, condition and as a result of highway and infrastructure improvements. Many of these are not replaced, but where resources are available, Shropshire Council may replant new trees to reverse the decline of our urban tree population.

8.3 The Rural Landscape

Where the Town Council has responsibility for aspects of the rural landscape and the urban fringe, it will seek to ensure that trees, woodlands and hedgerows are managed in a way that safeguards their conservation, environmental and landscape values. The Town Council will encourage owners to manage these assets to provide a sustainable and robust resource and to promote biodiversity.

8.4 Parks and Greenspaces

Trees in parks and greenspaces are managed to reflect the circumstances of the site and their type, age and condition. Trees in parks generally have more room to grow compared to street trees and usually grow to their full height and spread. Ongoing maintenance includes removing dead wood, formative pruning (to remove problems in tree form when the tree is young so avoiding expensive problems later), removing low branches from pathways and removing trees when they come to the end of their safe and useful life. Available resources will be used to plant new trees where a need has been identified. Where management plans do not exist, trees will be selected and sited to complement and enhance the park or green space.

9 Publicly Owned v Privately Owned Trees

9.1 Publicly Owned or Managed Trees

A large number of the important trees within the Town are in public ownership. This includes such significant arboricultural features as the limes in Victoria Avenue, the Quarry and the magnificent London Plane in St Mary's churchyard. Shrewsbury Town Council is responsible for the management of trees on land owned by the Town Council and for trees in closed churchyards. Highways trees are managed by Shropshire Council. The fundamental principle of public tree management is to maintain a tree population that is safe, healthy and diverse in terms of species and age.

9.2 Works to Publicly Owned Trees:

All works to publicly owned trees will be undertaken in accordance with current good practice guidance. Works will only take place where they are necessary of the benefit of the tree, group of trees or woodland as a whole or where required in the interest of public safety or to abate a statutory or actionable nuisance or serious problem and in accordance with good arboricultural practice. The Town Council would normally undertake or allow works to trees where it was clearly demonstrated that these works were necessary to reduce or remove a significant risk of crime or disorder.

9.3 Privately Owned Trees:

Shropshire Council has a regulatory role in the management of private trees. This includes making provision for the protection of significant trees, protecting hedgerows on agricultural land, adjudicating in disputes regarding the height of evergreen hedgerows and fulfilling its statutory obligations in respect of dangerous trees on private land.

10 Trees in Shrewsbury

It is estimated that Shrewsbury Town Council owns or is responsible for some 125,000 trees ranging from newly planted saplings, to community woodlands; specimen trees in key locations often with Tree Preservation orders to vintage trees with national significance. Whilst there is no full register of trees, the Town Council is developing an electronic system of tree mapping.

POLICY 2 – The Council will develop a system of electronically mapping trees in its ownership and responsibility

11 Tree & Landscape Management

11.1 Aim of Tree Management

The aims of the tree management are:

- To set out how the Council will manage, protect, and enhance its tree stock;
- To set out the criteria for decisions taken by the Council in respect of the management of trees and woodlands, and how work will be prioritised;
- To set out how the Council intends to fulfil its duty of care in respect of health and safety and public liability;
- To promote positive management of Shrewsbury’s trees through adoption of good practice;
- To highlight tree protection legislation in the form of Tree Preservation Orders and Conservation Areas;

POLICY 3 – The Town Council will take steps to bring all its trees under active, appropriate and informed management

11.2 Legal Obligations

The Council has a duty of care to maintain its trees in a safe condition where that is “reasonably practicable”. Proactive management ensures that it is able to meet its Health & Safety liability relating to public trees, allowing people to safely enjoy the amenity, conservation and health benefits that Edinburgh’s trees provide. Duty of care is defined in several Acts and Regulations as set out in Section 5 above.

11.3 Responsibility for Trees

The Town Council & Shropshire Council have a role to play in the management of both the publicly and privately owned trees either through direct responsibility for the management of street trees and trees in public space or where it has been charged with the duty to protect trees that provide a public amenity value.

