The District Council has duties and responsibilities under the Town and Country Planning Act, Government Regulations and Circulars to protect trees within its administrative area in the interest of amenity. These duties and responsibilities extend to making Tree Preservation Orders (which in general makes it an offence to cut down, uproot or prune a tree on your property you must give the Council six weeks’ written notice before carrying out any work. The Council’s Arboricultural Officer will assess whether the proposed work can be carried out and will use the following criteria:

- Will the works have a detrimental landscape impact within the conservation area?
- Are the works justified on grounds of condition etc?
- If refusal is considered, is the tree of sufficient quality and public amenity value to be protected by a Tree Preservation Order?

There is a register of works to conservation area and TPO protected trees published on our website within the Council’s weekly register of Planning Applications and Decisions.

For further information, please contact the Trees and Woodlands section on 01727 819363 or email treesandwoodlands@stalbans.gov.uk.

Asking for a tree to be protected
If an important tree is believed to be under threat – from neglect or because of development nearby, for instance – a request can be made to the Arboricultural Officer for a preservation order to be placed on the tree(s).
Please provide the following information:

- the address where the tree is to be found;
- the exact location of the tree within the property;
- any information about the type/size of the tree;
- the reason(s) why the tree is believed to be at risk.

The Arboricultural Officer will carry out a tree survey and inspection. This will include a life expectancy and amenity evaluation, placing a value on the tree as an environmental asset. There is no charge for this.

How is a TPO made?
After the tree has been inspected, the Council will decide if a preservation order should be made. If an order is made, notices are served on the owner of the land and the adjoining landowners if tree canopies overhang across their boundary.

Objecting to a TPO
If the order relates to a tree on your property, an objection must be made within 28 days of receipt. If this happens, the proposed order and objection are referred to the relevant area Planning Committee, which you can attend. Representations to the Planning Committee can be made at the discretion of the Committee chairman.

If the Committee decides to approve the order, there is no right to further appeal to the Council. Aggrieved parties can make an application to the High Court if they believe:

- the TPO is not within the powers of the Town and Country Planning Act 1990;
- the requirements of the 1990 Act or Town and Country (Trees) Planning Regulations 1999 have not been complied with in relation to the Order.

For a full explanation of your rights in such cases please contact the Arboricultural Officer on 01727 819363 or email at: treesandwoodlands@stalbans.gov.uk.

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