

Trees and Landscape Supplementary Planning Document

Consultation Statement

Trees and Landscape Supplementary Planning Document – Consultation Statement

The Trees and Landscape Supplementary Planning Document has been prepared jointly by East Northamptonshire Council and the Borough Council of Wellingborough in accordance with the ***Town and Country Planning (Local Planning) (England) Regulations 2012 (SI 2012 No.767)***.

Regulation 12 (a) requires the preparation of a consultation statement before a local planning authority adopts a Supplementary Planning Document (SPD). The consultation statement must set out:

- The persons the local planning authority consulted when preparing the supplementary planning document;
- A summary of the main issues raised by those persons; and
- How those issues have been addressed in the supplementary planning document

Regulation 12 (b) and 35 set out further statutory requirements in respect of the consultation process. They require that:

- There is a consultation period of at least 4 weeks;
- Documents are available for inspection at the Council's principal office and at such other places as the local planning authority consider appropriate; and
- Documents are published on the local planning authority's website.

This document sets out how both Councils have complied with these requirements.

Consultation Period

The Consultation draft of the SPD was approved for consultation by the Planning Policy Committee of East Northamptonshire Council on 22 October 2012 and the Development Committee of the Borough Council of Wellingborough on 23 October 2012. There was a 6 week consultation period from the 9 November 2012 until 21 December 2012.

Availability of Consultation Documents

The documents were published on the websites of both Councils via the following addresses:

- www.wellingborough.gov.uk
- www.east-northamptonshire.gov.uk/consultations

Alternatively, hard copies were available to view during normal opening hours at:

- Libraries at Earls Barton, Finedon, Irchester, Wellingborough and Wollaston (opening times and other details are available from Northamptonshire County Council)
- Libraries at Oundle, Thrapston, Rushden, Higham Ferrers, Irthlingborough, Raunds and the mobile libraries (opening times and other details are available from Northamptonshire County Council)
- Customer Service Centre, Cedar Drive, Thrapston, NN14 4LZ (8.45am-5pm, Monday to Friday)
- Customer Services, Council Offices, Swanspool House, Doddington Road, Wellingborough NN8 1BP (Monday, Tuesday, Wednesday: 8.30am - 5pm, Thursday: 9.30am - 5pm, Friday: 8.30am - 4.30pm)

- Customer Service Centre, Newton Road, Rushden, NN10 0PT (9am-4.30pm, Monday to Friday)
- Customer Service Centre, 4 New Street, Oundle, PE8 4ED (10am – 1pm, Monday to Saturday)

Consultees

In addition to making the draft plan available the following bodies were consulted.

Organisation

Town Councils

Higham Ferrers Town Council
Oundle Town Council
Rushden Town Council

Irthlingborough Town Council
Raunds Town Council
Thrapston Town Council

Parish Councils

Great Addington
Aldwincle
Ashton
Benefield
Brigstock
Chelveston-cum-caldecott
Collyweston
Deene and Deenethorpe
Duddington with Fineshade
Fotheringhay
Hargrave
Hemmington, Luddington, Thurning
Kings Cliffe
Lilford-cum-wigsthorpe & Thorpe Achurch
Lutton
Newton Bromswold
Polebrook
Southwick
Sudborough
Titchmarsh
Wakerly
Woodford
Yarwell

Little Addington
Apethorpe
Barnwell
Blatherwycke
Bulwick
Clopton
Cotterstock
Denford
Easton on the Hill
Glaphorn
Harringworth
Islip
Laxton
Lowick and Slipton
Nassington
Pilton, Stoke Doyle and Wadenhoe
Ringstead
Stanwick
Tansor
Twywell
Warmington
Woodnewton

Bozeat
Easton Maudit
Finedon
Great Harrowden
Hardwick
Isham
Mears Ashby
Strixton
Wilby

Earls Barton
Ecton
Great Doddington
Grendon
Irchester
Little Harrowden
Orlingbury
Sywell
Wollaston

Other Statutory consultees

Northamptonshire County Council –
Planning
Pocket Parks Officer
Head of Countryside
Highways

Northamptonshire Police
North Northamptonshire Joint Planning Unit
Sport England
Anglian Water
Northamptonshire Wildlife Trust
Forestry Commission
Environment Agency
Natural England
English Heritage
National Planning Casework Unit