Location of Trees	Responsibility	Contact
Street Trees	Shropshire Council / Shrewsbury Town Council	Shropshire Council Highways / Shrewsbury Town Council
Parkland Trees & Trees in Public Open Space	Shrewsbury Town Council / Shropshire Council	Shrewsbury Town Council / Shropshire Council Highways
Trees in Closed Churchyards (In Shrewsbury)	Shrewsbury Town Council	
Community Woodlands (within the Town area)	Shrewsbury Town Council	
Trees on Parish Council Land	Parish Council	Relevant Parish Council
Rural Hedgerows	Shropshire Council	
High Hedges	Shropshire Council	

Trees on Development Sites and Private Land	Shropshire Council	
Woodlands	Forestry Commission	

11.4 Principles of Tree Management

Shrewsbury Town Council will endeavour to manage its tree stock in a manner that complies with current good practice guidelines and where it has a regulatory function, will only consent to works which meet this requirement.

11.5 Public Safety & Dangerous Trees

Shrewsbury Town Council & Shropshire Council place a high priority on public safety and this extends to the management of its tree stock and trees under its regulatory control. All landowners, public or private have a duty of care to ensure that they have taken reasonable steps to prevent or minimise the risk of personal injury or damage to property arising from the presence of any tree on the land, or from its breakages or uprooting. People may feel apprehensive about the size or position of a tree and consider it dangerous. However, these factors alone do not make a tree dangerous and Shrewsbury Town Council and Shropshire Council would not sanction or support the unnecessary removal of trees. Such action would only be allowed if it is clearly demonstrated that a tree poses an unacceptable risk to property or persons. In certain circumstances, dangerous trees are exempt from Tree Preservation Order or Conservation Area Protection, but notification still has to be given to the Planning Authority. Shropshire Council has certain powers to act in the interest of safety, where trees situated on private property are in a dangerous condition and constitute a risk to property or person. Shropshire Council would normally only take action where it was clear that the risk of harm was significant and immediate. The Council would expect individual property owners to attempt to resolve issues of dangerous trees as private matters.

11.6 Trees Causing Damage to Property:

Where trees are alleged to be causing damage to a property, the property owner should contact their buildings insurance company. Shrewsbury Town Council would normally only support the removal of a tree or trees in cases where it is clearly demonstrated that damage was attributed to the tree or trees by supporting evidence gathered over a period of time. In certain cases works to abate a statutory nuisance caused by a tree would be exempt from TPO or Conservation Area protection subject to Shropshire Council's permission

11.7 Routine Maintenance

Under normal circumstances established trees require little in the way of routine maintenance. However, there may be situations where minor pruning works are necessary to prevent encroachment of branches into buildings or to provide adequate clearance over a road or footpath. These works, if carried out carefully, do not normally cause excessive damage to the tree. Shropshire Council would normally allow routine maintenance works to protected trees, where it was demonstrated that these works were necessary and complied with good working practice guidelines.

11.8 Tree Maintenance

Trees are maintained in order to reduce the risk of harm to people and property to an acceptable level. Tree maintenance may on occasions be undertaken for other reasons, but this is at the discretion of Arboricultural Services. Wood residues from tree maintenance operations will never become waste products. There are clearly defined uses for all wood residues such as:

- Bark chips used for landscaping.
- Wood chips used in wood burners.
- Wood sold to the public as firewood.
- Left for wildlife habitat on both Countryside and informal green spaces.

11.9 Problems Associated with Trees

Although trees generally make a positive contribution to the environment in which we live, situations can arise where trees come into conflict with the wishes of nearby property owners. These situations include issues such as light loss, shading, encroachment of branches or problems associated with leaf fall and other litter associated with trees. When assessing any of these types of problems, Shrewsbury Town Council has to maintain a balance between the needs of the individual and the requirements of the community in terms of protection of the environment and amenity. Normally, action would only be taken where it would not be detrimental to the long-term retention of the tree or where the problems were having a considerable impact on the reasonable enjoyment of a private property. Shropshire Council or another independent Arborist will assess all requests or applications for remedial works on Shrewsbury Town Council owned land in an objective and transparent manner

12 Protection of Trees

This section is designed to give a flavour of the tree protection options available for Shropshire Council's use. Further clarification should be sought from Shropshire Council <http://www.shropshire.gov.uk/environment/trees-and-woodlands/tree-preservation-orders/> Shropshire Council aims to provide protection, within the scope of the law, for all trees where it can be demonstrated that they provide a reasonable public benefit and where their loss would be detrimental to the character or the amenity value of the surrounding area. There are various means by which Shropshire Council can protect trees.

