

# Trees and planning – National Level

The potential contribution of trees to development projects is considerable. As has been shown, their value is not confined to moderating climate change or sustaining the environment. There are also economic dividends and a substantial social dimension-gain available too. Thus any development project that includes trees provides numerous benefits, which increase with the use of larger trees and greater canopy cover. As a result trees and woods feature extensively in UK planning statutes.

This table shows the substantial contribution trees can make to national Planning Policy objectives. Yet the value that trees bring to places is vulnerable, often overlooked and opportunities to introduce them into projects missed. This table also demonstrates that planning for trees should be a priority:

## The national planning policy backdrop

Legislation	Statutes relating to trees
The Town & Country Planning Act 1990	<p>Part 8 (Special Controls), Chapter 1 (Trees): Section 197 – when granting planning permissions planning authorities are to preserve and plant trees</p> <p>Sections 198-202 – Tree Preservation Orders (TPOs) defined</p> <p>Sections 203-205 – TPO compensation</p> <p>Sections 206-210 – legal consequences of TPO removal specified</p> <p>Sections 211-214 – trees in conservation areas</p> <p>Section 300 – Crown land disposal and TPOs</p> <p>Note: the Forestry Commission is a statutory consultee for Local Planning Authorities in the case of mineral site restoration and aftercare</p>
The Planning Compensation Act 1991	Part 1, sub-chapter 'Controls over particular matters' – Section 23 – substitutes Section 207 of the Act above concerning consequences of TPO removal
The Town & Country Planning (Trees) (England) Regulations 1999	These regulations make provision for the form of TPOs and applications to carry out work on them
The Planning & Compulsory Purchase Act 2004	Part 7, Chapter 1, sub-chapter 'Trees', sections 85 & 86 are substitutions for sections 200 & 211 of the 1990 Act concerning Crown activity featuring TPOs and trees in Conservation Areas
The Planning Act 2008	Part 9, Chapter 2, sub-chapter 'Trees', sections 192 & 193 amend sections 198, 199, 201, 202 and 203-205 of the 1990 Act relating to TPOs
The Town & Country Planning (Trees) (England) (Amendment) Regulations 2008	These 2008 regulations amend the 1990 Regulations to provide the use of the IAPP to apply for TPO consent
The Forestry Act 1967 (as amended)	<p>Part 1, Section 1 sets out the statutory basis of the Forestry Commission; Section 2 covers constitutional matters; Section 3 management of Forestry land of which Part 2 includes the legislative provision for tree-felling</p> <p>Note: wherever planning has been granted there is no immediate requirement for a felling licence for the purpose of undertaking the actual development</p>
The Climate Change Act, 2008	The world's first legally binding long-term framework to cut carbon emissions. It also creates a framework for adapting the UK to climate change, plus the role of trees to support such adaptation