Local/interest organisations

Northamptonshire ACRE
Disability Rights Commission
CPRE
RSPB
Groundwork Northamptonshire
Rockingham Forest Trust
River Nene Regional Park
Burghley House Trust
National Trust
Woodland Trust
BTCV
Living Landscape Trust
Wellingborough and District Horticultural Society
North Northants Badgers Assoc
Farming and Wildlife Advisory Trust
Northampton Association for the blind
Ramblers Association
Nene Valley Association
National Trust of Allotments Gardeners
Country Land and Business Association
Composting Association

Responses

Responses to the consultation were received from:

- Collyweston Parish Council
- Easton on the Hill Parish Council
- Higham Town Council
- Nene Valley Nature Improvement Area – Natural Development Officer
- Oundle Town Council
- The Woodland Trust

- The Wildlife Trust for Bedfordshire, Cambridgeshire and Northamptonshire

Details of the responses received and how these are addressed in the SPD are included in Appendix 1.

APPENDIX 1.
Trees and Landscapes Supplementary Planning Document (SPD)
PUBLIC CONSULTATION REPORT
Statement under Regulation 12 (a)

Number	Name	Comment	Response	Action
General Comments				
	Nene Valley NIA, Natural Development Officer (Heather Webb)	While I am pleased to be able to offer my comments on the draft document I believe this consultation is a little premature and should not have been undertaken until the new North Northamptonshire Joint Core Spatial Strategy (CSS) is complete. The emerging CSS is much more detailed than the existing document and would provide a more robust policy context within which to evaluate the SPD.	Comments noted, however as the Trees and Landscapes SPD is intended to be a technical document, the status of the CSS is not considered to be relevant.	No action required.
	Nene Valley NIA, Natural Development Officer (Heather Webb)	I encourage the councils to consider including hedgerows in the Trees and Landscape SPD. Hedgerows provide similar habitat to and are often intimately associated with trees, and like trees their management is governed by special legislation. Hedgerows are also a key landscape feature and it might therefore make sense to include them in the policy as they relate to both its tree and landscape themes.	Reference to hedgerows and their importance and protection are already made in section 3 (page 11) of the SPD.	No action required.
	Higham Ferrers Town Council	The Town Council considered the consultation document at their recent meeting. The Town Council welcomes and supports this Supplementary Planning Guidance. It is clear and concise and meets the outcomes as detailed on page 9.	Comments noted.	No action required.
	Oundle Town Council	Oundle Town Council welcomes the guidance for developers that encourages the retention of existing landscape features and the establishment of green corridors. It agrees that it is vital that the green space in new developments must not just be the areas that are difficult to develop.	Comments noted.	No action required.

	The Wildlife Trust	We broadly welcome and support both the intention / purpose behind, and much of the content of, this particular proposed additional SPD information.	Comments noted.	No action required.
1.0 Introduction				
1.27 (pg 8-9)	The Wildlife Trust	For Paragraph 1.27, and specifically for the content of the Table therein shown at the top of Page 9, The Wildlife Trust recommends that you revise this Table of outcomes / objectives in such a way as to make specific references to priorities for biodiversity / ecological / wildlife matters.	Amend SPD	Expand table on page 9 to include a section on increased biodiversity and ecological value.
2.0 Landscape design for new developments				
2.8 Section 1 (pg 11)	The Wildlife Trust	The Biodiversity Opportunity Mapping dataset resource might also prove to be a useful reference source here as well. In addition, in respect of the need to not go planting new trees in inappropriate or unnecessary places, it might also be advisable to include a reference somewhere in this proposed SPD to the hierarchy of designated site areas, and other significant zones within the District areas of your two Local Authorities - things such as the international designation of the Upper Nene Valley Gravel Pits Special Protection Area (SPA), the national statutory Sites of Special Scientific Interest (SSSI), and the new Nene Valley Nature Improvement Area (NIA) on down to a more localised level.	Amend SPD	Add bullet point under section 3 (pg 11) to include advice concerning the wildlife designations found in the area.
2.8. Section 3 (pg 14)	Oundle Town Council	Oundle Town Council welcomes the emphasis on the importance of good landscaping to benefit all residents. However, in addition to the formal play areas outlined, consideration should be given to informal play space that presents imaginative play opportunities.	Amend SPD	Expand text in section 3 (pg 14) to additional bullet point on the use of imaginative and natural play spaces.