12.1 Tree Preservation Orders

Orders are created where it is considered appropriate to provide long term protection for trees, groups of trees or woodlands that provide a reasonable public amenity value. In creating, revoking or reviewing Tree Preservation Orders, (TPOs), Shropshire Council will consult with all landowners and residents deemed to be affected by the Order. This will involve posting copies of the Order to all interested parties including the Local Ward Member and Town Council and inviting comments within 21 days. Where no objections are received within the 21-day statutory period, the order will be confirmed without modification under delegated authority. It should be noted however that Tree Preservation Orders are superseded by planning consent where appropriate.

Shropshire Council would not normally approve works that would be detrimental to the health of the tree or the amenity that it provides or works which were considered not to conform to good arboricultural / forestry practice.

The Town Council is required to seek permissions to carry out treeworks in the same way as any individual/organisation by applying for Planning consent.

There may be instances when applications for works to protected trees involve a felling licence from the Forestry Commission. This is a matter for determination by the Commission following consultation with Shropshire Council.

Shropshire Council

- Will make provision for the protection of trees, groups of trees, arboricultural features and woodlands, where it is expedient in the interests of public amenity, by raising Tree Preservation Orders that include trees that have an existing or potential amenity value, or are part of a group of trees, arboricultural feature of woodland that has an existing or potential amenity value.
- Will follow the procedures set out in the Town & Country Planning Act 1990, 'Trees' Regulations 1999 and current Government guidance in respect of the

creation, confirmation, modification and revocation of all its Tree Preservation Orders.

- Undertake to periodically review its Tree Preservation Orders in accordance with Government guidance.

12.2 Conservation Areas

Trees in conservation areas which are already protected by a TPO are subject to the normal TPO controls but the Town and Country Planning Act 1990 also makes special provision for trees in conservation areas which are not the subject of a TPO. Under Section 211, anyone proposing to cut down or carry out work on a tree in a conservation area is required to give Shropshire Council six weeks prior notice (a "Section 211 notice"). The purpose of this requirement is to give Shropshire Council an opportunity to consider whether a TPO should be made in respect of the tree.

The Town Council is required to seek permissions for tree works in a conservation in the same way as any individual/organisation by applying for Planning consent.

12.3 Works to Protected Trees

Shropshire Council

- Where it receives an application under a Tree Preservation Order for consent to carry out works to a protected tree of where it receives notice under Section 211 of the Town & Country Planning Act 1990 as amended, will undertake public consultation in accordance with the procedures set out in this strategy and the Statement of Community involvement.
- Shropshire Council will assess all applications on their individual merits in a transparent and equitable manner with consideration to any supporting information provided.
- Shropshire Council would not normally consent to works that would or could be detrimental to the health or amenity of any tree(s), arboricultural features or woodlands protected by a Tree Preservation Order, except in the interests of safety, where the tree(s) are causing a statutory nuisance, there was a statutory requirement for the works or where the trees were having a significant and detrimental impact on the reasonable enjoyment of a property.
- Where Shropshire Council receives notice under Section 211 of the Town & Country Planning Act 1990 of works proposed to tree(s) in the Conservation Area, the Council will assess the public amenity value of the tree(s). Where it is considered that the tree(s) has a reasonable public amenity value, the Council would not normally consent to the works that would or could be detrimental to its health or amenity and would see to raise a Tree Preservation Order in respect of the tree(s). An exception would be where such works were necessary in the interests of safety, where the tree(s) were causing a statutory nuisance, there was a statutory requirement for the works or where the tree(s) were having a significant and detrimental impact on the reasonable enjoyment of a property.

