



WEST OXFORDSHIRE
DISTRICT COUNCIL

Information sheet: Trees in conservation areas

Conservation areas are places of architectural or historic interest the character or appearance of which it is desirable to preserve or enhance.

Many of the historic towns and villages in West Oxfordshire have a distinctive character that is worthy of special protection and have been designated as conservation areas.

Whilst most of the legal implications of living in a conservation area relate to buildings and development, the Town and Country Planning Act 1990 makes special provision for trees in conservation areas.

Anyone proposing to cut down or carry out work to a tree in a conservation area is required by law to give us **six weeks prior notice**.

This gives the District Council the opportunity to consider whether a tree preservation order (TPO) should be made in respect of the tree or trees.

Giving notice

It is essential that you plan ahead if you intend to carry out work to trees as we must be given six weeks notice. Notification must be in writing, precisely and clearly describe the work proposed and include sufficient information to identify the location of the tree(s). A notification form is available from our planning team or online at www.westoxon.gov.uk

Using the form should ensure that you provide the information necessary to enable your application to be dealt with as quickly as possible. You will receive a written reply before the end of the six week period.

Exemptions from the need to give notice

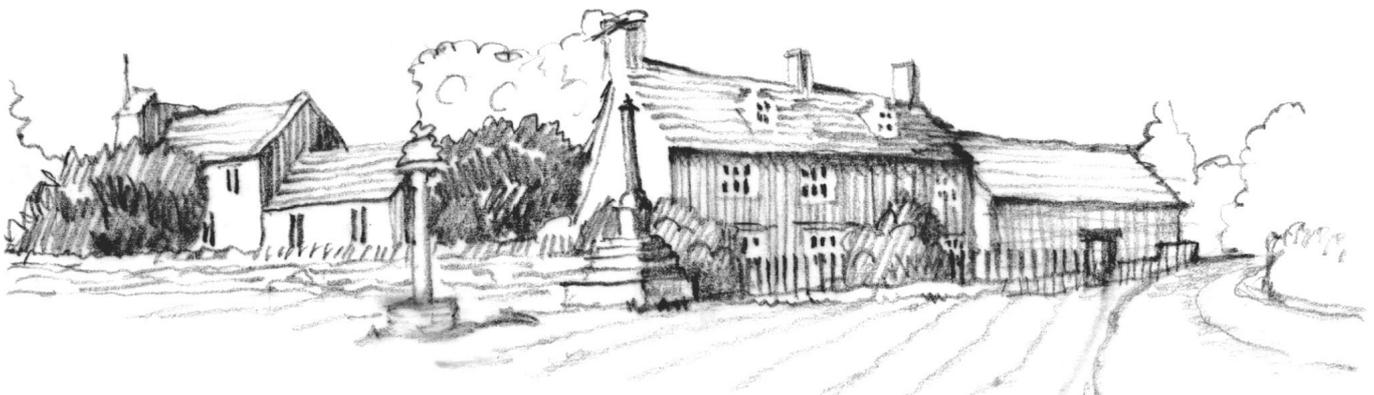
There are a number of exemptions and the most common ones are given below.

You do not have to give six weeks notice for:

1. Work on a tree with a diameter less than 75mm (or 100mm if cutting down trees to improve the growth of other trees ie. thinning operations). The diameter as measured at 1.5m above ground level.

In the case of multi-stemmed trees, the exemption only applies if the diameters of all stems are less than 75mm or 100mm, as the case maybe.

2. Cutting down trees in accordance with a felling licence granted by the Forestry Commission or a plan of operations approved by the Commission under one of its grant schemes.
3. Cutting or removing garden hedges (unless there are specific planning conditions relating to your property).
4. Cutting or removing garden shrubs.
5. Work so far as is necessary to implement a planning permission.



Dead or dangerous trees

There are also exemptions from the need to give us six weeks notice before cutting down or carrying out work to trees that are dead or have become dangerous.

However, the law is quite complex. Determining whether a tree falls within the scope of the exemptions is not always a straightforward matter. If you are in any doubt please contact our planning services team prior to carrying out work.

Removing dead branches from a living tree(s):

- No notice required.

Works to trees that are 'dying':

- Six weeks notice must be given.

Work to a tree that is dead or has become dangerous:

- Five days written notice must be given unless it has become so dangerous that it requires immediate action.

In this case, please inform the District Council of the work as soon as possible. Work to trees that are considered to be dangerous can take place without the need to give notice but only when they are urgently necessary to remove an immediate risk of serious harm. For example cutting of a dangerous branch. Any additional works that are not urgently necessary can be done but need to be agreed in writing by the District Council before any works can be undertaken.

Replacement trees

If a tree is removed because it is dead or has become dangerous there is a duty to plant another tree of an appropriate size and species at the same place as soon as practicable, unless we agree otherwise.

Penalties

It is a criminal offence to prune, fell or damage a tree in a conservation area without giving notice.

Further information

You can check to see if you live in a conservation area on our website: www.westoxon.gov.uk

- Enter your postcode or address in the postcode search box
- Select your address from the dropdown list
- Select view 'more info / maps' button
- Scroll down to planning and environment

You can also use this feature to view a map and find out where your property is within the conservation area - click on the 'my maps' tab at the top of the webpage, then select 'planning environment' and 'conservation areas'.

If you are in any doubt about the need for a notice, or if you wish to submit one, please contact us:

Visit: www.westoxon.gov.uk

Email planning@westoxon.gov.uk

Post: Planning & Strategic Housing
West Oxfordshire District Council
Elmfield, New Yatt Road
Witney OX28 1PB

Call: 01993 861000