<p>2.8. Section 6 (pg 17)</p>	<p>The Wildlife Trust</p>	<p>The Wildlife Trust firmly believes that there may well typically be an opportunity for any soft landscaping associated with development schemes or other relevant projects to incorporate the planting of appropriate native species, of trees and shrubs.</p> <p>Therefore, any soft landscaping elements that it is intended to include within development proposals and other works / schemes should be provided for by the use of native species (of plants, shrubs and trees) only.</p> <p>Ideally, these species should be chosen as ones that are typical of that part of the county and they should all only be sourced from a local and a known provenance. These areas should be managed for the benefit of wildlife. This is becoming increasingly important in the emergence of such effects as the current spread of Ash Die-back Disease across the U.K.</p> <p>To be realistic and pragmatic, if a scheme cannot exclusively use native species only, then every effort should be made to ensure that the non-native / cultivated / exotic species that are finally selected and used on-the-ground have some benefit to local biodiversity - so, that is, a source of nectar / pollen / nuts / berries / seeds / etc. that can be used by local native species of birds and animals.</p>	<p>Comments noted, while the use of native plants is supported, it is often not practical to use such species as they do not have the qualities (being upright, having all year around interest, for example) required for some difficult planting locations.</p> <p>Using species of local provenance is always favoured; however this is not a realistic/viable option for many schemes.</p> <p>Amend SPD</p>	<p>Add bullet point under section 6 (pg 17) to recommend the use of native species of local province where practical.</p>
	<p>The Wildlife Trust</p>	<p>We would strongly recommend that you resist the temptation, both on your behalf and on the part of others too, to rush to plant new trees on an area of land that would in fact be better off being maintained / retained, created, and / or managed as a grassland or some other type of habitat area instead.</p> <p>Northamptonshire's Local Biodiversity Action Plan gives details and targets on locally important species and habitats (www.northamptonshirebiodiversity.org<http://www.northamptonshirebiodiversity.org>).</p>	<p>Amends SPD</p>	<p>Expand section 3 (pg13) to include reference to the importance of existing habitats on development sites.</p>

2.0	Woodland Trust	We strongly support the inclusion of trees and woodland as a key element in good landscape design. We also support the point made on page 11 that it important that landscape features are connected to each other to form a well integrated network of green infrastructure. As it says on page 13, it is important as well as creating new woodland as part of development to also incorporate existing trees, woods and other GI features.	Comments noted.	No action required.
2.0 Section 3 (pg 13)	Woodland Trust	We would like to see the document go further and say that removal of existing mature trees should be resisted wherever possible. 'Trees in Towns II' (CLG, 2008) highlighted the threats and evidence of loss of mature trees in urban areas and they should be safeguarded at all costs. Furthermore, apart from loss of other important values, it is contrary to climate change mitigation efforts - as mature trees are far more effective than young trees and it is therefore vital to retain all the mature trees in the heart of towns and cities.	Amend SPD	Expand text in Section 3 (Trees and development) to strengthen desire to retain trees.
2.8 Section 5 (pg 15)	Woodland Trust	<p>We agree with the comment on page 15 (second and third bullet point) that trees can improve the feel of a street and even bring about an increase in house prices. You also rightly point out that trees can be important in creating shade, which can be of benefit to people in urban areas and to livestock in more rural locations. You could also add a reference to the benefits of trees in enhancing air quality: the Woodland Trust has recently produced a report on this subject which is available on our website at www.woodlandtrust.org.uk/publications</p> <p>With reference to species choice for planting (second bullet point on page 17), we believe that Wherever possible the choice of species should be chosen to enhance biodiversity and cultural heritage as a priority. Opportunities should be actively sought to find and modify suitable locations and find design solutions for such trees e.g. when considering highway alterations (e.g. road closures, or traffic calming measures or pedestrianisation schemes).</p>	<p>Amend SPD.</p> <p>Amend SPD</p>	<p>Expand text on page 15 to include details of the importance of trees to air quality and climate change</p> <p>Add bullet point under section 6 (pg 17) to recommend the use of native species of local provenance where practical.</p>