12.4 Trees and Development

Trees are a material consideration within the development process. Council policies would not normally allow development that would result, directly or indirectly, in the loss of trees, groups of trees or woodlands with a current or future amenity value. Where trees are a feature of a development site, Shropshire Council will require that they are treated in accordance with the recommendations set out in the relevant British Standard BS5837: 2005 'Trees in Relation to Construction'.

This would include consideration being given to all trees at the design/layout stage of a development and provision made to retain those specimens and features that had a reasonable value within the existing context and which would continue to make a future

contribution. Where trees are to be retained, adequate space must be allowed for the tree to reach maturity without coming into conflict with any proposed structure. Also, all retained trees must be protected in accordance with BS 5837: 2005 recommendations. Shropshire Council will use planning conditions and where appropriate TPOs to ensure that trees are afforded the required level of protection.

12.5 High Hedges

As from 1st June 2005, Shropshire Council was given new powers under the Anti-Social Behaviour Act 2003 to adjudicate in respect of high hedges disputes between neighbours of adjoining properties. A protocol has been established for dealing with formal complaints and Shropshire Council has a performance target to deal with these within 12 weeks of receipt under delegated authority to its officers.

12.6 Hedgerow Regulations

Hedgerows growing on land used for agriculture are subject to the 1997 'Hedgerow Regulations'. These regulations require the Local Authority are given notice prior to the removal of any hedgerow and may, in certain circumstances issue a 'Hedgerow Retention Notice' to prevent such action. All applications for works to remove hedgerows under the Hedgerow Regulations 1997 will be determined within 6 weeks of receipt of a removal notice. Consultation letters will be sent out to the prescribed bodies (i.e. Country Landowners Association, Shropshire Wildlife Trust, Shropshire Council) in addition to the Local Ward Member and Town Council. All comments received will be taken into account in making a decision as to whether or not a 'Hedgerow Rental Notice' should be served.

13 Tree Planting

13.1 General Principles

Both Shropshire Council and Shrewsbury Town Council have various roles in the planting of trees within the Town. As a landowner, it has direct involvement and control in the planting of trees on public land and Shropshire Council as the regulatory body, has a responsibility to ensure that tree planting that is required as part of a planning consent is undertaken.

Where tree planting is to be undertaken as part of the planning process, consideration must be given to the long-term impact that this will have. Shropshire Council will expect that all tree establishment schemes will take account of the limitations and opportunities of the site, choose species that will provide benefits that are sustainable in the medium and long term and that will make a contribution to the local landscape character. Opportunities to conserve and enhance biodiversity should form an integrated element of urban forest management and be given consideration when planning new planting schemes through the use of appropriate indigenous species. Tree planting should not take place where it would have a detrimental impact on sensitive ecological areas.

13.2 Newly Planted Trees

All newly planted street trees are subject to a three-year maintenance programme to ensure that they become established. This includes watering which is done anytime between early April and late summer according to weather conditions. In dry summers, trees may need to be watered ten or more times. Trees planted as part of a woodland establishment programme are not usually watered because being small (typically 60-90 cm tall) they are more drought resistant. Newly planted trees should be regularly watered (for the first three years after planting), but some trees may be missed or some trees, because of local conditions, need more water than others. Residents should feel free to water such trees themselves.

13.3 Public Land

Shrewsbury Town Council places a high priority on sustaining and enhancing the local environment. Where appropriate, it will seek to replace trees that have been felled.

13.4 Replacement of Protected Trees

Where consent is granted for the removal of a protected tree, or where a protected tree is removed under an exemption in the TPO, Shropshire Council will normally require that a replacement be made.

13.5 Landscaping of New Developments

In accordance with its development control policies and its duty under the Town & Country Planning Act, Shropshire Council will require the landscaping of a new development to form an integral part of the design and layout of the proposal. Often developers make requests that Shrewsbury Town Council adopts the open space attached to new developments. Reference should be made to "Shrewsbury Town Council approach to the adoption & management of open space on new development" to see the requirements.

