

RIBBLE VALLEY BOROUGH COUNCIL

REPORT TO PLANNING & DEVELOPMENT COMMITTEE

Agenda Item No.

meeting date: THURSDAY, 13 FEBRUARY 2014
title: REPLACEMENT TREE PLANTING PROVISION OFF-SITE
submitted by: JOHN HEAP – DIRECTOR OF COMMUNITY SERVICES
principal author: PHIL JOHNSON – COUNTRYSIDE OFFICER

1 PURPOSE

- 1.1 To inform Members and gain the agreement of Committee to improve the way the Council ensures sufficient replacement tree planting in relation to development.
- 1.2 Relevance to the Council's ambitions and priorities:
- Community Objectives – The changes will help to make peoples lives safer and healthier.
 - Corporate Priorities – To protect and enhance the existing environmental quality of our area.

2 BACKGROUND

- 2.1 The draft Core Strategy emphasises the importance of landscape protection (key statement EN2), sustainable development and climate change (EN3), and biodiversity and geodiversity (EN4). In particular key statement EN3 states that there should be “no net loss of biodiversity”. Additionally the Districtwide Local Plan Policy ENV13 on Landscape Protection states that “development proposals which harm woodlands, copses, hedgerows, and trees without satisfactory mitigation and enhancement will be refused permission”.
- 2.2 Much of the development within the Ribble Valley takes place on sites containing trees. The majority of those developments are possible whilst retaining some trees, and replacing others at a ratio of 2:1 or higher meaning a net gain of trees on site and therefore allowing an improvement to the environment and to public amenity.
- 2.3 However, on some sites space is at a premium and it is not possible to include landscaping areas of sufficient size to allow significant tree retention and replacement. In some instances it may be important to consider whether or not alternative landscape mitigation measures could be employed which would allow the promotion of appropriate development schemes. On these sites it is important to have an alternative mechanism for the delivery of environmental and public amenity improvements.
- 2.4 The aforementioned minimum tree replacement ratio of 2:1 is based on best practice amongst local authorities, tree contractors, and environmentalists within England. According to the DETR commissioned document Trees in Towns 2 only around 35% of trees planted within the urban environment survive to full maturity. This means that a replacement ratio of 3:1 is preferable, however, with a detailed maintenance plan agreed with the Local Planning Authority for the first 5 years of establishment a ratio of 2:1 can be acceptable and is a more realistic prospect for most development sites. Therefore

the 2:1 ratio should be taken as the minimum standard that should be exceeded where possible and where appropriate.

3 ISSUES/SUGGESTIONS

- 3.1 In order to secure sufficient replacement tree planting at a minimum ratio of 2:1, whilst allowing sustainable and economically viable development to occur on suitable sites, it is proposed that the Council uses planning conditions and Section 106 Agreements to secure funding for tree planting and maintenance on Council owned sites within the local community. The use of conditions and Section 106 Agreements must comply with the relevant statutory guidance and in particular Circular 11/95 on conditions and 2005/05 relating to planning obligations.
- 3.2 Such conditions/agreements will only be used in cases where it is not appropriate or possible to secure sufficient replacement tree planting on site.
- 3.3 It is important to remember that the Council can and do place Tree Preservation Orders on important trees and woodlands where this is expedient in the public interest – the provision of additional replacement tree planting will not alter this approach.
- 3.4 It is also important to note that where significant tree loss on any given development site is considered serious enough the use of off-site replacement planting may not be sufficient to mitigate losses, therefore it may still be appropriate to issue a refusal on those grounds.

4 RISK ASSESSMENT

- 4.1 The approval of this report may have the following implications:
- Resources – Maintenance costs will be included within planning conditions/S106 Agreements, however, this will only cover the maintenance and replacement costs for the first 5 years of establishment. It is anticipated that any additional costs as a result of the tree planting could be absorbed within existing resources.
 - Technical, Environmental and Legal – The proposal would allow for further environmental improvements within the borough.
 - Political – No implications identified.
 - Reputation – The securing of additional planting could enhance the Councils reputation in relation to the protection of the local environment.
 - Equality & Diversity – No implications identified.

5 **RECOMMENDED THAT COMMITTEE**

- 5.1 Agree to the use of planning conditions and Section 106 agreements where appropriate in order to secure necessary replacement trees on alternative Council owned sites including but not limited to:
- Clitheroe Castle Grounds
 - Brungerley Park, Clitheroe

- Highmoor Park (public open space), Clitheroe
- Henthorn Park, Clitheroe
- Edisford Park, Edisford Bridge
- Church Raik, Chipping
- Village Green, Horton
- John Smith Playing Fields, Longridge
- Kestor Lane Recreation Ground, Longridge
- Hacking Drive Playing Fields, Longridge
- Greenside, Ribchester
- Padiham Heights, Sabden
- Calderstones Park/Whalley Moor Woods, Whalley
- Street trees (in agreement with Lancashire County Council)

5.2 Support the inclusion of these conditions and Section 106 Agreements when considering future applications.

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BACKGROUND PAPERS

None.

For further information please ask for Phil Johnson, extension 4505.

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