2.10 (pg 18)	Collywest on Parish Council	<p>The Council has considered this consultation and finds it to be reasonably robust.</p> <p>However, it is the Council's experience that developers who retain or plant new trees, shrubs and hedging as part of their development plan do not make adequate provision for maintenance afterwards.</p> <p>Therefore, the Council would like a new bullet point marked 2.10 on page 18 to be included as follows:-</p> <p>Lack of protected/assigned resources for ongoing care Unless financial and/or legal provision for the long term care of landscaping is agreed at planning consent stage, even the best planned schemes may die through lack of plant care.</p>	Amend SPD	Expand text on page 18 to include reference to include lack of aftercare.
2.10 (pg 18)	Oundle Town Council	<p>Oundle Town Council welcomes the requirement for robust management plans for the maintenance of landscape features. We note the guidance in 2.10 that good ground preparation is essential. We have first hand knowledge of a development where this was a major problem with ongoing maintenance issues and would be interested to know how this preparation can be monitored during the construction phase of a new development?</p>	<p>Comments noted, details of the preparation of planting areas are often required as part of landscape maintenance plans. However, once planting has been put in place, it is often not possible or practical to replant areas if poor soil has not been ameliorated.</p>	No action required.
2.10 (pg 18)	The Wildlife Trust	<p>With reference to Page 18, and the sub-heading of "Maintenance of landscape", and specifically the content of Paragraphs 2.12 and 2.13, whilst in agreement with much of these statements, we would strongly recommend two additional things :</p> <ul style="list-style-type: none"> • In our view, landscaped areas (either retained / enhanced, or newly-created, and then managed into the future) in association with the delivery of a development scheme or other similar hard-infrastructure project, should be managed in perpetuity - or at least for as long as the development scheme remains in operation / in use. <p>In addition to identifying just who is going to be responsible for delivering the actual management input of a given landscaped area into the future, we are of the opinion that the on-going annual sum of money needed to meet these 'running-costs' must also be identified and a mechanism of securing the committed provision of such funds is agreed in a binding</p>	<p>Comments noted, however it would not be possible to enforce the maintenance of landscaping for the life of a site due to the long time scales involved.</p> <p>Responsibilities for maintenance of landscaped areas are already highlighted in the management plans and contributions for such areas may be addressed by CIL or s.106 contributions where required</p>	No action required.

		sense.		
3.0 Trees and development				
3.0	Nene Valley NIA, Natural Development Officer (Heather Webb)	<p>Overall I do not think that section 3 as currently written is sufficient to achieve the SPD objectives to:</p> <ul style="list-style-type: none"> • <i>Ensure that adequate provision for the protection (of) trees on and near developments (sic) sites is made, and that the guidance contained within British Standard 5837:2012 (Trees and development) is followed appropriately, and</i> • <i>Set out the requirements of the Councils when submitting a planning applications (sic) for sites where trees are a material consideration.</i> <p>If the Councils require that applicants follow British Standard (BS) 5837:2012 this should be stated clearly at the beginning of section 3. The text instead describes how the Standard 'provides clear guidance' and 'is used by the Council'. This kind of wording is not assertive enough to fulfil the first of the SPD objectives above. It gives the impression that following the Standard is optional rather than required.</p>	<p>Comments noted, however as the British Standard is not statutory legislation, only limited strengthening of its requirements can be added.</p> <p>However the Council local requirements when submitting a planning application requires the submission of the BS5837 documents.</p> <p>Amend SPD</p>	Amend text under 3.4 (pg 20) to strengthen requirements of BS5837.
3.0	Easton on the Hill Parish Council	<p>The Councillors read the document with interest as it was felt that it was very desirable that trees and greenery should be retained on development sites as they improve the look of the area and also the quality of life of the future residents. However, they would require protection during the building process. It would also aid the environment.</p> <p>Developers should be encouraged to leave trees on the site already and this should be part of the planning process. A problem which concerned them was ensuring that the maintenance of these trees is carried out and the responsibility for this is made definite and enforced if necessary in the future. Whether it should be the Council or the builder is a difficult consideration. A further concern was that the the SPD will increase the</p>	<p>Comments noted. With regards to the cost of following the British Standard and putting in place appropriate tree protection, the applicant should already be following the guidance contained in previous versions of the BS, and it is envisaged that any associated build costs would have remained the same.</p>	No action required.

		requirements on builders and therefore the cost.		
3.1	Woodland Trust	Para 3.1 makes reference to the importance of ancient woodland but we would like to see the SPD go further and specify that ancient woodland should not be lost to development or damaged in any circumstances. Ancient woodland is an irreplaceable habitat and thus is deserving of absolute protection. We would also like to be consulted about any planning application which could damage or destroy any ancient woodland.	Given their importance, a presumption against the loss of ancient woodland already exists within the British Standard. Amend SPD	Expand text in 3.9 to include reference to ancient and veteran trees. Include relevant terms in glossary section
3.4 - 3.6	The Wildlife Trust	With reference to the section of this SPD starting on Page 20 that deals with BS5387, please note that, in The Wildlife Trust's view, an assessment made against BS5837 only actually provides one part of the overall picture that is needed to be able to make a fully-informed decision about the fate of an individual tree. What about considering a tree's potential as a host for invertebrates, lichen, fungi and plants? What about a consideration of the value that both standing and fallen deadwood can add to the biodiversity resource of a local area? What about a consideration of the products of any tree removal that might ultimately prove to be necessary, being retained on-site to create habitat piles and hibernacula? As a tree's general health and condition deteriorates with age, its value to wildlife and conservation will increase.	Amend SPD	Expand text under 3.21 (pg 23) to include benefits of tree based habitats.
3.7 - 3.9	The Wildlife Trust	On the general topic of "Tree Survey", as included at the top of Page 21, we strongly recommend that you must include something here that highlights the requirement for any works at all that might have an impact upon a tree, or trees, to be informed in advance by an appropriate investigation - carried out at the correct time / season of the year by a suitably-qualified and experienced person - for the bat and / or bird presence or potential too. This requirement can be expanded to cover a need to make prior provision / checks in respect of the possible presence of all relevant Protected Species matters.	BS 5837:2012 itself, does already make reference to the other benefits of trees and additional surveys that may need to be undertaken, however this can be further highlighted in the SPD. Amend SPD	Expand text in section 3.7 – 3.9 to include details of habitat surveys where appropriate.