POLICY 4 – Shrewsbury Town Council will endeavour to maintain its tree stock and increase current tree numbers through additional and replacement tree planting. The Council will seek to diversity its tree planting across a wider range of native and where appropriate non-native species. The Council will look to increase and improve its tree cover within available resources as part of its annual tree planting programme, paying particular attention to historic street tree and parks and green space planting

POLICY 5 - The Council will endeavour to maintain newly planted trees appropriately to ensure they have the best chance of establishing.

POLICY 6 - The Council will procure trees from reputable growers and suppliers who maintain the highest standards of plant health.

POLICY 7 - Will seek to plant suitable replacement trees, at or close to the original tree's location where trees have reached the end of their safe useful life expectancy and are subsequently removed. Where site conditions prevent the sustainable replacement of a tree, compensatory planting will usually be undertaken elsewhere within the Town.

14 Ash Die Back Disease

The disease is now prevalent throughout the Town. The impacts of the disease are now becoming more common, requiring the removal of diseased & dead trees where they pose an unacceptable risk to public safety.

The trees will only be felled where the risk of retaining them is unacceptable. Where possible trees will be retained to provide habitat value whilst reducing risk.

Trees will be replaced, when suitable with native species from Nurseries and Suppliers with bio-secure measures in place. This will lead to landscape restoration in the wake of this disease, an essential element of this process.

Ash Dieback Classification.

- Ash Health Class 1 – 100% - 76% remaining canopy
- Ash Health Class 2 – 75% - 51% remaining canopy
- Ash Health Class 3 – 50% - 26% remaining canopy
- Ash Health Class 4 – 25% - 0% remaining canopy

Evidence suggests that as the decline of an ash trees health becomes more visually apparent, then management decisions and practices on that tree alter. Assessing and monitoring changes becomes a crucial part of any strategy. The precise speed of decline of any individual tree is currently impossible to predict.

Even at the lower end of Class 2, the remaining canopy may well be unsafe to climb and other methods will be needed to make the tree safe.

POLICY 8 - The Council will monitor the continued spread and impact of Ash Dieback by undertaking an annual survey of the city’s ash trees. The Council will carry out a programme designed to remove diseased trees taking a risk-based approach and will advise private owners of what action needs to be taken by them.

15 Tree Inspections

15.1 General Principles

Where trees are in a position that they could cause harm if they were to fail, Shrewsbury Town Council undertakes periodic inspections using professional staff experienced in arboriculture (the care and management of amenity trees). These inspections assess the condition of the trees and identify any potential faults or disorders. Where these are discovered, their effect on the trees health and stability are evaluated and if required, remedial work is undertaken.

15.2 Timeframes for Tree Inspections

All trees for which the Town Council is responsible will be inspected as part of a planned tree management process.

Tree safety inspections are carried out by Arboricultural Officers holding a valid Quantified Tree Risk Assessment (QTRA) licence or equivalent experience or qualification. This approach is used to determine the frequency of tree inspections based upon where the tree is located.

The table shows the timeframes for tree inspections for the three classifications of Hazard Zone – High, Medium and Low.

Hazard Zone	Example of Hazard Zone	Frequency of Tree Inspections	Notes
High Red	Some roads. School playgrounds. High footfall parks (eg Quarry) Closed Churchyards Some Play Areas Ash Trees	1 year	Where it is safe to do so, the frequency may be extended to 1.5 years to allow inspections in different seasons.
Medium Amber	Car parks adjacent to moderate/low usage areas. Areas that suffered recent root Disturbance for trenching or drainage. Some Play areas Parks & open space	3 years	All trees in this Hazard Zone will be inspected every 2 to 3 years.

Low Yellow	Remote areas. Moderate to low use parks. Some Play areas and picnic areas. Countryside sites Wooded areas Recreational grounds	5 years	All trees in this Hazard Zone will be inspected every 3 to 5 years.
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POLICY 9 - Trees in Council ownership will be inspected for safety on a cycle between one and five years according to size, targets, condition, and survey recommendations for each tree. This information will be recorded on the Council's tree asset database.

