### Frequently asked Questions

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

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<th>What is Protected?</th>
<th>TPO</th>
<th>Conservation Area</th>
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<tbody>
<tr>
<td>Trees can be protected by different designations</td>
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<td>All trees over 75mm in trunk diameter when measured at 1.5m above ground level are protected.</td>
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<td>An individual tree (T) – the species will be identified – common names are usually used</td>
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<td>A group (G) – usually the number of trees and of which species are identified</td>
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<td>An area (A) – often known as a blanket Order and only covers trees which were present at the time that the order was made.</td>
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<td>A woodland (W) – often refers to mixed/deciduous or coniferous (evergreen). This designation covers all trees including regeneration</td>
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**What is needed to undertake works or felling**

- An application for works is required – one standard form must be used
- The work description must be accurate and concise to enable the application to be validated
- Specific reasons for the works must be provided to enable the application to be validated
- Supporting documentation may be necessary depending on the reasons for the work.

- 6 weeks notice is required for works – no particular form is necessary
- 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)
- Notifications can not be invalidated, however, the Council can seek clarification if notices are vague.

**The Council’s response**

- A decision must be issued within 8 weeks
- Deemed refusal if no decision issued unless an extension of time has been agreed.

- Deemed **no objection** after 6 weeks if no Tree Preservation Order is made.
- The Local Planning Authority is only able to provide one of two responses which are to either raise no objection or make a Tree
An application can be refused, consented or a split decision can be issued. Conditions can be attached to a consent eg replacement planting, quality of workmanship.

Preservation Order.

- No conditions can be applied

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/trees-conservation-areas