

Tree Protection Order (TPO) – Survey and Decision Assessment

Cadastre ref		Date of Assessment	
Address			
Owners address (if different)			
Adjacent affected properties			
Adjacent affected roads			
Potential Type(s) of TPO	<input type="checkbox"/> Individual	<input type="checkbox"/> Group	<input type="checkbox"/> Area

INITIATION

- Identified as TPO candidate because of:

<input type="checkbox"/>	Reviewing existing “protected trees” from previous legislation which have been refused felling consent
<input type="checkbox"/>	Pre-Application, Planning Application, Development Framework
<input type="checkbox"/>	Proposed tree work
<input type="checkbox"/>	Strategic inspection (in SSS, Conservation Area, etc)
<input type="checkbox"/>	Other

- Notified (including immediate threat of felling/lopping) by:

<input type="checkbox"/>	Public
<input type="checkbox"/>	Arborist
<input type="checkbox"/>	Planning Officer
<input type="checkbox"/>	States Member, Constable, Douzaineer
<input type="checkbox"/>	Other

DESKTOP STUDY

- Is the tree visible from public land (e.g. street, road, lane etc)? Note: it may not be possible to answer this question from a desk-top, in which case tick unknown.

Yes	
No	If no then a TPO is not justified unless there are compelling 'other reasons'
Unknown	

- Any history of tree felling/lopping applications on this land?

Yes/No	
Proposed work	
Decision	

- Any existing TPOs on this or adjacent sites/land?

Yes/no	
Details:	

- Is the tree(s) within a Conservation Area or within the curtilage of a protected Building or Protected Monument?

Yes/no	
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- Does the tree(s) form part of an play area?

Yes/no	
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- Any designated nature conservation interests (e.g. SSS, ABI) on/adjacent to the site?

Yes/no	
Details:	

- Relevant planning history (including current applications/exempt works)

Details:	
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Summary.

Is the tree likely to contribute to public amenity? YES / NO / UNKNOWN

Note: if yes or unknown then a site survey is necessary. If no, then all parties must be informed that a TPO will not be progressed.

SITE SURVEY

This part of the assessment should be made by a suitably qualified person (such as an arborist). Only in exceptional circumstances should a non-suitably qualified person undertake an amenity assessment. Appendix A provide a standard form for survey notes.

1. Public visibility

Is the entire tree/s or part of the tree/s visible from a public highway, right of way, public open space or large number of occupied dwellings, or have the potential to do so?

YES/NO

Note: Consideration should also be given for those trees where a likely change of ownership or land use may increase visibility. If NO then TPO will not be appropriate unless 'Other Factors' apply.

Reason(s):

2. Individual impact

- a) **Condition:** Is the tree/s of good or typical condition and form for the species with no hazardous irremediable defects? **YES/NO**

Reason(s):

- b) **Retention span:** Is the future life expectancy of the tree/s likely to exceed 10 years? **YES/NO**

Note: Consideration should also be given to any existing or foreseeable near future nuisance and for trees clearly outgrowing their context or significantly affecting the development of better quality trees.

Reason(s):

- c) **Local importance:** Is the tree/s of a size, or have the potential to reach a size, that removal or other actions would result in a significant negative effect on the visual amenities of the immediate local area? **YES/NO**

Reason(s):

3. Wider Impact

Would removal or other actions have a significant detrimental effect on the amenities of the wider local surroundings or landscape character? **YES/NO**

Note: Consideration should be given to the presence of or lack of other prominent trees in the area and the suitability of the tree to its setting.

Reason(s):

4. Biodiversity and Ecology.

- a) Does the tree form part of or is adjacent to a site designated for biodiversity or ecology (eg SSS, ABI)? **YES/NO**
- b) Does the tree contribute to the local biodiversity or ecology? **YES/NO**

Reason(s):

5. Other factors:

Note: the below factors will usually contribute to the public amenity, but they can be enough alone to warrant a TPO

- a) Does the tree control pollution? **YES/NO**
- b) Does the tree provide shade or shelter? **YES/NO**
- c) Does the tree(s) have veteran or ancient status or is the tree(s) rare or very unusual? **YES/NO**
- d) Does the tree form part of the special interest or the setting of a Protected Building or Protected Monument and/or is a feature in a Conservation Area? **YES/NO**
- e) Does the tree(s) contribute to an approved States strategy, resolution, plan or equivalent **YES/NO**
- f) Does the tree(s) provide screening for privacy or an eyesore (which may or may not be part of a planning condition) **YES/NO**
- g) Does the tree(s) contribute to mitigating climate change **YES/NO**
- h) Do the tree(s) form a structural component of soil erosion or soil stabilisation effect? **YES/NO**
- i) Does the tree(s) form an active part of children's play? **YES/NO**

If yes to any of the above, give reason(s) below

EXPEDIENCY

1. Risk to the Tree(s).

- a) Is the tree/s under best practice proactive arboricultural or forestry management that is likely to continue? **YES/NO**

If yes TPO is unlikely to be necessary unless b) applies.