POLICY 10 - Tree inspections and arboricultural work will only be undertaken by qualified, experienced, and competent people.

16 Community Engagement

The Town Council is keen that the community and voluntary sector take on a greater lead in shaping and improving their local environment. The community are well placed to decide what their local spaces should be used for and what they should look like.

The Town Council strongly encourages and supports tree planting and tree management by community groups.

The Town Council is very supportive of planting trees and bushes that bear edible fruit in the style of Community Orchards or Incredible Edible, but would advise contact with the Council to check the appropriateness of species and location, and to confirm that land is not contaminated.

POLICY 11 - The Council will support tree planting initiatives and projects to maximise available funding and resource opportunities to increase the numbers of trees and areas of woodlands in the city.

POLICY 12 – The Council will provide support where resources allow to support community groups, residents associations, friends of parks groups and volunteers with tree planting projects and involve the community in planting initiatives

17 Tree Works

17.1 Tree Felling

Tree removal is regrettable, but necessary under a number of circumstances. The decision to remove a tree is not taken lightly. Trees are usually felled because it is best option to reduce the risk of harm to an acceptable level (e.g. dead, dying or diseased trees). There are other circumstances where trees may be felled and these are mostly at the discretion of Arboricultural Services, such as where:

- A tree has been proven to be causing subsidence.
- The removal of a tree would benefit surrounding trees.
- It is the requirement of a management plan.
- A tree has been proven to be causing a highway nuisance.

If a removal and replacement programme is planned, local residents will be consulted unless the trees are exempt. New trees will be replanted that are suitable to the location.

17.2 Tree Pruning

Pruning a tree can often weaken its structure and should therefore be avoided for reasons other than reducing risk of harm to people or property. Pruning for any other reasons would be exceptional and at the discretion of Arboricultural Services.

17.3 Council Arboricultural Services and Tree and Forestry Contractors.

Shrewsbury Town Council's Arboricultural Service will carry out all tree works in accordance with British Standard 3998:2010 Recommendations for tree work. Tree and Forestry contractors may also carry out additional works. All contractors used by Shrewsbury Town Council are qualified, experienced, fully insured and carry out work in accordance with the British Standards for tree work (BS3998:2010). The Arboricultural Service or contractors carrying out tree works will only adhere to specifications and instructions issued by the Tree and Landscape section and will not change work specifications at the request of a local resident. The terms and conditions of Contract will detail pruning specifications, site health and safety requirements, as well as the requirements for site clearance and cleanliness.

POLICY 13 - Tree inspections and arboricultural work will only be undertaken by qualified, experienced, and competent people.

POLICY 14 - Shrewsbury Town Council will only employ tree and forestry contractors, which have been assessed as holding appropriate insurance cover, adhere to industry health and safety requirements and are fully aware and experiences in all practices of modern arboriculture and silviculture.

POLICY 15 – Shrewsbury Town Council will carry out tree works in accordance with British Standards 3998: 2010 recommendations for tree work.

17.4 Non-Urgent Works to Trees in Public Ownership

The Council carries out maintenance works in accordance with approved schedules-based tree inspection recommendations.

The Council operates the general principle that it will not undertake works that would be detrimental to the health or amenity of any tree(s) except in the interests of safety, where the tree(s) were causing a statutory nuisance, there was a statutory requirement for the works or where the tree(s) were having a significant and detrimental impact on the reasonable enjoyment of a property. Details of individual approaches to treeworks are listed below.

The Council regularly receives requests for maintenance works to public trees; these will be considered on individual merits, in an equitable and transparent manner. The decision will be communicated to the resident outlining any reasons for the decision taken.