3.10	Woodland Trust	<p>We agree strongly with the commitment to tree retention in para 3.10 and the proposal to require drawing up of a Tree Retention Plan. If a tree does show signs of disease, then it should be monitored carefully, action taken to remove affected parts. In all cases the council should aim for retrenchment pruning rather than felling.</p> <p>Many of the trees in our towns and cities are stressed and the council should be ensuring that the roots of trees are cared for as well as possible in order that the tree is able to respond as effectively as possible to other pressures.</p> <p>We would like to see the SPD go further and specify that more trees should be planted than those removed with a view to bringing about a significant and sustainable increase in the tree population and in tree canopy cover.</p> <p>We believe that the council should commit to planting more trees than it removes as it will increase the chances that more trees will grow to maturity. These replacements might be planted in other locations so that they enhance the environment at a landscape scale.</p> <p>The Council has a duty to secure adequate planting of new trees as part of development. The Woodland Trust would wish to see LPAs maximise the opportunities for the establishment of trees because of the long term benefits that they will bring to the owners and to the wider community.</p>	<p>While comments on the benefits of retrenchment pruning are noted, decisions on tree management need to be made on an individual basis, rather than adopting one pruning strategy for all sites / trees.</p> <p>Comments noted. The importance of root protection is already covered in sections 3.3 and 3.11 -3.14 covered noted.</p> <p>Comments surrounding the planting of new trees and woodlands are noted and new planting is required on the majority of sites, however the main thrust of the document is to cover the requirements of BS5837:2012. The Landscape section of the SPD does have the capacity to further highlight the importance of tree planting.</p> <p>Amend SPD.</p>	<p>No action required.</p> <p>No action required.</p> <p>Expand text under section 3, page 13, to include reference to increased tree planting.</p> <p>No action required.</p>
	Nene Valley NIA, Natural Development Officer (Heather Webb)	<p>Additional Council requirements are not well articulated and the document is more descriptive than prescriptive. As such I believe it fails to meet the second objective. Paragraphs 3.19 – 3.21 provide some guidance on tree retention. However the section is titled ‘Designing with trees’ and yet says nothing about tree planting. I would expect a ‘designing with trees’ section to outline council policy on topics like:</p> <ul style="list-style-type: none"> • Number of trees which must be provided in new development, and 	<p>Comments noted, however paragraphs 3.19 – 3.21 are intended as a guide to appropriate site design around existing trees rather than actual planting design (which is covered under section 2 of the SPD)</p>	<p>Add bullet point under section 6 (pg 17) to recommend the use of native species of local provenance where practical.</p>

		<p>whether this provision must be within the development envelope</p> <ul style="list-style-type: none"> • Quality standards for new tree provision • When and what type of street trees are/are not required <p>Use of native tree species.</p>	<p>It is considered that to enforce a number based policy on tree planting reflects an extremely prescriptive approach, which would result in inappropriate planting in some areas.</p> <p>Amend SPD to include native tree reference</p>	
Appendices				
2.0	The Wildlife Trust	<p>For Appendix 2 of this SPD, on the subject of "Landscape Management Plans", The Wildlife Trust strongly recommends that on certain occasions, and in certain circumstances, where appropriate and necessary, these Management Plans will require to be just not about landscape and a 'maintenance' type of approach, they will also need to incorporate elements of, and have a distinct emphasis towards, being a true Ecological Management Plan as well; with all of the management prescriptions and monitoring programme requirements that such an approach requires.</p>	Amend SPD	<p>Expand text in Appendix 2 to include reference to the possible requirements for habitat maintenance as part of some landscape maintenance plans.</p>