

Management of Public Spaces and Trees in Thurlaston

This document explains the roles of Local Planning Authorities (LPA) in the management of public spaces and trees within the Thurlaston parish.

Warwickshire County Council (WCC) – WCC's Forestry Department is responsible for trees located alongside and over highways. They have a rolling programme of tree works to ensure roads are safe for pedestrians, cyclists, wheelchair users and motor vehicles.

If a resident has a concern about a tree, such as causing a highway obstruction or impedes visibility, then in the first instance he/she is asked to contact the Thurlaston Parish Clerk who will take the appropriate action.



Rugby Borough Council (RBC) – has responsibility for providing tree maintenance approvals within the Thurlaston Conservation Area. Detailed guidance is provided below.

RBC maintains a Tree Protection Order (TPOs) register with relevant locations maps. Details are available from the Thurlaston Parish Clerk.

Thurlaston Parish Council (TPC) - assumes responsibility for roadside grass verges within Thurlaston village, and land within public spaces. Where trees are situated on unregistered land it may be necessary to undertake works using powers under the Commons Act 2006.

Thurlaston Village has a *Village Design Statement* which can be found on the village website at www.thurlaston-pc.gov.uk. This defines a Conservation Area identified by the RBC and supports a RBC document *Thurlaston Conservation Area Appraisal*. Both of these documents are used in the consideration of planning applications by RBC for the Parish of Thurlaston. The Conservation Area document is available on the Thurlaston website at www.thurlaston-pc.gov.uk.

People residing within the **conservation area** must give six weeks' notice to RBC before carrying out work to trees that are not protected by a Tree Preservation Order (TPO). This can be done using a tree works application form (available from RBC offices or website) or via email or letter which must still include the information required by the form. This is called a section 211 notice. This gives the LPA an opportunity to consider whether a TPO should be made to protect the tree(s). The only way the LPA can stop the works is by putting on a TPO.

Is a section 211 notice required for a tree of any size?

People are not required to submit a section 211 notice to the LA for:

- The cutting down, topping or lopping or uprooting of a tree whose diameter does not exceed 75 millimetres; or
- The cutting down or uprooting of a tree, whose diameter does not exceed 100 millimetres, for the sole purpose of improving the growth of other trees (e.g. thinning as part of forestry operations).

In either case, the diameter of the tree is to be measured over the bark of the tree at 1.5 metres above ground level.

Applications to prune/remove trees with preservation orders must be done so on the tree works application form only. If you believe there are some substantial trees around which are located outside of the conservation area the LPA do have powers to protect them as long as they qualify under set criteria and are considered to be a public amenity. Therefore we would look at the condition of the tree, the relative public visibility, retention span (in years), threat level and any other factors e.g. Impact of trees in a group.

If trees in domestic gardens do not have a TPO on them, are located outside the conservation area or do not have a planning condition attached to them there would be no restrictions in removing/pruning the tree in question.

Currently the village has the following Tree Preservation Orders (TPO's):

TR. 4.8 Trees at Beechwood, formally Nut Coppice, on Main Street

TR. 4.11 Trees at 'Fernleigh' 'Clydefan' Main Street, and '1 The Gardens'

TR4.298 The Mill, Thurlaston, Church Lane (Silver Birch)

TPO 421 PatricksField Biggin Hall Lane and Thurlaston Care Home Main Street – tree references T1 to T28