If a resident wishes to appeal against the decision of Shrewsbury Town Council, they have to enlist the support of their local Councillor. The Councillor may then wish to take their appeal through the Council's Committee system. The documentation with the evidence for the appeal must be submitted at least 20 working days before the planned date of the relevant Committee meeting (this has previously been done, but is not documented anywhere)

17.5 Policies for Unsafe Trees

17.5.1	Unsafe Trees - Requiring Immediate Action	If a Council owned tree is in such a condition that it poses a very high risk to people or property, the Council will attend the site as an emergency normally within 2 hours. If work cannot be completed, areas at risk will be cordoned off until resources are available.
17.5.2	Trees - Not Requiring Immediate Action	<p>Trees that are perceived as high risk but present no immediate risk to the public will be made safe depending on the level of risk identified at the time of inspection. Tree works judged as urgent will be made safe within 7 working days.</p> <p>Works on trees that are not considered high risk but where essential remedial work is required will be carried out within one year of inspection.</p> <p>Deadwood- We will encourage the retention of dead trees and dead wood within trees in appropriate locations such as woodland where public safety is not compromised.</p>
17.5.3	Unsafe trees in Private Ownership	<p>a) Trees NOT within falling distance of the public highway Danger posed by trees between private parties is principally a matter for such parties to resolve. Shropshire Council has powers to require a private individual to make safe a tree via Local Government (Miscellaneous Provisions) Act 1976. Further information should be sought through the Arboricultural Officer (Planning Department)</p> <p>b) Trees within falling distance of the public highway If a tree in private ownership is shown to be a danger to the highway it will be identified for work to make it reasonably safe. The land owner will be contacted by Shropshire Council and instructed to make the tree safe under the Highways Act 1980. If it is necessary that Shropshire Council undertakes this work then the Council may intervene according to the powers given in the Act if an owner of such trees fails to act in a reasonable timescale (timescales depend upon the degree of risk presented) and may recover from the tree owner the expenses reasonably incurred by it in so doing.</p>

17.6 Policies for the Local Environment

17.6.1	Tree Touching a Building	If a tree that is owned or managed by the Council is touching private property (dwelling, house, boundary wall, garage etc) the Council will take action to remove the nuisance.
17.6.2	Tree Overhanging Property	We will not prune or fell a tree that is owned or managed by the Council to alleviate the nuisance of branches overhanging private property. Residents have their right under common law to prune back branches to their property boundary and completed to the standard set in BS3998 (2010) Tree Work Recommendations
17.6.3	Tree Roots and Drains	We will not prune, fell or cut the roots of a tree that is owned or managed by the Council to prevent roots entering private drains that are already broken or damaged.

17.6.4	Trees Blocking Natural Light	We will not prune or fell a tree owned or managed by the Council to improve natural light to private property.
17.6.5	Trees Blocking Views	We will not prune or fell a tree owned or managed by the Council to improve the view from private property except within designated historical landscape areas where such views are an integral part of the landscape.
17.6.6	Leaf and Needle Fall from Trees	We will not prune or fell a tree owned or managed by the Council to remove or reduce leaf or needle fall or remove fallen leaves or needles from private property.
17.6.7	Sap from Trees	We will not prune or fell a tree owned or managed by the Council to prevent or reduce the aphid secretion honeydew or other sticky residue falling onto private property.
17.6.8	Blossom from Trees	We will not prune or fell any tree owned or managed by the Council to remove or reduce blossom fall from trees or remove fallen blossom from private land.
17.6.9	Bird Droppings from Trees	We will not prune or fell any tree owned or managed by the Council to remove or reduce bird droppings from the tree or remove bird droppings from private land.
17.6.10	Fruit, Berries & Nuts from Trees	We will not prune or fell any tree owned or managed by the Council to remove or reduce the nuisance of fruit, berries or nuts, or remove fallen fruit from private land.
17.6.11	Wildlife and Insects in Trees	We will not prune or fell any tree owned or managed by the Council to remove or reduce incidence of bees, wasps and other insects or wild animals.
17.6.12	Satellite and Television Reception Blocked by Trees	We will not prune or fell any tree owned or managed by the Council to enable or ease installation or improve reception of satellite or television receivers.
17.6.13	Solar Collectors and Panels Obscured by Trees	We will not prune or fell any tree owned or managed by the Council to improve the performance of Solar Water Heating Collectors or Solar Panels such as Photovoltaic Cells The customer will be informed of the policy within 10 days.
17.6.14	Telephone Wires and Trees	We will not fell any tree owned or managed by the Council to remove or reduce interference with telephone wires. There may be instances where the Council will undertake works to prune trees and reduce interference where pruning would be an effective measure.
17.6.15	Tree Considered Too Large	We will not prune or fell any tree owned or managed by the Council because it is considered to be 'too big' or 'too tall'.
17.6.16	Vandalism to Trees	We will investigate any reports of vandalism to any tree owned or managed by the Council and try to repair any damage where we can.

