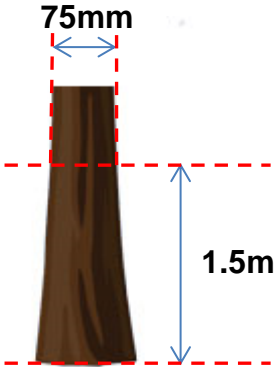


## Frequently asked Questions

What are the **differences** between a tree protected by a TPO and a tree within a conservation area?

	TPO	Conservation Area
What is Protected?	<p>Trees can be protected by different designations</p> <p>An individual tree ( T ) – the species will be identified – common names are usually used</p> <p>A group ( G ) – usually the number of trees and of which species are identified</p> <p>An area ( A ) – often known as a blanket Order and only covers trees which were present at the time that the order was made.</p> <p>A woodland ( W ) – often refers to mixed/ deciduous or coniferous (evergreen ). This designation covers all trees including regeneration</p>	<p>All trees over 75mm in trunk diameter when measured at 1.5m above ground level are protected.</p> 
What is needed to undertake works or felling	<ul style="list-style-type: none"> <li>• An application for works is required – one standard form must be used</li> <li>• The work description must be accurate and concise to enable the application to be validated</li> <li>• Specific reasons for the works must be provided to enable the application to be validated</li> <li>• Supporting documentation may be necessary depending on the reasons for the work.</li> </ul>	<ul style="list-style-type: none"> <li>• 6 weeks notice is required for works – no particular form is necessary</li> <li>• Submitting reasons for the works are not obligatory but are considered good practice to inform interested parties ( public, Town and Parish Councils and Local Planning Authority)</li> <li>• Notifications can not be invalidated, however, the Council can seek clarification if notices are vague.</li> </ul>
The Council's response	<ul style="list-style-type: none"> <li>• A decision must be issued within 8 weeks</li> <li>• Deemed <b>refusal</b> if no decision issued unless an extension of time has been agreed.</li> </ul>	<ul style="list-style-type: none"> <li>• Deemed <b>no objection</b> after 6 weeks if no Tree Preservation Order is made.</li> <li>• The Local Planning Authority is only able to provide one of two responses which are to either raise no objection or make a Tree</li> </ul>

	<ul style="list-style-type: none"> <li>• An application can be refused, consented or a split decision can be issued</li> <li>• Conditions can be attached to a consent eg replacement planting, quality of workmanship</li> </ul>	<p>Preservation Order.</p> <ul style="list-style-type: none"> <li>• No conditions can be applied</li> </ul>
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What are the **similarities** between a tree protected by a TPO and a tree within a conservation area?

- The same offences apply if works or tree felling is undertaken when no application or six weeks notice has been submitted
- The same exemptions apply. 5 days notice should be provided to the Local Planning Authority to attend to remove dead or dangerous trees. Work undertaken by public utilities or to remove an obstruction from a public highway are exempt, however utility companies are encouraged to notify the Local Planning Authority of works. Actively managed hedges are exempt too but if they are within a conservation area and have not been managed and appear as a row of trees then a notification should be sent if they are to be removed or management commenced.
- The work proposals are valid for two years from the decision notice for both.

Back to main pages:

<http://www.bathnes.gov.uk/services/environment/trees-and-woodlands/tree-preservation-orders>

<http://www.bathnes.gov.uk/services/environment/trees-and-woodlands/trees-conservation-areas>