



East  
Northamptonshire  
Council

## Planning Policy Committee – 13 February 2013

### Adoption of Trees and Landscapes Supplementary Planning Document

#### Purpose of report

The purpose of this report is to highlight the responses received to the public consultation and to seek Members' approval to adopt the Trees and Landscapes Supplementary Planning Document.

#### Attachment(s)

Appendix 1 – Trees and Landscapes Supplementary Planning Document – Public participation statement under Regulation 12(a).

Appendix 2 – Trees and Landscapes Supplementary Planning Document with post consultation amendments.

#### 1.0 Introduction

- 1.1 Having highlighted similar issues surrounding trees and landscapes that arise as part of the planning process, this Supplementary Planning Document, (known as the "Trees and Landscapes SPD") has been prepared jointly by East Northamptonshire Council and the Borough Council of Wellingborough, with the intention of having consistent advice on tree and landscape matters across the two districts.
- 1.2 The Trees and Landscapes SPD (Consultation Draft) was presented to East Northamptonshire Council's Planning Policy Committee on 22 October 2012, and the Borough Council of Wellingborough's Development Committee on 23 October 2012. Both Committees gave approval for the SPD to be published for statutory public consultation.

#### 2.0 Statutory consultation (9 November 2012 – 21 December 2012)

- 2.1 The Trees and Landscapes SPD (Consultation Draft) was published for a 6 week consultation period between 9 November 2012 and 21 December 2012.
- 2.2 A total of 104 bodies were specifically consulted, including all of the Town and Parish Councils within the Borough of Wellingborough and East Northamptonshire. In addition, a further 35 government, national and local organisations were consulted.
- 2.3 Copies of the Consultation Draft were deposited for viewing at the Council offices at Wellingborough, Thrapston, Oundle and Rushden and all libraries within the two districts, including the mobile library service.
- 2.4 A statutory notice, giving details of the consultation, was also placed in the Nene Valley News on 24 November 2012. The document and relevant consultation documents have also been available to view on the Council's website during the 6 week time frame.

#### 3.0 Representations received

- 3.1 Of the 104 individual bodies consulted, 7 responses were received. The majority of the

comments supported, in principle, the preparation of the Trees and Landscapes SPD.

3.2 The comments received in relation to the SPD broadly related to:

- Landscape maintenance issues, e.g. maintenance periods, responsibilities, maintenance for habitat areas and contributions for maintenance.
- Planting issues, predominantly proposing the inclusion of information on the use of native species of local provenance, and / or those species which also have wildlife benefits.
- The inclusion of guidance on the protection of hedgerows.
- The inclusion of information on local (county wide) wildlife designations.
- Tree related issues, mainly highlighting possible limitations of BS5837:2012 and highlighting the benefits of trees in the built environment.

#### **4.0 Public participation statement under Regulation 12(a)**

4.1 The statutory public participation statement is set out in **Appendix 1**. This has been prepared in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 (Regulation 12(a)) and contains the following:

- Public participation statement under Regulation 12(a), including details of consultees;
- Summary of representations, including the Council's response and actions arising (Annex 1);

4.4 Overall, Appendix 1 has been prepared in order to fulfil the Council's statutory obligations under the new Town and Country Planning (Local Planning) (England) Regulations 2012. Representations and the issues raised have been considered in accordance with the requirements of Regulation 12(a). Annex 1 to Appendix 1 explains the Council's response in respect of each representation and details the areas of the SPD which are to be amended.

#### **5.0 The next stages**

5.1 The majority of comments received through the statutory (Regulation 12(a)) consultation have been positively made. It is intended, through the Regulation 12(a) Statement (Appendix 1), to use these to clarify or improve upon the Trees and Landscapes SPD Consultation Draft.

5.2 It is proposed that the next stages in the preparation of this document is the adoption of this SPD by the agreement of the Planning Policy Committee.

5.3 This SPD will also be considered for adoption by the Borough Council of Wellingborough at their Development Committee in late February 2013. Following this, and subject to no adverse comments being made by either Council Committee, this SPD will be finalised and published.

#### **6.0 Conclusion**

6.1 This report is presented to Members in order to formally request that the Trees and Landscapes SPD be adopted by the Planning Policy Committee (on behalf of the Council). It is requested that the SPD be adopted, subject to the amendments proposed in Appendix 1 (Annex 1), and as per the process set out in paragraph 5.2 and 5.3 above.

#### **7.0 Equality and Diversity Implications**

7.1 There are no equality and diversity implications.

## 8.0 Legal Implications

8.1 There are no legal implications, provided that the statutory processes set out in the Town and Country Planning (Local Planning) (England) Regulations 2012 have been appropriately complied with.

## 9.0 Risk Management

9.1 The Trees and Landscapes SPD is intended to enhance the adopted planning policy framework through providing more detailed design guidance in relation to tree and landscape matters. It expands upon existing working practices and does not present any significant risk.

## 10.0 Financial Implications

10.1 None.

## 11.0 Corporate Outcomes

11.1 The relevant Corporate Outcomes are:

- Improvements for the community: Sustainable
- Effective processes: effective partnership working, strong community leadership

## 12.0 Recommendations

12.1 It is recommended that the Committee adopt the Trees and Landscapes SPD, subject to all amendments being made.

*(Reason – to assist in providing consistent advice in relation to tree and landscape matters that arise as part of the planning process, and to help create more attractive and sustainable developments, with associated benefits, throughout the district.)*

<b>Legal</b>	Power: <b>Planning and Compulsory Purchase Act 2004; Town and Country Planning (Local Planning) (England) Regulations 2012 (Statutory Instrument 2012 No. 767)</b>				
	Other considerations: None				
<b>Background Papers:</b> Planning Policy Committee – 23 October 2012					
<b>Person Originating Report:</b>		Tamsin Dennis (Conservation Officer) Tel: 01832 742148			
<b>Date: 29 January 2013</b>					
<b>CFO</b>		<b>MO</b>		<b>CX</b>	

(Committee Report Normal Rev. 22)