17.6.17	Anti-social Behaviour and Trees	Where any tree owned or managed by the Council is associated with criminal activity or anti-social behaviour, measures to reduce the problem will be considered on a site-by-site basis.
17.6.18	Subsidence Caused by Tree	The Council will rigorously identify and defend any claims which are presumed to be either bogus or false. When submitting a claim, the report is to be prepared by suitably qualified arboriculturalist and The Council may ask for supporting evidence. Any costs for further reports and supporting evidence will be expected to be met by the client.

17.7 Policies for Highways and Footpaths

17.7.1	Carriageway Obstructed by Trees	We will undertake work to trees owned or managed by the Council to maintain a minimum 5.5 metres height clearance over the carriageway (associated with a street, road or highway). Working with Shropshire Council Highways.
17.7.2	Line of Sight Obscured by Trees	We will undertake work to trees owned or managed by the Council to maintain clear lines of sight for traffic and pedestrians at junctions and access points (associated with a street, road or highway). Working with Shropshire Council Highways.
17.7.3	Signal and Signage Obscured by Trees	We will undertake work to trees owned or managed by the Council to maintain clear lines of sight for traffic signals and street signage (associated with a street, road or highway). Working with Shropshire Council Highways.
17.7.4	Streetlight Obscured by Trees	We will undertake work to trees owned or managed by the Council to ensure that streetlights are not unduly blocked by the presence of trees. Working with Shropshire Council Highways.
17.7.5	Pavement Obstructed by Tree	We will undertake work to trees owned or managed by the Council to maintain a minimum 2.5 metres height clearance over a footpath associated with a street, road or highway, and 3 metres where there are cycling rights. Any works necessary to prevent an obstruction to the width of a footpath associated with the highway due to the presence of a Council owned tree will be considered on a case-by- case basis and working with Shropshire Council Highways.
17.7.6	Trip Hazards from Tree Roots	We will undertake measures to make safe unacceptable trip hazards in streets, roads or highways caused by the growth of trees owned or managed by the Council. Working with Shropshire Council Highways.
17.7.7	Installation of Dropped Kerbs Affecting Trees	The Council will not normally permit the felling or pruning of roots of trees owned or managed by the Council to allow the installation of a drop kerb.

18. Further information and advice

Arboricultural Association	www.trees.org.uk
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Arboricultural Advisory & Information Service	www.treehelp.org.uk
The Woodland Trust	www.woodland-trust.org.uk
The Tree Council	www.treecouncil.org.uk
The Forestry Commission	www.forestry.gov.uk
Planning Policy	https://shropshire.gov.uk/planning-policy
Government Guidance	http://planningguidance.planningportal.gov.uk/blog/guidance/tree-preservation-orders/
The following leaflets are available from the offices at:	
Planning Policy	Shropshire Council, Shirehall, Abbey Foregate, Shrewsbury, Shropshire, SY2 6ND
Design Guidance	Shropshire Council, Shirehall, Abbey Foregate, Shrewsbury, Shropshire, SY2 6ND

- **The Strategy has a planned revision date of March 2029 subject to any Law amendments or recognised changes in good practice.**



POLICY - Shrewsbury Town Council will

- carry out consultations on management plans prior to the implementation of non-safety related tree works identified in the plans.
- incorporate views into the plans where, in the view of professional officers, public and safety is not compromised and resources are available
- give prior notice to any significant, non-urgent woodland management to local residents, relevant groups through site notices, information given in Council publications or the Woodland Management Plans.