- b) Will any amenity provided by the tree/ will be threatened by removal or other actions? Or is the tree/s of sufficient importance to public amenity that a precautionary TPO is needed without a proven identifiable threat being present? **YES/NO**

Note: Consideration should be given to both present and future threats, including the possibility of future changes of property ownership or management and development pressure.

- c) Is the amenity of the tree(s) threatened by development pressure such as a Development Framework, pre-application inquiry or planning application. **YES/NO**.

Note: If no, a TPO should not be made unless any other reasons within this part of the assessment apply.

2. Condition of the Tree(s). Is the tree dead, dying or presenting a danger to the public? Or does the tree(s) have a lifespan of less than 10 years? **YES/NO**

Note: If yes, then a TPO is not expedient, unless the tree(s) form part of a Group, Area or Woodland TPO.

3. Tree(s) on States Owned/Managed Land. Is the tree on land owned and/or managed by the States of Guernsey? **YES/NO**

Note: if yes, it will not be expedient to protect the tree(s) unless the land is to be sold with development potential; or the land (or any adjacent land which include the tree roots) is subject to development pressure.

4. Tree(s) Subject to a Condition on a Planning Application. Is the tree(s) subject to a planning condition? **YES/NO**

Note: If yes it may be expedient to protect such trees where other factors apply (see Amenity Assessment above).

5. Tree(s) within Sites of Special Significance (SSS). Is the tree(s) within Sites of Special Significance (SSS). **YES/NO**

Note: SSS's are shown on the Proposals Map of the Island Development Plan (or any subsequent Development Plan or Subject Plan). If yes a TPO should not be made if the tree(s) contributes to the special interest of the SSS.

6. Extant Full Planning Permission. Is tree within the curtilage of a property, or adjacent to a property which has extant full planning permission? **YES/NO**

Note: if yes and protecting the tree will prevent implementation of that permission then a TPO should not be made.

7. Exemptions. Could the tree(s) be cut down or removed in accordance with Class 7 of the of the Land Planning and Development (Exemptions) Ordinance, 2007 including any updates to this Ordinance? **YES/NO**

Note: If yes a TPO should not be made.

Summary and Recommendation.

Does the tree provide public amenity? **YES/NO**

Is it expedient to Protect the tree(s)? **YES/NO**

Note:

- *If a tree does not provide public amenity, then a TPO should not be made*
- *If the tree(s) provide public amenity and it is expedient to protect them, then a TPO should be made*
- *If a tree(s) provide public amenity, but it is not expedient to protect it, then a TPO should NOT be made.*

Is a TPO recommended? **YES/NO**

Recommended Type of TPO [delete as necessary] Individual Group Area Woodland

Note: See a Tree Protection orders in Guernsey (August 2021) for guidance on the most appropriate type of TPO. A single TP can include a combination of the above.

Appendix A. Site Survey Form

SPECIES

Identify species

	Deciduous		Evergreen
	Broadleaved		Coniferous

SIZE

Height

Stem diameter at 1.5m

	Very small (less than 5m)		Very small (less than 50mm)
	Small (5 – 8m)		Small (50 – 200mm)
	Medium (8 – 15m)		Medium (200 – 500mm)
	Large (15 – 20m)		Large (500 – 1000mm)
	Very large (more than 20m)		Very large (More than 1000mm)

CONDITION & SAFETY

- Physiological condition of tree (remove from consideration if dead)

	good		fair		poor		dead
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- Potential remaining lifespan in years (Remove from consideration if less than 10, except in special circumstances)

	less than 10		10 – 20		20 – 40		More than 40
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- Structural condition/Safety

	Does the tree have any hazardous conditions?
	If so could it be made safe by taking reasonable steps? (If not, remove from consideration)
	Has tree been subject to injurious pruning/pollarding in past?
	If so, is this likely to make the tree irretrievably hazardous in the future? (If yes, remove from consideration)
	Is the tree in irretrievable conflict with significant buildings (If yes, remove from consideration)

CONTRIBUTION TO AMENITY

- Does the tree make a contribution as a feature and/or visually enhance the locality?

	Significant (including trees of exceptional form, especially if rare or unusual)
	Minor
	Screens/reduces impact of unattractive features
	None

- Does the tree make a contribution to the underlying landscape character type of the locality?

	Significant
	Minor
	None
	Detracts from landscape character (Remove from consideration?)

- Does the tree relate to other trees?

	As a principal component of an arboricultural feature
	As part of a cohesive tree group
	Plantings of special historic/commemorative importance
	Other

- Is the tree an irremediable nuisance to any adjacent properties?

	Significant (Remove from consideration unless the tree has exceptional other qualities)
	Minor
	No

Include photographs of the tree(s) together with measures to accurately locate the tree(s).